

# Lower Chinese court rules shops should pull iPads

February 20 2012, By ELAINE KURTENBACH , AP Business Writer

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Apple's dispute over the iPad trademark deepened Monday after the Chinese company that claims ownership of the name said it won a court ruling against sales of the popular tablet computer in China.

Xie Xianghui, a [lawyer](#) for [Shenzhen](#) Proview Technology, said the Intermediate People's Court in Huizhou, a city in southern China's Guangdong province, had ruled on Friday that distributors should stop selling iPads in China.

The ruling, which was also reported widely in China's state media, may not have a far-reaching effect. In its battle with Apple, Proview is utilizing lawsuits in several places and also requesting commercial

authorities in 40 cities to block iPad sales.

Apple Inc. said in a statement Monday that its case is still pending in [mainland China](#). The company has appealed to Guangdong's High Court against an earlier ruling in Proview's favor.

Apple insists it holds the [trademark rights](#) to the iPad in China.

"We bought Proview's worldwide rights to the iPad trademark in 10 different countries several years ago. Proview refuses to honor their agreement with Apple in China and a Hong Kong court has sided with Apple in this matter," said Apple spokeswoman Carolyn Wu.

Calls to the court in Huizhou rang unanswered.

A letter to Proview's chairman Rowell Yang from the Beijing office of the law firm King & Wood, which is representing Apple, accused Proview of breaching "principles of good faith and fair dealing" and of making "false and misleading" statements.

Proview, a maker of LCD screens which is based in Guangdong, has asked regulators to seize iPads in China in a possible prelude to demanding a payout from Apple. A Shanghai court is due to hear a similar case on Wednesday.

So far, iPads have been pulled from shelves in some Chinese cities but there has been no sign of action at the national level.

Shenzhen Proview Technology is a subsidiary of Hong Kong-based Proview International Holdings. It registered the iPad trademark in China in 2001 and says the name was used for a computer described as an "Internet Personal Access Device" that employed touch panel technology.

The company says it plans to ask China's customs agency to block imports and exports of iPads.

Apple contends that it acquired the iPad name when it bought rights in various countries from a Proview affiliate in Taiwan in 2009 for 35,000 British pounds (\$55,000). Proview won a ruling from a mainland Chinese court in December that it was not bound by that sale.

Proview International's shares have been suspended from trading on the Hong Kong Stock Exchange since August 2010 and reports say it is deep in debt. It will be delisted in June if it cannot show it has sufficient assets, business operations and working capital.

Proview has filed a trademark-violation lawsuit that goes to court Wednesday in Shanghai. In the meantime, China's mass media is abuzz with speculation over the case.

"The iPad trademark case: Who cheated who?" quizzed a story in Monday's edition of the 21st Century Business Herald.

Apple, based in Cupertino, California, points to a Hong Kong court ruling in July that said Proview had acted with the intention of "injuring Apple."

According to that ruling, Apple set up a company in Britain to buy the iPad trademark from owners in various markets without revealing Apple was the purchaser.

Proview has accused [Apple](#) of acting dishonestly when it bought rights to the iPad name from Proview's Taiwan affiliate. A Hong Kong [court](#) document shows that once the dispute arose, Proview demanded \$10 million for the [iPad](#) name in China. But Hong Kong's legal system is separate from the mainland's.

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Citation: Lower Chinese court rules shops should pull iPads (2012, February 20) retrieved 25 April 2024 from <https://phys.org/news/2012-02-chinese-court-ipads.html>

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