

Counterfeit Driven Design

Sometimes design is driven not by responsibility or data or domain, but by stealing. Intellectual Property (IP) protects the creative work or invention of the IP owner. The “patent trial of the century” between Apple and Samsung ended and Samsung was hit with a \$1B black-eye. Apple claimed that Samsung stole the designs behind the iPhone and iPad. Samsung uses Android, the mobile software platform owned by Google; Apple stated that the mobile software platform is actually Apple’s IP. There were three Apple utility patents that were in contest ranged from 2008 to 2011: “Electronic Device”; 7,469,381 (December 23, 2008, inventor Bas Ording), “List scrolling and document translation, scaling, and rotation on a touch-screen display” – the “rubber band” or inertial scrolling technology; 7,844,915 (November 30, 2010, inventors Andrew Platzer and Scott Herz), “Application programming interfaces for scrolling operations” – the bounce call technology; and 7,864,163 (January 4, 2011, inventors Bas Ording, Scott Forstall, Greg Christie, Stephen Lemay, Imran Chaudhri, Richard Williamson, Chris Blumenberg, and Marcel Van Os), “Portable electronic device, method, and graphical user interface for displaying structured electronic documents” – the pinch-to-zoom technology.

According to court documents, Samsung designers evaluated the iPhone and copied it within three months. Internal Samsung documents allude to this fact – there are side-by-side comparisons of the iPhone and GT-i9000, with “Directions for Improvement” listed on each internal document. This evidence was very damaging. In ABET accredited engineering and computer science programs, ethics is a required course. Perhaps Samsung employees missed these classes, but the \$1B lesson should be a wake-call for all software designers: Counterfeit Driven Design is not the way.