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### Story

# Apple 'swipes' a patent on iPhone gesture

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By WILSON DIZARD

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Patent lawyers, start your search engines.

Apple has won a patent on the swiping mechanism that unlocks the iPhone screen, which is similar to those on rival **Android** touch-screen devices. And a potential battleground for legal disputes lies between the lines of a claim the US Patent Office approved on Tuesday.

Apple now holds the rights to screen-unlocking swipe gestures that make "contact with the touch-sensitive display at a first predefined location corresponding to an unlock image," the claim states, including a specific mention of swipes that give "sensory feedback to the user."

Apple filed for the patent in 2005, two years before its first **iPhone** model debuted. The gesture

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**APPLE IPHONE** Swoosh to the right.

technology joins other touch-screen patents Apple holds, some of which are the subject of lawsuits that the Silicon Valley juggernaut has brought against its competitors HTC, Samsung, and Motorola, whose handhelds run Google's Android operating system.

Patenting touch-screen swipes was a high priority for the late Steve Jobs, who is quoted in his biography as saying that he'd like to "destroy" Android for what he saw as flagrant infringement.

"I'm willing to go thermonuclear war on this," Jobs said.

Apple has accused **Samsung** of "slavishly copying" its **iPad** user interface and sued successfully in September to stop Samsung from selling its Galaxy Tab in Germany. It had initially sought a sweeping, EU-wide ban.

Even as skirmishes simmer between Apple and Android mobile manufacturers, the latest patent issuance could still leave room for a separate peace between the feuders.

"It might be used as a negotiating point to get licensing fees," said Michael Feigin, a New York-based patent lawyer who reviewed the language of the claim.

Alternatively, Apple's foes could punt and work around the patent.

"Patents all come down to the language," Feigin said. "This Apple patent really isn't that broad. There are numerous ways to unlock a phone. Who says you have to do it by touching various areas of a screen?"

"They'd probably rather spend their money on research and development than lawyers," he added.

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