

Case Study - Apple v Samsung

Hi everyone, my name is Pooja Viswanathan and I'm the CEO and founder of Braze Mobility. I will now be presenting the case study of Apple versus Samsung. In this case study we look at the value of design and industrial design of a graphic user interface or GUI.

Your GUI or other design features might be some of the most valuable aspects of your brand. For example, Apple protected many aspects of the iPod and iPhone technical features such as touch screen response, and design features, such as the black rounded screen. Some features, for example, slide to unlock were protected by both "utility patents" and "design patents" in the US known in Canada as industrial designs.

Apple's design patents covered features such as "slide-to-unlock" (USD675,639) and the square-icon GUI design (USD604,305)

In 2010, Samsung released the Galaxy S, which appeared to be very similar to Apple's device. Apple sued Samsung in the US for infringement of several of its utility patents and infringement of several design patents.

Apple and Samsung were also involved in nearly 50 other lawsuits around the world based on similar claims. The damages for infringing utility patents and design patents was costly.

US courts ruled in favour of Apple, finding that Samsung had infringed both the utility patents and the design patents.

Some of the utility patents covered methods of scrolling and scaling on a touchscreen. Although numerous utility patents were asserted, most of the damages were awarded for design patent infringement.

Samsung was forced to pay \$5.3 million USD in damages for utility patent infringement, and \$533 million USD in damages for design patent infringement. Which goes to show you: if the appearance of your product is important to your brand even if your product is software-based consider industrial design protection.

Many thanks to our speaker for presenting this case study: Pooja Viswanathan, PhD, CEO & Founder, Braze Mobility Inc.