

Shanghai court throws out case against Apple

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People look at Apple iPads at a store in Shanghai. A court in Shanghai threw out a civil case against Apple Inc on Thursday, citing a lack of evidence in a trademark dispute and ruled the US computer giant could continue iPad sales in the city.

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The Shanghai case marked a victory for Apple in a protracted and ongoing legal battle with the debt-laden Proview Technology over rights to the iPad name.

In opening arguments Wednesday, Proview said it owned the Chinese rights to the "iPad" name and was seeking legal backing to force the US technology giant to stop selling the [tablet computer](#) in the city, where Apple has three stores.

It is very rare for a Chinese enterprise to accuse an overseas firm of trademark breaches -- although foreign companies frequently complain of [intellectual property rights](#) violations in China.

On Thursday, the Pudong district court found "a lack of evidence that... the sales of the 'iPad' tablet computer constitutes a trademark violation."

The court also said in the statement on its website there was "no law or regulation" which prohibits Apple from continuing sales of the iPad.

"The court has decided to reject the provisional injunction and terminate the litigation of the case," it said.

The Taiwanese affiliate of Proview Technology registered "iPad" as a trademark in several countries including China as early as 2000 -- years before Apple began selling its product.

The US titan subsequently bought the rights for the global trademark, but Proview Technology, based in the southern city of [Shenzhen](#), claims the Taiwanese affiliate had no right to sell the Chinese rights.

Apple last year took the firm to a Chinese court, claiming [trademark infringement](#), but the court ruled the US company lacked "supporting facts and evidence" for its claim -- even though a Hong Kong court had previously sided with Apple.

Apple is now appealing that case but Proview, which makes [computer monitors](#), has itself filed trademark lawsuits against Apple in China and is threatening to sue the technology giant in the United States for \$2 billion.

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