ITC Issues Import Ban on some Samsung Products

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New York (AP) — Apple won a partial victory in its long-running patent dispute with Samsung on Friday when a federal administrative panel found Samsung in violation of two Apple patents and blocked imports of some Samsung devices.

Even as the U.S. International Trade Commission found Samsung in violation of the two patents, it cleared the South Korean company on four other patents in dispute.

President Barack Obama's administration has 60 days to veto ITC rulings. Over the weekend, the administration invalidated a June order that sided with Samsung and banned imports of Apple's iPhone 4 and a variant of its iPad 2. But the patents involved in Friday's ruling aren't of the type that Obama found objectionable.

Samsung Electronics Co. and Apple Inc. are in a global legal battle over smartphones. Apple argues Samsung's Android phones copy vital iPhone features. Samsung is fighting back with its own complaints.

The legal disputes come as competition in the marketplace intensifies. Samsung has been cutting into Apple's dominance in phones and is now the leading smartphone manufacturer. Samsung is also pushing into Apple's territory with its own Android tablet computers.

These cases typically involve older products that are no longer widely sold. Two of the phones cited in Friday's ruling were both 2010 models — the Continuum and the Transform. Nonetheless, a victory in such cases could affect what features are included in future devices and could slow down a rival's momentum. Apple could also seek to ban imports of phones released since the case was filed in 2011.

Samsung spokesman Adam Yates said the company was disappointed in the ban, but said the ruling did reject Apple's effort "to use its overbroad design patents to achieve a monopoly on rectangles and rounded corners." Yates said Samsung will

continue to release new products and have taken measures to ensure they will continue to be available in the U.S.

In a statement, Apple said the ITC "has joined courts around the world in Japan, Korea, Germany, Netherlands and California by standing up for innovation and rejecting Samsung's blatant copying of Apple's products. Protecting real innovation is what the patent system should be about."

Last year, a federal court in San Francisco ruled that Samsung owed Apple $1 billion in damages for infringing on non-essential Apple patents. But the judge refused to impose an import ban on Samsung phones and later struck $450 million from the verdict, saying the jurors miscalculated. An appeals court in Washington heard arguments in that case Friday, but has not issued a ruling.

In June, the ITC ruled that Apple violated one of Samsung's patents. That patent is deemed to be a "standards-essential patent," meaning holders are supposed to license them to all companies on "fair, reasonable and non-discriminatory" terms. U.S. courts have ruled that such patents cannot be the basis for import bans. But the ITC, which is an administrative agency and not a court, follows a different standard than the courts.

The Obama administration wants the ITC to adhere to the same principles and has recommended that Congress limit the ITC's ability to impose import bans in these cases.

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