

China court overturns iPhone sale ban

A Chinese court has ruled in favor of Apple Inc. in design patent disputes between it and a domestic phone-maker, overturning a ban on selling iPhone 6 and iPhone 6 Plus phones in China.

Last May, a Beijing patent regulator ordered Apple's Chinese subsidiary and a local retailer Zoomflight to stop selling the said phones after Shenzhen Baili Marketing services Co. (Shenzhen Baili) lodged a complaint to it, claiming that the patent for the design of its mobile phone 100c was being infringed upon by the iPhone sales.

Apple and Zoomflight took the Beijing Intellectual Property Office's banning order to court.

The Beijing Intellectual Property Court on Friday revoked the ban, saying Apple and Zoomflight did not violate Shenzhen Baili's design patent for 100c phones.

The court ruled that the regulator did not follow due procedures in ordering the ban while there is no sufficient proof to claim the designs constitute violation of intellectual property rights.

Representatives of Beijing Intellectual Property Office and Shenzhen Baili said they would take time to decide whether to appeal the ruling.

In another related ruling, the same court denied a request by Apple to demand stripping Shenzhen Baili of its design patent for 100c phones. Apple first filed the request to the Patent Reexamination Board of State Intellectual Property Office. The board rejected the request, but Apple lodged a lawsuit against the rejection to court.

The Beijing Intellectual Property Court on Friday ruled to maintain the board's decision. It remains not immediately clear if Apple will appeal.

Apple phones are popular among China's urban young people, but the sale faces stiff competition from domestic phone makers, which produce a wider range of affordable and quality smart phones.

Last year, three domestic brands – OPPO, Huawei and Vivo – outperformed Apple as China's top selling phone brands, according to a report by the International Data Corporation.

OPPO sold 78.4 million handsets in China last year, tailed by Huawei with 76.6 million units.