Judge Denies Apple's Bid For Samsung Sanctions

The Associated Press

SAN JOSE, Calif. (AP) — A federal judge on Friday denied Apple Inc.'s demands for an immediate victory in a multibillion-dollar patent trial. Apple sought the long-shot bid as punishment for Samsung Electronics Inc.'s decision to issue a controversial press release on the first day of testimony.

The San Jose Mercury News reported Friday (http://bit.ly/T6ztfV [1]) that U.S. District Judge Lucy Koh denied Apple's request after polling the nine jurors to determine if they read media accounts based on the news release. All said they've abided by the judge's admonition to refrain from reading about the case.

Samsung attorney John Quinn authorized the release Tuesday, which complained about Koh's exclusion of evidence favorable to Samsung. The release also included the evidence.

Apple sued Samsung last year alleging that some of the South Korean company's smartphones and computer tablets are illegal knockoffs of Apple's iPhone and iPad. Samsung denies the allegations and argues that all companies in the cutthroat phone industry mimic each other's successes without crossing the legal line.

Quinn had been arguing for weeks to allow the jury to see the disputed evidence that purports to show Apple's iPhone being influenced by Sony Corp. designs.

Quinn and the judge had a testy exchange over the evidence on Tuesday before opening statements started. Koh has rejected Quinn's argument on several occasions and grew exasperated with him when he refused to stop arguing the point.

"Mr. Quinn, don't make me sanction you, please," Koh said. "Sit down."

Quinn did take his seat. But hours later, a public relations firm sent out the press release that prompted Apple's demands for sanctions.

"The excluded evidence would have established beyond doubt that Samsung did not copy the iPhone design," the release to media stated. "Fundamental fairness requires that the jury decide the case based on all the evidence."

The release also contained website addresses to access the disputed evidence. Those addresses have since been disabled.

Apple claimed the release was designed to taint the jury. Quinn countered that Samsung has a right to release documents that are publicly available.

Koh said she reserves the right to investigate the matter further if new evidence

comes to light.

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