

Apple seeks severe punishment for Samsung lawyer's actions

Dan Levine

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Apple has asked a US judge to punish Samsung Electronics for a Samsung attorney's conduct by ordering that the South Korean company has infringed Apple's phone design patents, according to a court filing.

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Trial began this week in high stakes litigation between the two companies. Apple sued Samsung last year in San Jose, California federal court, accusing Samsung of copying the iPhone and iPad. Samsung has countersued.

US District Judge Lucy Koh on Tuesday had barred Samsung's attorneys from presenting some evidence during opening statements. Later that afternoon, Samsung emailed reporters links to that material, along with a statement that "fundamental fairness requires that the jury decide the case based on all the evidence".

Samsung attorney John Quinn, of the law firm Quinn Emanuel Urquhart & Sullivan, acknowledged in a court filing on Wednesday that he authorised the press statement but said it was not designed to influence the jury.

"The members of the jury had already been selected at the time of the statement and the transmission of these public exhibits, and had been specifically instructed not to read any form of media relating to this case," Quinn wrote.

Apple called his conduct "egregious, because it impugned the integrity of the court", according to its legal brief on Thursday.

Samsung spokesman Adam Yates said the company will be submitting a response. "Apple's filing is baseless," Yates said.

A typical sanction for attorney misbehaviour is a monetary fine, but Apple is asking Koh to rule that Apple's phone design patents in the case are valid, and that Samsung has infringed them. Those are issues that the jury has been empanelled to decide.

The trial is set to resume on Friday in the US.

Reuters

This story was found at: <http://www.smh.com.au/digital-life/mobiles/apple-seeks-severe-punishment-for-samsung-lawyers-actions-20120803-23j7c.html>