

# Samsung lawyer: Apple angry over Google software

April 29 2014

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Clerks stand behind boxes containing documents related to the Apple Inc. versus Samsung case outside of a federal courthouse in San Jose, Calif., Monday, April 28, 2014. A federal court has delayed by a day closing arguments in the Apple and Samsung trial because of an appeals court ruling in another case on a related patent issue. Dueling expert witnesses were called back to the stand Monday in a San Jose federal courtroom to discuss whether the ruling in a legal dispute between Apple and Motorola has any effect on the Apple and Samsung trial. Lawyers will now deliver closing arguments Tuesday. (AP Photo/Jeff Chiu)

A lawyer recalled the innovations of Apple founder Steve Jobs as he accused Samsung on Tuesday of unfairly and brazenly ripping off iPhone and iPad features invented by Jobs and other Apple executives.

"These products were created by true geniuses," lawyer Harold McElhinny told jurors during his closing argument in the patent infringement case in federal court in San Jose.

An attorney for Samsung later stood behind Google technology when he argued that the South Korean company didn't copy the iPhone in creating its own devices.

Instead, Samsung engineers used the Google-developed software Android to create its increasingly popular smartphones and tablets, attorney Williams Price said in his closing argument.

Samsung made the best hardware for Google's software, which upset Apple executives who feared the competition, he said.

Jobs and Apple had declared a "holy war" on Google, Price said, marking the sole reason Apple filed the lawsuit against Samsung.

The case marks the latest legal fight between Samsung and Apple as each tries to dominate the \$330 billion annual market for smartphones.

A different jury in San Jose presiding over a previous trial regarding older technology ordered Samsung to pay Apple \$930 million. Samsung has appealed that ruling.

Samsung has captured about 31 percent of the smartphone market while Apple retains a 15 percent share.

Jobs, who died in 2011, is a Silicon Valley legend revered for launching

Apple in his family's garage in 1976. The Cupertino headquarters of the tech giant is a 15-mile (25-kilometer) drive from the San Jose federal courthouse where the current patent case is playing out.

After the closing arguments, the case will be submitted to the jury of four men and four women to determine a verdict.

Each company has accused the other of stealing key features to develop some of the latest smartphones on the market, but Samsung's newest device, the Galaxy S5 released earlier this month, is not at issue.

Apple Inc. is demanding \$2.2 billion after arguing that nine of Samsung's smartphones and one of its Galaxy tablets infringes five patents. Samsung Electronics Co. seeks a fraction of that figure—some \$6 million—saying Apple infringed two of its patents in creating the iPhone.

Samsung also argues that if it is found to have infringed Apple's patent, it would owe only \$38.4 million.

Testimony wrapped up Monday in the case.

Jurors have been read 53 pages of instructions on how to decide if an infringement occurred and how to calculate damages if fault is found.

Apple contends that many of the key functions and vital features of Samsung phones important to consumers were invented by Apple. Samsung argues that its phones operate on the Google Android software system and that any legal complaint Apple has is with the search giant.

Google Inc. is not a party to the litigation. Google spokesman Matt Kallman declined to comment.

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Citation: Samsung lawyer: Apple angry over Google software (2014, April 29) retrieved 25 April 2024 from <https://phys.org/news/2014-04-samsung-lawyer-apple-angry-google.html>

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