

SKorean antitrust watchdog probing Samsung

September 6 2012, by Youkyung Lee

(AP)—South Korea's antitrust watchdog said Thursday it has launched an investigation into whether Samsung Electronics Co. is abusing its dominant position in the wireless market to disadvantage Apple Inc.

The investigation could add a headache for Samsung in its global legal battle with Apple. Samsung is betting on its pool of third-generation wireless patents to win patent lawsuits against its U.S. rival. But its argument that Apple should be barred from selling products that illegally use patents that are considered essential technology for [3G networks](#) have scored only one victory—in a Seoul court—while drawing scrutiny from regulators on at least two continents.

"We are reviewing whether allegations in the complaint lodged by Apple are true," said a [Fair Trade Commission](#) official, who declined to be named because they weren't authorized to speak to the press. "Apple filed a complaint earlier this year that Samsung is breaching fair trade laws," the official said.

Companies such as Samsung, which own so called standard-essential patents, are expected to license these patents under fair and non-discriminatory terms. It is a measure that allows companies to adopt a compatible technology and also to allow the entrance of new players to the market.

In response to Apple's April 2011 accusation that Samsung is blatantly copying the iPhone and the [iPad](#), Samsung countersued Apple that it is

using its standard-essential patents without permission.

A South Korean court ruled Aug. 24 that Apple infringed Samsung's standard-essential patents and ordered some [iPhone](#) and iPad products be banned in South Korea. The court said in the ruling that Samsung's pursuit of a sales ban on products based on the violation of standard-essential patents is not an abuse of its market power.

But Samsung's claims were rejected by other courts in Europe.

The antitrust watchdog will take the rulings into consideration, the official said.

Samsung denied it was abusing market power.

"Samsung has at all times met its obligations to the fair licensing of its telecommunications standards-related patents," a Samsung spokesman said. Apple spokesman Steve Park declined to comment.

In January, Europe's antitrust watchdog launched a similar investigation into whether Samsung was fairly licensing its patented wireless technology to other mobile phone makers.

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