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## Fed. Circ. OKs Decisions Clearing Banks In Patent Cases

By **Adam Lidgett**

Law360 (May 15, 2026, 8:01 PM EDT) -- The Federal Circuit on Friday backed lower court decisions that cleared a pair of banks of allegations that they infringed an online banking patent, but threw out a nearly \$85,000 sanctions order against the patent owner and its counsel.

In a pair of decisions, a three-judge panel said that district courts in Florida and New York were right to dismiss complaints mCom IP LLC filed against City National Bank of Florida and HSBC Bank USA NA, respectively.

MCom appealed the dismissal of just one claim in the case against CNBFL and HSBC, but the panel affirmed those decisions, noting that the court in Florida found the claim invalid to begin with.

The decision in the HSBC case was nonprecedential, but the one in the case involving CNBFL was precedential. In the precedential decision, the panel overturned the sanctions award against mCom and attorney Victoria Brieant, who were represented by patent attorney William P. Ramey on appeal. Ramey himself has been hit with sanctions orders on numerous occasions in his work as a prolific litigator.

While the lower court found that the suit was unusually weak, the Federal Circuit said: "We conclude that neither the district court's analysis nor the record developed and argument presented by City National can support the conclusion that this is an exceptional case."

The panel said that the sanctions couldn't stand since "there was no adequate reason to conclude that mCom should have dropped its suit before the court ruled on the dismissal."

MCom filed **the cases** in September and October 2023, saying the banks infringed the patent that covered an electronic banking system, but both cases were dismissed.

In the Florida case, mCom and Brieant were told to pay \$84,605 as sanctions later in the case, according to court records.

"We are pleased with the Federal Circuit Court of Appeal's decision affirming the dismissal that City National Bank of Florida secured in the district court below," Salvatore Fazio, an attorney for City National Bank of Florida, said in a statement. "At a time when settlement has become the default response to assertions by entities such as mCom, CNBFL took the less-traveled road of standing its ground — and prevailed against infringement claims that, in our view, should never have been asserted in the first instance."

Ramey said in a statement to Law360 that he was happy with the appellate court's reversal of the sanctions.

Counsel for HSBC did not immediately respond to requests for comment on Friday.

The patent-at-issue is U.S. Patent No. 8,862,508.

U.S. Circuit Judges Timothy B. Dyk, Haldane R. Mayer and Richard G. Taranto sat on the panel for the Federal Circuit.

MCom and Briant are represented by William P. Ramey III of Ramey LLP.

City National Bank of Florida is represented by Michael Santucci, Salvatore Fazio and Ted Whitlock of 500law.

HSBC is represented by Reshma C. Gogineni of WilmerHale.

The cases are mCom IP LLC v. City National Bank of Florida, case number 24-2089, and mCom IP LLC v. HSBC Bank USA NA, case number 24-1828, in the U.S. Court of Appeals for the Federal Circuit.

--Additional reporting by Theresa Schliep. Editing by Nick Siwek.

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