

### **Samsung and Apple Patent Wars**

In perhaps Samsung's biggest legal win over Apple in their long-running patent war, a federal appeals court overturned a 2014 verdict that slapped the South Korean tech giant with nearly \$120 million in damages for copying certain iPhone features. The U.S. Federal Circuit Court of Appeals dismantled a San Jose jury's findings in the second trial between the two rivals, essentially concluding that the technology at the heart of Apple's lawsuit was so obvious that Samsung could not be punished for incorporating it into its smartphones. The appeals court added salt to Apple's wound by upholding a \$158,000 judgment against the Cupertino company for infringing a Samsung tech patent involving camera features.

In addressing one of Apple's patents for its popular slide-to-unlock feature, the appeals court noted that a key argument about such technology being integral to the iPhone's popularity does not overcome Samsung's position that much of the information was readily available to the industry. A reasonable jury could therefore not find a connection between the patented feature and the commercial success of the iPhone. For Apple, the ruling marks a damaging blow to the company's legal and public relations campaign that years ago set out to prove that Samsung copied iPhone and iPad technology in its own line of competing smartphones and tablets. Apple may still prevail in the end, but its court fight continues in the appellate courts. The end result in this case is a huge moral victory for Samsung, legal experts claim. The ruling is a big blow to Apple's contention that Samsung and other Android manufacturers were little more than copiers.

The ruling involved the second trial between the two companies, when an eight-member jury in 2014 determined that Samsung violated two Apple patents, including its slide-to-unlock feature on iPhones, and awarded Apple nearly \$120 million in damages. That came after a first trial in 2012 that ultimately resulted in Apple claiming more than \$500 million in damages for Samsung's patent violations on even older smartphones and tablets, a verdict that was upheld last year by the Federal Circuit Court. Even that decision weakened Apple's case – the amount was reduced from an original verdict of nearly \$1 billion. Samsung's appeal of that first trial decision is now pending in the U.S. Supreme Court. A U.S. District Judge is scheduled to rehear a portion of the first case involving a retrial on some of the damages issues. Apple declined to comment on Friday's ruling. The company can ask the Washington, D.C.-based Federal Circuit to rehear the case with its entire roster of judges or appeal to the Supreme Court. In mere dollar terms, it isn't that significant compared to the first trial, but it is consistent with the idea that this fight is likely to end, not with a bang, but with a whimper.

The jury in the second trial found that nine Samsung smartphones had in some way infringed two iPhone technology patents – the slide-to-unlock and auto-correct features – after a judge earlier found one other patent also had been violated. Samsung's Galaxy S3, the most recent smartphone involved in that trial, accounted for the largest chunk of the damages award, about \$52 million of the total. Those findings were wiped out by Friday's ruling.

Adapted from [www.mercurynews.com](http://www.mercurynews.com)

**Ex. 1 Find the words or expressions in the text which mean the following:**

- 1) happening over a lengthy period of time: \_\_\_\_\_
- 2) results of a search / discussion / debate: \_\_\_\_\_
- 3) to continue to exist / to win: \_\_\_\_\_
- 4) an opinion: \_\_\_\_\_
- 5) 12 people who decide if you're guilty or not in US courts: \_\_\_\_\_
- 6) court proceedings to decide if you're guilty or not: \_\_\_\_\_
- 7) finally: \_\_\_\_\_
- 8) a piece of sth: \_\_\_\_\_
- 9) to remove sth / to make sth disappear: \_\_\_\_\_
- 10) to be an inseparable element of sth: \_\_\_\_\_
- 11) already: \_\_\_\_\_
- 12) maybe: \_\_\_\_\_

**Ex. 2 Match the expressions from the two columns into logical collocations:**

- |                   |                  |
|-------------------|------------------|
| 1) an appeals     | violation        |
| 2) to slap sb     | a case           |
| 3) to add salt to | for a loan       |
| 4) a damaging     | with a bang      |
| 5) to award       | court            |
| 6) a patent       | feature          |
| 7) sth is         | sb \$ in damages |
| 8) to rehear      | pending          |
| 9) to end         | sb's wound       |
| 10) a patented    | blow to sth      |

**Ex. 3 Provide English equivalents of these expressions:**

1) uchylić wyrok	7) odmówić komentarza
2) rozmontować coś	8) ustalić coś
3) wywnioskować coś	9) skutkować czymś
4) naruszyć coś	10) skład sędziowski
5) podtrzymać wyrok	11) ponowne wszczęcie procesu
6) sąd okręgowy	12) kampania wizerunkowa

**Grammar corner...**

A couple of meetings before we spoke about turning everything (or almost everything) in English into verbs. Today we'll focus on the reverse process, i.e. using actions (verbs) as things (nouns). In the first sentence of the text you saw a phrase „a legal win”. It goes without saying that *to win* is a very simple verb, but it's just enough to use it as a noun and it becomes one (instead of victory). Other examples include: to commute -> a commute (your way to work), to wait -> a wait (the period you had to wait), to bore sb -> a bore (a boring person), to stay -> a stay (time you spent somewhere), to brew -> a brew (a beer), etc.

**Ex. 4 Fill in the sentences with ONE word you think best fits the context.**

1. How long is your c\_\_\_\_\_?
2. Hey, wanna grab a b\_\_\_\_\_ after work? There's a nice pub on our way.
3. Please don't invite Bill, he's such a b\_\_\_\_\_. He'll keep going on about the status reports for hours on end.
4. How was your s\_\_\_\_\_ at the Hilton, Sir? Was everything to your liking?
5. That new therapist you recommended was great. The queue was very long but she was worth the w\_\_\_\_\_.

<b>GLOSSARY</b>	
<b>long-running</b>	długi / długotrwały
<b>findings</b>	ustalenia
<b>to prevail</b>	przetrwąć / zwyciężyć
<b>a contention</b>	twierdzenie
<b>a jury</b>	ława przysięgłych
<b>a trial</b>	proces sądowy
<b>ultimately</b>	ostatecznie
<b>a chunk of sth</b>	kawałek czegoś
<b>to wipe sth out</b>	zniweczyć coś
<b>to be integral to sth</b>	być integralnym elementem czegoś
<b>readily</b>	już
<b>perhaps</b>	być może
<b>an appeals court</b>	sąd apelacyjny
<b>to slap sb with damages</b>	skazać kogoś na zapłatę odszkodowania
<b>a damaging blow to sb</b>	bolesny cios dla kogoś
<b>to add salt to sb's wound</b>	rozjątrzyć czyjąś ranę
<b>to award sb \$ in damages</b>	przyznać komuś sumę odszkodowania
<b>a patent violation</b>	naruszenie patentu
<b>sth is pending</b>	coś oczekuje (np. na zatwierdzenie)
<b>to rehear a case</b>	ponownie rozpoznać sprawę
<b>to end with a bang</b>	zakończyć się z hukiem
<b>a patented feature</b>	funkcja objęta ochroną patentową
<b>to overturn a verdict</b>	uchylić wyrok
<b>to dismantle sth</b>	rozmontować coś
<b>to conclude sth</b>	wywnioskować coś
<b>to infringe sth</b>	naruszyć coś
<b>to uphold a verdict</b>	podtrzymać wyrok
<b>circuit court</b>	sąd okręgowy

<b>to decline to comment</b>	odmówić komentarza
<b>to determine sth</b>	ustalić coś
<b>to result in sth</b>	skutkować czymś
<b>a roster of judges</b>	skład sędziowski
<b>retrial</b>	ponowne wszczęcie procesu
<b>a PR campaign</b>	kampania wizerunkowa
<b>a court ruling</b>	decyzja sądu
<b>lengthy</b>	długi
<b>inseparable</b>	nieodłączny

**ANSWER KEY:**

*Ex. 1*

- 1) long-running
- 2) findings
- 3) to prevail
- 4) a contention
- 5) a jury
- 6) a trial
- 7) ultimately
- 8) a chunk of sth
- 9) to wipe sth out
- 10) to be integral to sth
- 11) readily
- 12) perhaps

*Ex. 2*

- 1) an appeals court
- 2) to slap sb with damages
- 3) to add salt to sb's wound
- 4) a damaging blow to sb
- 5) to award sb \$ in damages
- 6) a patent violation
- 7) sth is pending
- 8) to rehear a case
- 9) to end with a bang
- 10) a patented feature

*Ex. 3*

- 1) to overturn a verdict
- 2) to dismantle sth
- 3) to conclude
- 4) to infringe sth
- 5) to uphold a verdict
- 6) circuit court
- 7) to decline to comment
- 8) to determine sth
- 9) to result in sth
- 10) a roster of judges
- 11) retrial
- 12) a PR campaign

*Ex. 4*

- 1) commute
- 2) brew
- 3) bore
- 4) stay
- 5) wait