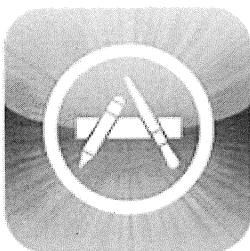


EXHIBIT 22



Apple Says Other App Stores Can't Be Called App Stores, Sues Amazon

By Marshall Kirkpatrick / March 21, 2011 7:21 PM / 18 Comments



The curated marketplace of categorized and user-rated software available for instant download, a paradigm made wildly popular by Apple with its iTunes App Store, may not in its many other incarnations be referred to as an app store, Apple said in a lawsuit filed today (<http://www.techmeme.com/110321/p64#a110321p64>) against Amazon for its soon-to-launch Amazon App Store

(http://www.readriteweb.com/archives/amazons_android_app_store_launching_tomorrow.php).

Apple points out in the suit that other competitors, such as Microsoft, have found words like Marketplace to use instead.

It's hard not to see this as Apple looking a gift horse in the mouth, while the barn door was left open months ago for it to run out and propagate itself across every farm in the land. Apple could have voiced this concern about the Google Chrome Web App Store, the Verizon VCast App Store, the Nokia App Store, or others.

Intel has an app store, Samsung, Motorola and LG have app stores. My local public transit agency in Portland, Oregon has an app store. I bet you can think of some more app stores, too. Google News can find more than 6,000 news stories that used the word App Store in 2010 alone - excluding stories that include any words associated with Apple products!

Sure, many of those are unofficial names - but everybody knows now what an app store is and just about everyone knows what The App Store is, too. Apple's being one of the very largest companies in the world and continuing to make products that millions of people love both seem likely to be more effective in protecting against brand dilution than trying to get other companies to stop calling other things App Stores now!

An app is an application, a discrete piece of software. A store is a place you can buy things. An app store is a store where you can buy apps. I must confess, I haven't looked closely at the reports about the Amazon App store yet. This sure makes me want to, though.

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Apple Sues Amazon Over "App Store" Name Right Before Amazon's Is Supposed To Launch

Dan Frommer | Mar. 21, 2011, 11:18 PM | 3,192 | 13

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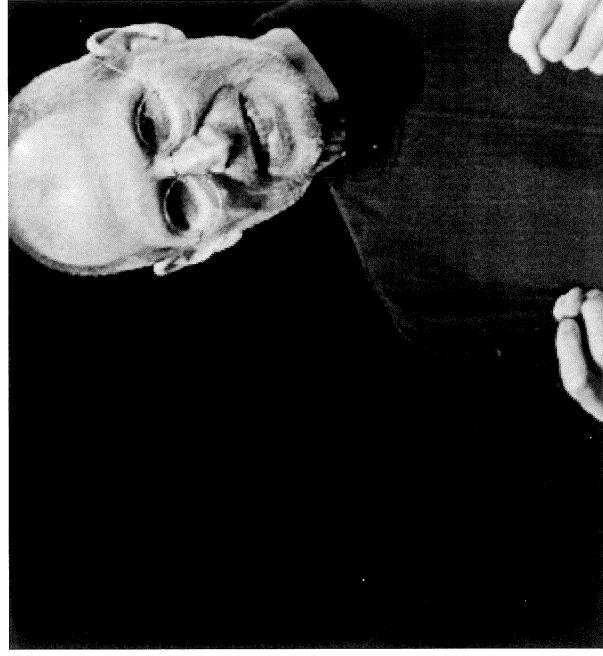
Like 99

Apple is suing Amazon to try and get it to stop using the term "app store" to describe its new app store for Google Android phones, which is supposed to launch Tuesday.

Via the WSJ, in a federal complaint filed last Friday in the Northern District of California, Apple asked for an injunction preventing Amazon from using the "app store" name, plus unspecified damages. Amazon spells it "Appstore," but Apple apparently thinks that's close enough.

"Consumers of mobile software downloads are likely to be confused as to whether Amazon's mobile software download service is sponsored or approved by Apple," Apple said in its complaint, via the WSJ.

Given the relationship between the companies -- increasingly competitive, but Amazon sells a lot of Apple products, and Apple has



licensed its "one click" e-commerce technology -- you'd have to assume something like this went all the way to the top at both companies.

To be a fly on the wall during that conversation between Steve Jobs and Jeff Bezos...

Anyway, if Amazon does have to stop using the "app store" name, what will it choose? RIM uses "App World" for the BlackBerry, Palm uses "App Catalog" for webOS, Google uses "Market" for Android, and so on. Or will Apple and Amazon figure this out without a judge?




And how does this affect other negotiations the companies may be having, such as whether Apple is really going to try to tax Amazon 30% for Kindle e-books sold through Amazon's iOS apps?

Read: The 10 Biggest Questions About Apple's iPhone 5

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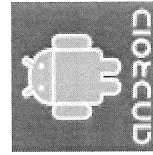
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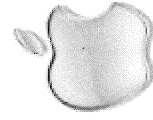
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Android



Edit »

Apple



Summary

Amazon.com, Inc. is a US-based multinational electronic commerce company. Headquartered in Seattle, Washington, it is America's largest online retailer, with nearly three times the Internet sales revenue of the runner up... [More »](#)

Summary

Android is a mobile operating system, owned by Google. Android Inc. was the startup company that developed the initial Android OS. Google acquired the company in July 2005, and many of the original Android Inc. founders work... [More »](#)

Summary

Apple Inc. is an American multinational corporation that designs and markets consumer electronics, computer software, and personal computers. The company's best-known products include the Macintosh line of computers... [More »](#)

Jeff Bezos

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Summary

Jeffrey Preston "Jeff" Bezos is the founder, president, chief executive officer and chairman of the board of Amazon.com. Bezos, a Tau Beta Pi graduate of Princeton University, worked as a financial analyst for D. E. Shaw &... [More »](#)

Steve Jobs

[Edit »](#)



Summary

Steven Paul Jobs is an American business magnate and inventor. He is the co-founder and chief executive officer of Apple. Jobs also previously served as chief executive of Pixar Animation Studios; he became a member of the... [More »](#)



Dan Frommer is Senior Staff Writer at Business Insider. He writes about Apple and other big players in the technology industry, with a special focus on mobile tech.

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samcheck on Mar 21, 11:46 PM said:

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Slipping this story in pretty late I see. I am guessing you will not see the same comments you see on the MS/BN article.

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freddy bee on Mar 21, 11:48 PM said:

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Steve "I'll see you in court"

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Jeff "doubtful..."

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junk science on Mar 21, 11:49 PM said:

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these patent cases aren't even funny anymore

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in other news, microsoft is suing barnes and noble over its patents on "navigation" and "finding information"

yes. really.

whats next? maybe amazon can sue apple back for having stores with ground floor entrances. microsoft can sue amazon for having a website. amazon can sue barnes and noble for selling books.

it is long past time for the judges in these cases to start treating plaintiffs in a more hostile manner and assign fines for frivolous suits. it is long past time for in these cases to have something real at risk

Reply

stop right here on Mar 22, 12:05 AM said:

12

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Apple is just crossing the line now of moving from cool, innovative to becoming too much, annoying.

Don't do that...

Nobody will get confused, not to mention that people used the term app, way before App.le made a store for it.

Too bad Apple did not bother to give a better, more characteristic name for the app store, which sells apps for Apple products. It's a lame excuse now for ti make it look like Apple invented the term "app".

Apple didn't invent it, it is a commonly used word, part of the living language, no company should claim or have exclusive ownership of it.

Reply

unsatisfiedmind on Mar 22, 12:15 AM said:

2

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Anyway, if Amazon does have to stop using the "app store" name, what will it choose?

I'd guess Amazon App Jungle

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Party Bus DC (URL) on Mar 22, 1:09 AM said:

0

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Here is Similar Story

Apple has sued Amazon.com, claiming the etail giant is using its "App Store" trademark without proper consent.

As reported by Bloomberg, Apple filed suit on March 18 seeking to prevent Amazon from using the app store name and to win unspecified damages.