

Judge sets December hearing on Samsung phone ban (Update)

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Motorola's Droid smartphone is displayed in 2009. The judge in the landmark Apple-Samsung case set a December 6 hearing on punitive damages to the US firm for patent infringement and on whether to ban eight Samsung phones in the US market.

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Judge Lucy Koh said in an order Wednesday she would bypass proceedings on preliminary injunction and go directly to Apple's request for a permanent ban on sales of certain phones by the South Korean electronics giant.

The December 6 hearing will also include debate on whether to triple the jury award of over \$1 billion.

Because the jury last week found that Samsung "willfully" infringed on Apple patents for its iconic iPhone, the judge may triple the award as a punitive measure.

Apple has asked the court to ban some of the newer 4G phones from Samsung's Galaxy line as well as the Droid Charge sold through Verizon.

The case does not include Samsung's newest Galaxy S III, which was released subsequent to the suit but which is facing separate litigation.

Apple asked the US District Court in San Jose, California to ban the Galaxy S 4G, Galaxy S2 AT&T model, Galaxy S2 Skyrocket, Galaxy S2 T-Mobile model, Galaxy S2 Epic 4G, Galaxy S Showcase, Droid Charge and Galaxy Prevail.

Samsung meanwhile asked the court to dissolve an injunction on its Galaxy Tab 10.1, after the jury found it did not infringe on Apple's design patent for the iPad tablet.

Koh said she would probably hear arguments on that motion on September 20.

She said in Wednesday's order that she would ask the parties for briefs on a permanent injunction sought by Apple, bypassing the temporary injunction in the interest of "judicial economy."

Samsung has pledged to fight the proposed ban.

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