

US court lifts Samsung phone ban, keeps tablet block

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A South Korean woman inspects Samsung's smartphone "Galaxy Note" during an IT show in Seoul in May 2012. A US appeals court rejected Friday a bid by South Korea's Samsung to overturn a ban on US sales of Galaxy Nexus smartphones in a court battle with Apple.

A US appeals court gave Samsung a temporary reprieve Friday on the sale of its Galaxy Nexus 7 smartphones while leaving intact a court ban on US sales of its tablet computers in a patent battle with Apple.

In two rulings in the bitter patent dispute, the US Court of Appeals in the capital Washington gave one to Apple and one to Samsung, but only temporarily.

The appellate panel temporarily lifted an injunction by California-based

US District Court Judge Lucy Koh on the smartphones which are jointly marketed with Google.

But the "stay" was just temporary until the panel receives arguments from Apple, which argues the phone infringes on patents in its iPhone.

In a separate decision, the appellate judges refused to lift Koh's injunction on the 10-inch Galaxy Tab computer, which Apple claimed was copied from the iPad.

The court panel in Washington ordered Apple to respond by July 12, while denying a Samsung request to stay, or halt the injunction.

Both Galaxy devices are powered by Android operating software that Google makes available for free to gadget makers. Nexus is the Mountain View, California-based technology company's own branded line.

Florian Mueller, who writes a blog on patent issues, said the court gave a partial victory to Samsung and Google after a series of wins by Apple.

"The temporary stay allows Samsung to minimize the disruption that the injunction causes," he said.

"Google had announced a software change to avoid further infringement, but it will likely take time to build new devices that come with non-infringing operating software. After five failures to win stays... Samsung has finally won at least this stay."

He said the court "did not explain its reasoning" but that Samsung may have persuaded the court "that there could be serious harm from the injunction" and that one or more of Samsung's arguments were "potentially meritorious."

Galaxy Nexus launched in the United States in April and Google gave the smartphones to developers at its annual conference in San Francisco as part of a "tool kit" to create applications for the Android mobile platform.

Smartphones powered by Android software command 50.9 percent of the US market, where slightly more than a quarter of mobile phones used are made by Samsung, according to figures by industry tracker IDC.

Apple gadgets made up 31.9 percent of the US smartphone market, IDC reported.

In the tablet case, Koh said there was "evidence that Samsung altered its design to make its product look more like Apple's" and that Apple had "presented a strong case" for the injunction.

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