

Apple appeals decision in case against Samsung

PAUL ELIAS - Associated Press - Associated Press

Apple filed an appeal Thursday of a judge's refusal to bar some Samsung smartphones from the U.S. market, extending one of several legal battles raging around the world between the two tech giants.

The appeal came after a jury found in August that Samsung infringed six Apple patents and awarded Apple \$1.05 billion in damages from South Korea-based Samsung.

On Monday, U.S. District Judge Lucy Koh rejected Apple's demand that she bar 26 Samsung product from the U.S. market that were found to have used Apple's technology without permission.

The judge said Apple Inc. failed to prove that it lost money because consumers bought Samsung products due to features first used by Apple such as "pinch-to-zoom."

Samsung Electronics Inc. has said only three of the 26 products — all versions of its Galaxy SII smartphones — remain on sale.

Samsung is demanding a new trial or a significant reduction of the damage award. The company has said it would appeal if Koh refuses to grant a new trial.

The Federal Circuit Court of Appeals in Washington, D.C., which hears most patent appeals, will consider all appeals arising from the Northern California case.

Apple is looking for an increase in damages when Koh rules on that issue.

The world's top two smartphone companies are locked in legal battles on four continents, with each winning and losing significant rulings.

A second lawsuit in San Jose over Apple's allegations that Samsung's newer products infringe Apple patents is set for trial in 2014. Another trial examining Samsung's claims that Apple violated its patents is scheduled early next year in London.

Earlier, Samsung announced it was dropping its demands that Apple products be barred from European shelves pending the resolution of lawsuits there.

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