

US court revives Apple gripe against Motorola Mobility

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Smartphones are on display at an Apple store in Strasbourg, France, on September 15, 2012. A US appeals court on Wednesday revived an Apple smartphone patent complaint against Motorola Mobility.

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did not infringe on the iPhone maker's patented touchscreen technology.

"The ITC succumbed to the bias of hindsight as the record bears significant objective evidence that Apple's patent was innovative," a three-judge appellate panel said in its written decision.

The ITC complaint dates back to late 2010, prior to Google's \$12.5 billion purchase of Motorola Mobility.

Motorola on Wednesday said that the appeals court ruling leaves the door open for the ITC to re-affirm its decision that Apple's claims were not valid.

Apple's bid for the ITC to ban infringing Motorola smartphones from import into the United States was resurrected by the move to have the quasi-judicial federal agency re-examine its decision.

California-based Apple has been battling [smartphone](#) competitors in courts around the world, accusing rivals of copying features from its popular [mobile devices](#).



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Legal wrangling has particularly involved smartphones or tablets powered by Google's free Android software.

"Today's remand decision gives Apple another opportunity to win a US import ban against the Google subsidiary's Android-based devices, which would have the Android ecosystem at large concerned," Florian Mueller said at his blog specializing in patent news.

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