

# Apple seeks severe punishment for Samsung lawyer's actions

Dan Levine, Reuters

(Reuters) - Apple Inc asked a U.S. judge on Thursday to punish Samsung Electronics Co Ltd for a Samsung attorney's conduct by ordering that the South Korean company has infringed Apple's phone design patents, according to a court filing.

Trial began this week in high stakes litigation between the two companies. Apple sued Samsung last year in San Jose, California federal court, accusing Samsung of copying the iPhone and [iPad](#) [1]. Samsung has countersued.

U.S. District Judge Lucy Koh on Tuesday had barred Samsung's attorneys from presenting some evidence during opening statements. Later that afternoon, Samsung emailed reporters links to that material, along with a statement that "fundamental fairness requires that the jury decide the case based on all the evidence."

Samsung attorney John Quinn, of the law firm Quinn Emanuel Urquhart & Sullivan, acknowledged in a court filing on Wednesday that he authorized the press statement but said it was not designed to influence the jury.

"The members of the jury had already been selected at the time of the statement and the transmission of these public exhibits, and had been specifically instructed not to read any form of media relating to this case," Quinn wrote.

Apple called his conduct "egregious, because it impugned the integrity of the court," according to its legal brief on Thursday.

Samsung spokesman Adam Yates said the company will be submitting a response. "Apple's filing is baseless," Yates said.

A typical sanction for attorney misbehavior is a monetary fine, but Apple is asking Koh to rule that Apple's phone design patents in the case are valid, and that Samsung has infringed them. Those are issues that the jury has been empanelled to decide.

The trial is set to resume on Friday.

The case in U.S. District Court, Northern District of California, is Apple Inc v. Samsung Electronics Co Ltd et al, No. 11-1846.

(Reporting By Dan Levine; Editing by [Tim Dobbyn](#) [2])

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Published on Electronic Component News (<http://www.ecnmag.com>)

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