

# High court sides with Samsung in patent dispute with Apple

By SAM HANANEL  
Associated Press



In this 2013 file photo, a man passes by the Samsung Electronics Co. logos at its headquarters in Seoul, South Korea.

WASHINGTON (AP) — The Supreme Court unanimously sided with smartphone maker Samsung on Tuesday in its high-profile patent dispute with Apple over design of the iPhone.

The justices said Samsung may not be required to pay all the profits it earned from 11 phone models because the features it copied from the iPhone were only a part of Samsung's devices.

Cupertino, California-based Apple had won a \$399 million judgment against South Korea-based Samsung for infringing parts of the iPhone's patented design, but the case now returns to a lower court to decide what Samsung must pay.

The case is part of a series of disputes between the technology rivals that began

in 2011. Apple accused Samsung of duplicating a handful of distinctive iPhone features for which Apple holds patents: the flat screen, the rounded rectangular shape of the phone and the layout of icons on the screen.

At issue was how much

Samsung is required to compensate Apple under an 1887 law that requires patent infringers to pay "total profit." Apple said that means all the profits from the phone sales, while Samsung argued it was limited to profits related to the specific components that

were copied.

Justice Sonia Sotomayor wrote for the court that the law does not require damages to be based on the entire product, but can be limited to only a component of the product. The decision overturned a ruling from a federal appeals court in Washington, which said that Apple was entitled to all the profits.

But the high court declined to lay out a specific test for how such damage awards should be calculated. Sotomayor said doing so was not necessary and the justices left it up to lower courts to resolve.

Samsung had argued that the hefty award ignored the fact that its phones contain more than 200,000 other patents that Apple does not own. Apple said the verdict was fair because the iPhone's success was directly tied to its distinctive look.

Samsung already has

handed the \$399 million over to Apple, but was hoping to get some of that money back with a favorable Supreme Court ruling. None of the early-generation Samsung phones involved in the lawsuit remains on the market.

In a statement, Apple said the company is optimistic that lower courts "will again send a powerful signal that stealing isn't right."

"Our case has always been about Samsung's blatant copying of our ideas, and that was never in dispute," the company said. "We will continue to protect the years of hard work that has made iPhone the world's most innovative and beloved product."

Samsung in a statement called the ruling a victory "for all those who promote creativity, innovation and fair competition in the marketplace."

The patent battle between the technology titans was being closely watched by other industry giants. Companies including Google, Facebook and eBay sided with Samsung, arguing that the verdict was an excessive windfall for copying a few features of the iPhone.

On the other side, sportswear manufacturer Adidas and jewelry maker Tiffany & Co. said allowing Apple to recover all the profits Samsung earned would discourage "design pirates" and protect companies that invest in creative designs.

"This removes a threat for technology companies," said Janelle Waack, a Washington, D.C., lawyer specializing in patent law. "The products that incorporate technology are not automatically going to get stung with a patent infringement suit that's going to cost them all of the profits from their product."



In this Nov. 17 photo, Lauren Bruner, one of five remaining survivors of the USS Arizona which was attacked on Dec. 7, 1941, holds with a 1940 photo of himself, at his home in La Mirada, Calif.

## USS Arizona survivor heads to Pearl Harbor 75 years later

By AUDREY MCAVOY  
Associated Press

HONOLULU — Lauren Bruner was getting ready for church in 1941 on his battleship, the USS Arizona, when the alarm sounded.

The Japanese attack on Pearl Harbor had begun, and Bruner, then 21, scampered up five stories by ladder to the enormous anti-aircraft guns he was responsible for manning.

But bullets hit his left leg and explosions set off by the Sunday morning bombardment rocked his ship before he could get to the weapons. The ship sank just nine minutes later. Bruner escaped, but suffered severe burns.

This week Bruner, now 96, plans to visit a memorial over the Arizona's sunken wreckage and attend a remembrance ceremony at Pearl Harbor on the 75th anniversary of the Dec. 7, 1941, attack.

Bruner has traveled from his Southern California home for the events many times, but doesn't know how long the Arizona's few remaining survivors will be able to keep up the tradition.

"It's getting close to being the end pretty soon. There's only five of us left now," Bruner said.

More than 2,300 servicemen died in the Japanese attack that plunged the United States into World War II. Nearly half of those killed were on the Arizona, most still entombed in the wreckage.

The Navy and National Park Service expect several dozen attack survivors to attend the remembrance ceremony Wednesday on a pier overlooking the harbor. They, along with thousands of others, will observe a moment of silence at 7:55 a.m. — the same minute the Japanese planes hit their first target in the harbor.

Back then, in 1941, Bruner didn't know who was attacking until the planes got close enough for him to see the red Rising Sun Japanese insignia on their sides. The aircraft shot at "everything in sight," he said. Then an explosion tore through his battle station.

"That's where the flames blew right through and cooked me right there," Bruner said in a telephone interview from his home in La Mirada, California.

With "everything burning," Bruner tried to get off the ship as fast as he could.

But the water in the harbor 80 feet below — infused with leaked oil — was on fire, too, so jumping wasn't an option.

Bruner and a few fellow shipmates shouted to a sailor on the ship moored next to the Arizona to toss over some rope. The six of them tied the rope and carried themselves hand-over-hand across the 100-foot expanse to the USS Vestal.

"You're like a chicken getting barbecued," he said. All of them made it, becoming six of the 335 sailors and Marines on the Arizona to survive. Another 1,177 shipmates died.

Doctors on the USS Solace hospital ship wanted to amputate most of Bruner's hands, leaving him with just his forefingers and thumbs, he said. Ultimately they peeled off his dead skin and let new skin grow in. They put him in a special bed with hoops that allowed sheets to be draped above him but not touch him.

Navy documents recently uncovered by the genealogy and historical records company Ancestry show Bruner suffered burns on his face and the back of his neck, his right shoulder, right arm and forearm, fingers, hands, outer thighs and lower legs.

The burns on his right arm were particularly severe and took longer to heal, according to the documents, which Ancestry has posted in a special section for Pearl Harbor survivors within its military records site Fold3.com.

Bruner spent seven months recovering but returned to service, he said, because the Navy needed sailors to train new recruits to fight the war. He was on the USS Coghlan when it bombed Japanese positions on Attu Island in Alaska in 1943. His ship later took troops to the South Pacific and was near Guam when the war ended.

He doesn't like to rehash many details from Dec. 7. He said he just "grins and bears it" to cope with the memories. "There are parts of this whole thing that I can't talk about. If I do talk about it, I cannot sleep," he said.

Bruner wants his ashes interred inside his old battleship after he dies, like many other Arizona survivors who have chosen to be buried with their shipmates. Bruner said he prefers this to lying in a sparsely visited cemetery. "I think I've got the last spot," he said, expressing confidence he'll be the last of the survivors to go.

### Wednesday Morning

STATION	6 AM	6:30	7 AM	7:30	8 AM	8:30	9 AM	9:30	10 AM	10:30	11 AM	11:30	
FOX	11 KFFX	11 AgDay	Hot/ Cleve.	Good Day Spokane			Paid	Brain	Steve Harvey (N)		Crime Watch Daily		
KPTV	3	Good Day Oregon at 6	Good Day Oregon				Good Day		The 700 Club		Rachael Ray (N)		
CBS	19 KEPR	2 News	News	CBS This Morning (N)			Harry		The Price Is Right		Young & Restless		
KOIN	19	KOIN 6 News at 6 a.m.	CBS This Morning (N)				Let's Make a Deal		The Price Is Right		Young & Restless		
NBC	25 KNDU	6 Wake Up Northwest	Today Kevin Costner, Missy Franklin, Rita Ora (N)	Today Show II (N)	Today Show III (N)	Today Show IV (N)	Today Show V (N)	Today Show VI (N)	Today Show VII (N)	Today Show VIII (N)	Million? Million?	Million? Million?	
ABC	42 KVEV	4 Northwest	Northwest	Good Morning America (N)			Live! With Kelly (N)		The View		Paid	Middle	
KATU	5	KATU News Morning	Good Morning America (N)				AM Northwest		The View		Live! With Kelly (N)		
PBS	31 KTNW	Stretch	W.L.Yoga	SplashB.	Jet Gol	Nature Cat	Peg + Cat	D.Tiger	Thomas	Sesame St.	DinoTrain	SplashB.	Sit and Fit
59 OPB	13	Power	Jet Gol	Nature Cat	C.George	D.Tiger	D.Tiger	SplashB.	Sesame St.	DinoTrain	Peg + Cat	SuperWI	Thomas

### December 7, 2016

### AFTERNOON

STATION	12 PM	12:30	1 PM	1:30	2 PM	2:30	3 PM	3:30	4 PM	4:30	5 PM	5:30	
FOX	11 KFFX	11 Paid	Pat. Court	Divorce	Divorce	Judge Mathis	The People's Court		2 1/2 Men	Mike&M.	Last Man	Last Man	
KPTV	3	12 O'Clock News	Wendy Williams			The Dr. Oz Show	TMZ Live!		Judge Judy	Judge Judy	5 O'Clock News		
KEPR	2	NameG.	Bold & B.	The Talk (N)		Let's Make a Deal	Dr. Phil (N)		Judge Judy	Judge Judy	News	News	
KOIN	19	News	Bold & B.	The Talk (N)		The Doctors (N)	Dr. Phil (N)		KOIN 6 News at 4 p.m.		News	News	
NBC	25 KNDU	6 Wilderness	Voyager	Days of Our Lives	Hot Bench	Hot Bench	Wendy Williams		Ellen DeGeneres (N)		News	Hair (N)	
KGW	8	KGW New	Paid	Days of Our Lives	T.D. Jakes (N)		Ellen DeGeneres (N)		KGW News		KGW News	NBC News	
KVEV	4	The Chew		General Hospital	The Doctors (N)		Rachael Ray (N)		Minute	Minute	News	News	
KATU	5	The Chew		General Hospital	Harry		Afternoon Live		KATU News @ 4		News	News	
KTNW	31	Charlie Rose		Mexican	F&Porter	Stretch	C.George	Speaks	WordGirl	Arthur	Odd Squad	Wild Kratts	Business
OPB	59	13	Paint	Cooking	Charlie Rose (N)	Nature Cat	Bob Build	Cat/ Hat	Jet Gol	Speaks	WordGirl	Odd Squad	Wild Kratts

### EVENING

STATION	6 PM	6:30	7 PM	7:30	8 PM	8:30	9 PM	9:30	10 PM	10:30	11 PM	11:30
FOX	11 KFFX	11 Modern Family "Larry's Wife"	Modern Family "Farm Strong"	2 Broke Girls "And the Really Petty Cash"	2 Broke Girls "Cash"	Lethal Weapon's family Christmas takes an unexpected turn when a hit is put out on Riggs.	Empire "The Unkindest Cut" (N)	Empire "The Unkindest Cut" (N)	FOX News First at Ten	:35 Law:Cl	When a police officer is murdered, Eames is forced to open her husband's murder case.	:35 Anger Management
KPTV	3	6 O'Clock News	Family Feud	Family Feud	Lethal Weapon "Jingle Bell Glock" (N)	Empire "The Unkindest Cut" (N)			10 O'Clock News		11 O'Clock News	2 Broke Girls
KEPR	2	Action News at 6 p.m.	Inside Edition	The Big Bang Theory	The Simpsons "Homerland"	Survivor Twenty castaways are separated into two groups by their generation.	C.Minds The team heads to Yakima, after the remains of a dozen people are found along a creek bed.		Code Black The doctors at Angels at shocked to learn that Campbell has a daughter with spina bifida.		Action News at 11:00 p.m.	:35 Stephen Colbert
KOIN	19	KOIN Local 6 at 6	Evening News	Extra	Ent. Tonight	Survivor: Millennials vs. Gen X (N)	Criminal Minds "Scarecrow" (N)		Code Black "Ave Maria" (N)		KOIN 6 News/ 11	:35 S. Colbert
NBC	25 KNDU	6 Local News	Family Feud	Wheel of Fortune	Jeopardy!	Hairspray Live A teenage girl dreams about appearing on a popular TV show. (N)					Local News	:35 The Tonight Show
KGW	8	KGW News at 6:00 p.m.		Live at 7	Hairspray (N)	Hairspray Live A teenage girl dreams about appearing on a popular TV show. (N)					KGW News at 11	:35 Tonight
KVEV	4	Extra	Local News at 6:30	Entertainment Tonight	The Insider	The Goldbergs "Globetrotters" (N)	Speech S-L-E-D HOCKEY" (N)	Modern "A Tale of Three Cities" (N)	Black-ish (N)	Designated Surv. "The Blueprint" Classified government documents are leaked online. (N)	News /:05 Kimmel This distinctive late-night talk show features celebrity guests, bands & comedy.	
KATU	5	KATU News at 6		Jeopardy!	Wheel of Fortune	Goldberg (N)	Speechless (N)	Modern Family (N)	Black-ish (N)	Designated Survivor "The Blueprint" (N)	KATU News	:35 Jimmy Kimmel
KTNW	31	PBS NewsHour		BBC World News	WealthTrack (N)	Nature "Love in the Animal Kingdom"	Nova "Bombing Hitler's Supergun"		Pearl Harbor: Into the Arizona		Charlie Rose (N)	
OPB	59	13	Journeys in Japan	Business (N)	PBS NewsHour	Nature "Super Hummingbirds"		Viewer's Choice				

### STARGAZING

STATION	12 AM	12:30	1 AM	1:30	2 AM	2:30	3 AM	3:30	4 AM	4:30	5 AM	5:30
FOX	11 KFFX	11 :05 Friends	:35 Hot In	:05 CR TV Featuring a selection of products and services.								CR TV
KPTV	3	2 Broke G.	TMZ	Dish	Queens	Raising Celeb	Paid	Paid	Minute	News	Good Day Oregon at 5	
KEPR	2	S. Colbert	:35 James Corden (N)	:35 Paid	:05 CBS Overnight News				News	News	News	News
KOIN	19	S. Colbert	:35 James Corden (N)	:35 Insider	:05 CBS Overnight News				News	News	KOIN 6 News at 5 a.m.	
NBC	25 KNDU	6 Tonight	:35 Seth Meyers	:35 C. Daly	:05 Today Show	Mad Money			News	News	Wake Up Northwest	
KGW	8	Tonight	:35 Seth Meyers	:35 C. Daly	:05 Steve Harvey (N)	Mad Money			News	News	KGW News	KGW News at Sunrise
KVEV	4	:05 Nightl.	:35 Paid	:05 ABC World News Now					News	News	Northwest	Northwest
KATU	5	J. Kimmel	:35 Nightl.	:35 Paid	:05 ABC World News Now				News	News	KATU News Special	
KTNW	31	Newsline	Japan	Remember Pearl Harbor	Danube	Antiques Roadshow	Pearl Harbor		Pearl Harbor		Pearl Harbor: Into	
OPB	59	13	PBS NewsHour	Rick Steves' Europe Travel Skills		Great Performances "Hamilton's America"			Business		BBC News	