

Brazil company sells cellphones with iPhone name (Update)

December 19 2012, by Stan Lehman



In this image provided by Gradient S.A., is seen the company's smartphone with the iPhone brand. A Brazilian consumer electronics manufacturer has begun selling smartphones with the iPhone brand, a trademark it has the right to use in Latin America's biggest country. Gradient SA says in a statement that in 2008 the government gave it the right to use the brand on its cellphones and the "exclusive rights to produce and sell them in Brazil." (AP Photo/Gradient S.A.)

It's not your Apple's iPhone. A Brazilian company has begun selling

smartphones in Brazil with the iPhone brand after winning the legal right to use the name in Latin America's biggest country. Adding insult to Apple Inc.'s injury, the phone runs on the Android operating system from archrival Google Inc.

Gradiente SA said in a statement that it filed its request to use the iPhone brand in 2000 when it realized "there would be a technological revolution in the world of cellphones with the convergence of voice and data transmission and reception via mobile Internet."

In 2008 Brazil's government gave Gradiente the right to use the brand on its cellphones.

Brazilian trademark office spokeswoman Maratan Marques said Gradiente requested permission to use the brand before Apple did and has the exclusive right to use it through 2018.

Brazil Apple spokeswoman Maria Parra Rodriguez said the company had no immediate comment. Phone calls and emails to Apple Inc.'s headquarters in California went unanswered.

Gradiente said on its website that it started selling its iPhone on Tuesday for 600 reals (\$300). It runs the relatively old 2.3 version of Android and its features include a 3.7-inch touch-sensitive screen, Bluetooth, dual chip capability, 3G, Wi-Fi and camera. Its appearance is similar to that of Apple's iPhone.



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The Brazilian company said it did not use the iPhone name until now because its "priority was to conclude a corporate restructuring process that ended earlier this year."

"In Brazil, Gradiente has the exclusive right to use the iPhone brand," the statement said. "This company will adopt all the measures used by companies around the world to preserve its intellectual property rights."

A company official said Apple had not contacted Gradiente and she didn't know of any attempt by Apple to contest Gradiente's use of the iPhone name.

The executive, who insisted on speaking anonymously because she was not authorized to speak to the press, added that she did not know if Gradiente would try to stop Apple iPhone sales in Brazil.

Major cellphone operators and retail outlets advertised Apple iPhones on their websites Wednesday.

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