

## Reports examine mobile patent wars

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10/24/2011 10:34 AM EDT

SAN JOSE – No clear winners are expected in the ongoing patent infringement battles among Android partners, Apple and Microsoft, based on new reports analyzing some of the companies' patents.

**UBM TechInsights** has released a **report** analyzing the nearly 17,000 patents Google hopes to buy as part of its \$12.5 billion bid to acquire Motorola Mobility. Displaybank has released a handful of reports on mobile displays, **including one examining** a key Apple patent on multi-touch screens.

Meanwhile, a U.S. judge suggested at least one of Apple's design patents on the look and feel of its iPad may not be valid. The case is one of several Apple has brought against Samsung in courts around the world trying to prevent it from selling Android smartphones and tablets.

Separately, Motorola is named in 46 recent patent infringement cases citing 302 patents. Motorola has sued Apple or Microsoft for patent infringement in 12 of those cases, all filed in the past year.

Google will be better able to defend Android partners using the Motorola patents and Moto's seasoned intellectual property team, but it "does not have a clear advantage with this [Motorola] portfolio acquisition," UBM TechInsights said in its report. In fact the deal "likely makes this combined entity a more direct target," it said.

The report found Motorola Mobility has a total of 12,901 active patents, including 7,909 U.S. patents and 2,315 pending U.S. applications. The biggest groups--4,429 patents--are broadly in communications with smaller groups in encoding (414), video processing (298), power management (286), security (211) and user interface (91).

The U.S. patents should hold up well over time. Five years out 6,947 of the patents will still be valid including the vast majority of the patents in all the major categories.

Separately, market watcher Displaybank released a report examining a new multi-touch U.S. patent Apple was granted in June. It "encompasses broad topics related to technology of operating almost any picture that moves on [a] touch screen [and] is a strong, hard-to-avoid patent," it concluded.

In the end, patent wars are a numbers game, said Terry Ludlow, chief executive of ChipWorks, an IP consulting firm that has not conducted a specific analysis of the mobile portfolios.

The Motorola portfolio "probably gets [Google] to the level of mutually assured destruction, so they could end up with a cross license," Ludlow said. "Apple is not going to keep Samsung out of the handset business, it's just a question of who is going to pay whom and how much," he added.

"It's going to be a hard fight, but no one is going to win," said Ludlow, citing separate battles between Nokia and Apple that concluded with a settlement. "It will be a debate in court and parallel discussions in the licensing rooms, and in the end there will be cross licenses," he said.

In a recent analysis of the number of patents cited as essential to an industry standard, the Motorola portfolio had a 10:1 ratio advantage over a Nortel portfolio recently sold to a group of partners including Apple and Microsoft, Ludlow said.

"But standards-essential patents are a bit debatable," said Ludlow. "Some standards groups let you self-declare what's an essential patent and others have independent panels that review them and decide which are essential," he added.