

Jury holds line on damages in Apple patent case (Update)

May 5 2014, by Glenn Chapman



An employee shows an Apple's iPhone 4s (L) and a Samsung's Galaxy S3 (R) at a mobile phone shop in Seoul on August 27, 2012

Jurors on Monday held the line on its \$119.6 million damages award to Apple in its latest patent battle with smartphone rival Samsung in Silicon Valley.

Jury members who had been asked by the judge to fill in a missing

royalty amount due to Apple for a Samsung smartphone found to infringe did so, while adjusting downward some other figures to leave the overall award about the same as declared on Friday, when the verdict was announced.

"The jury appeared to have added another \$4 million to the damages award, but then it turned out that it moved some numbers between products, so the total stayed below \$120 million," patent analyst Florian Mueller said in a post online at FossPatents.com.

The amount of money that Samsung is ordered to pay California-based Apple could "easily be reduced on appeal," Mueller added.

While the amount of the award is huge, it is only a fraction of the more than \$2 billion Apple had sought at the outset of the trial against its South Korean competitor in the hot smartphone and tablet computer market.

"We agree with the jury's decision to reject Apple's grossly exaggerated damages claim," Samsung said in a statement.

"Although we are disappointed by the finding of infringement, we are vindicated that for the second time in the US, Apple has been found to infringe Samsung's patents."

The jury delivered a mixed verdict in the San Jose, California, courtroom of US District Court Judge Lucy Koh on Friday.

Billions sought

Jurors agreed that Samsung violated three of five Apple patents at issue in the two-month-long trial.

Jurors also found that Apple violated a Samsung patent and said Apple

should pay its rival \$158,400 in damages.

The outcome is sharply different from a 2012 patent trial in the same court. Unlike the previous case in which Apple was a clear winner, this time Samsung prevailed in many areas.

Apple's legal team had urged jurors to order the South Korean electronics giant to pay more than \$2 billion in damages for flagrantly copying iPhone features.

Samsung lawyers maintained that the legal onslaught emerged from a "holy war" Apple declared on Google-made Android software used to power smartphones.

In August 2012, a separate jury in the same court decided that Samsung should pay Apple \$1.049 billion in damages for illegally copying iPhone and iPad features, in one of the biggest patent cases in decades.

The damage award was later trimmed to \$929 million and is being appealed.

The final touches put on the damages award on Monday ended a patent trial that began in early April before Koh.

Patents at issue in the case involve unlocking touchscreens with slide gestures, automatically correcting words being typed, retrieving data sought by users and performing actions on found data such as making a call after coming up with a phone number.

Samsung devices targeted by Apple include more than half a dozen smartphones from the Galaxy line, along with the Galaxy 2 tablet.

In a statement released Friday to US media, Apple portrayed the verdict

as a victory that "reinforces what courts around the world have already found: that Samsung wilfully stole our ideas and copied our products."

Samsung, in a countermove at trial, accused Apple of infringing on patents related to transmitting digital video and storing digital images.

Many analysts said the verdict was a victory of sorts for Samsung, which has become the world's largest seller of smartphones during the litigation with Apple.

The verdict also appeared to be positive for Google, which was not a party in the case but was billed by Samsung attorneys as Apple's main target.

Samsung's legal team had stressed during trial that Google built the Android mobile operating software that was accused of violating Apple patents.

Google engineers were among witnesses called to testify as Samsung lawyers portrayed the case as an attack on Android, which has become a formidable rival for the software powering Apple smartphones and tablets.

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