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Patent Face-Off: Palm Pre, Apple

By Maisie Ramsay

WirelessWeek - February 06, 2009

The upcoming release of iPhone challenger the Palm Pre has the industry buzzing about a potential [patent](#) war between the two companies.

In what could amount to a legal headache for Palm and a bounty of fees for patent attorneys, Apple's arsenal of granted and applied-for patents has armored it on multiple fronts.

"Apple's move to patent key aspects of multi-touch technology poses a nearly-insurmountable barrier to entry," says analyst Pablo Perez-Fernandez with Global Crown Capital Equity Research.

"If you spend the time to go through the patents that have been granted to Apple and FingerWorks, you actually look at the claims in the patents, they are very, very broad. They're not only gestures and user interfaces but hardware," Perez-Fernandez says.

Both Apple and Palm have filed a slew of patents for the technology in their respective devices, with Apple even attempting to trademark the term "multi-touch". Apple's application to trademark the rights for the term "multi-touch" is expected to go through in the first or second quarter.

Neither Palm nor Apple could be reached for comment by press time, but Apple's pending trademark application goes to the core of its ability to sell: marketing, branding and positioning.

"This is a key issue that's much more important than people realize. If Apple gets this patent, nobody will be able to use the term ... It affects every other handset vendor - Palm, HTC, RIM," says Perez-Fernandez. Palm has used the term in its marketing of the Pre, but that could come to a halt if Apple's trademark application comes through, he says.

"Multi-touch" actually already has been patented by DPI Labs for use with its switches, switch panels and communication circuits. However, because the companies' association of the term is completely different, Apple's trademark application is unlikely to be rejected on the grounds that it infringes on DPI's rights.

Still, don't expect lawsuits just yet: Apple can't sue until the Palm Pre is released.

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Windows 7 Multi Touch? on 2/13/2009 8:14:00 AM writes:

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Companies are closing in on 2/23/2009 5:22:00 PM writes:

Apple is fighting the good fight but their patents really don't have much backing to them. Many other articles are saying the same thing. Soon Android as well will have multi-touch, as it already has the hardware to do so. <http://www.weboshelp.net>

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