Company suing Apple over iPad name open to talks

February 21 2012, By ELAINE KURTENBACH , AP Business Writer

In this May 6, 2011 file photo, people queue overnight outside the Xidan Apple Store for the chance to buy an iPad 2 on the first day of its sale in Beijing, China. Apple's dispute over the iPad trademark deepened Monday, Feb. 20, 2012, after the Chinese company that claims ownership of the name said it won a court ruling against sales of the popular tablet computer in China. Xie Xianghui, a lawyer for Shenzhen Proview Technology, said the Intermediate People's Court in Huizhou, a city in southern China's Guangdong province, had ruled on Friday, Feb.17 that distributors should stop selling iPads in China. (AP Photo/Andy Wong, File)

(AP) -- The lawyer for a Chinese company suing Apple Inc. in China over its use of the iPad trademark indicated Tuesday that his client would be willing to discuss a settlement.

Xie Xianghui, lawyer for Shenzhen Proview Technology, said that since

no final decisions have been reached in various legal disputes over the issue, both sides are "still able to sit together and reach an out-of-court settlement."

Proview claims ownership over the iPad name. Apple says it bought the rights to the name in China and other countries in 2009, but that Proview failed to transfer the rights in mainland China as agreed.

Apple had no comment on the issue of a settlement. Its spokeswoman, Carolyn Wu, reiterated the company's belief that Proview has failed to honor its agreement with Apple.

Proview accuses Apple of acting dishonestly when it bought rights to the iPad name from its Taiwan affiliate and is seeking to prevent sales of the popular tablet computers in China. It has filed lawsuits in several places and has requested that commercial authorities in 40 cities block iPad sales.

A hearing is set for Wednesday in a Shanghai court. Meanwhile, Apple has appealed an earlier ruling against it in a court in Shenzhen, a city in southern China's Guangdong. The Guangdong High Court is due to hear that case on Feb. 29.

According to Xie, late last week a lower court in Huizhou, another city in southern China's Guangdong province, ruled that distributors should stop selling iPads in China.

But that ruling may not have far-reaching effect since the High Court appeal is still pending.

Many in China expect the two sides to eventually reach a settlement rather than continue to battle in the courts. Chinese are just as crazy about iPads as consumers anywhere else and the devices are

manufactured in China, employing hundreds of thousands of people.

Apple, based in Cupertino, California, insists it holds the trademark rights to the iPad in China, having purchased them through a company set up for that purpose for 35,000 British pounds ($55,000).

A court in Hong Kong, which has a separate legal system from mainland China, ruled in July that Proview had acted with the intention of "injuring Apple."

Proview, a maker of LCDs, registered the iPad trademark in China in 2001 for an "Internet Personal Access Device" computer that employed touch panel technology. It contends that the 2009 sale was not legally binding.

So far, iPads have been pulled from shelves in some Chinese cities but there has been no sign of action at the national level.

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