

A case brief

The name of the case: The battle between the two largest sellers of mobile phones-Samsung Electronics and Apple

Parties:

Defendant: company Samsung Electronics

Plaintiff: Apple company

A summary of the facts of the case: Apple and Samsung are the world's largest sellers of smartphones, and together they control more than half of the global market. Samsung has recently become the world's largest manufacturer of mobile phones, not just smartphones, but all mobile devices. Legal and technical issues of the case are very complicated. According to the plaintiff – company Apple, company Samsung Electronics copied several patents for the mobile phone iPhone and iPad tablet. The plaintiff alleged that Samsung knowingly copied patents, which are specific for Apple. Apple has reached partial success, because the court issued a preliminary decision that Samsung can not sell its Galaxy Tab 10.1 tablet in the U.S. Soon after this was in the United States provisionally banned the sale of mobile phone Galaxy Nexus.

Legal Issue: The questions before the court are following:

Who is the owner of a patent who follows the patents used in mobile phone technology?

Has company Apple the claim to obtain redress?

The ruling of the court: Dispute between Samsung Electronic and Apple ended by the court desicion that Samsung has to pay \$ 1.05 billion for violation of patents by Apple.

The reasoning of the court: The court reasoned that the defendant is guilty. The court drew the conclusion that the plaintiff has the claim to obtain redress. According to court Samsung intentionally abused at least three of their patents. Samsung phones also violated design patents related to the iPhone look and operating system.

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