Apple Says iPad Trademark Demands Unfair

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SHANGHAI (AP) — In its latest statement on a simmering dispute over the iPad brand name, Apple Inc. said Tuesday that Proview Electronics' insistence that it still owns the mainland China iPad trademarks is misleading and unfair.

Proview Electronics insisted on the terms of the 2009 purchase of the iPad brand name with the understanding that the mainland Chinese-registered trademarks were included in the worldwide rights to use the name, Apple spokeswoman Carolyn Wu said in reading the statement.

"Proview is misleading Chinese courts and customers with claims that the iPad trademarks cannot be transferred, or that mistakes were made in handling the transaction," the statement said.

"We respect Chinese laws and regulations, and as a company that generates a lot of intellectual property we would never knowingly abuse someone else's trademarks," it said.

Financially ailing Proview and Apple are sparring in courts in China and the U.S. over the issue, while the Chinese maker of computer screens and LED lights is seeking to have iPad sales and exports blocked.

Asked about Apple's statement, Proview lawyer Xie Xianghui in turn accused Apple of seeking to "mislead the courts, the public and media."

"It is wrong for Apple to do this," Xie said.

Apple says that in 2009 a company acting on its behalf first approached Shenzhen Proview Technology, which held the two mainland Chinese trademarks. Proview insisted on selling the trademarks through its Taiwan affiliate, to avoid having to pay its creditors, the Apple statement contends.

The 2009 deal, according to Apple, included worldwide rights to the iPad name — in total 10 iPad trademarks — for 35,000 British pounds ($55,000).

"Proview didn't want to pay its debts in 2009 when it sold the iPad trademarks, and because they still owe a lot of people a lot of money, they are now unfairly trying to get more from Apple for a trademark we already paid for," the statement said.

Proview's lawyer Xie questioned that allegation, given the small sums involved.

"It does not make sense for Proview to ask Apple to sign with Proview Taiwan to avoid paying this small amount of money to the creditors," he said.

A ruling is still pending from a court in southern China's Guangdong province over Apple's appeal of a ruling against it in the city of Shenzhen, where Proview is based.

Proview has been urging Apple to settle out of court, presumably for far more than the 2009 deal, in exchange for ending the dispute.

Proview's mainstream computer monitor business fell on hard times in 2008 and the company is liquidating assets as it goes through a restructuring. Company staff say its main product is now LED street lights.

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