



## **Failure to Meet Plausibility Requirement Dooms Patent Infringement Complaint Notwithstanding Simplicity of Technology at Issue**

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The Northern District of Illinois recently dismissed a complaint without prejudice for failing to plausibly allege patent infringement. The court found that the allegations of direct infringement were insufficiently pled where the images of the accused product included in the complaint did not appear to show a particular necessary element of the claims.

The patent at issue claimed a type of curtain rod bracket assembly, which the court characterized as “a simple technology.” The claims required a bracket base and a bracket arm, with the arm having two mounting locations. One mounting location could be used to couple the arm to the bracket base when the base was attached to a wall, while the second location could be used to couple the arm to the base when it was attached to a ceiling. In the complaint, the patent owner provided images of the accused products and alleged that the products were a curtain rod bracket assembly having a bracket base and a bracket arm. However, the complaint made no further allegations concerning any of the other claimed elements, including the two mounting locations.

The court began its analysis by explaining the pleading requirements. Under Federal Circuit precedent, the plaintiff need not plead infringement on an element-by-element basis. Nevertheless, the court explained, the factual allegations, if assumed to be true, needed to articulate why it was plausible that the patent was infringed. Furthermore, the court explained that the level of detail needed depends on various factors, including the complexity of the technology at issue, the materiality of the claim elements to practice the patent claims, and the nature of the accused product.

Turning to the complaint, the court found that even with a low pleading standard, the allegations were insufficient. In particular, while the claims required two mounting locations, the accused product appeared to have only one. The court found that the allegations were simply conclusory. The court granted the defendant's motion to dismiss but gave the patent owner leave to amend.

**Practice Tip:** A patent owner should be mindful of the standards for pleading patent infringement. Although a patent owner need not plead direct infringement on an element-by-element basis, the allegations must plausibly allege infringement with sufficient details that depend on the matter at hand, including the complexity of technology, the materiality of the claim elements, and the nature of the accused product.

*Kenny Mfg. Co. v. Satori Home Ltd., LLC*, No. 25-cv-356 (N.D. Ill. Mar. 4, 2026)

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