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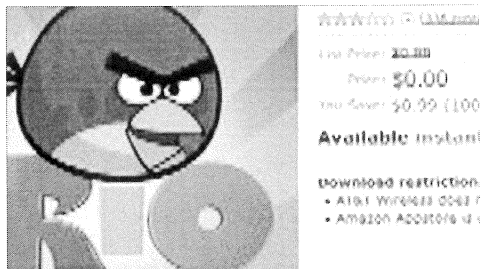
WSJ.com

TECHNOLOGY | MARCH 22, 2011

Apple Sues Amazon Over Term 'App Store'

By YUKARI IWATANI KANE And GEOFFREY A. FOWLER

Apple Inc. sued Amazon.com Inc. over its use of the phrase "App Store," accusing the online retailer of trademark infringement.



Amazon has launched its Android app store for downloading apps that work across Android mobile devices (more Angry Birds, anyone?) But Apple has sued Amazon over its use of the term "App Store," accusing the online retailer of trademark infringement.

In a complaint filed Friday in federal court for the Northern District of California, Apple asked the court for an injunction stopping Amazon from using the name as well as unspecified damages.

"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.

The lawsuit comes as competition heats up between the two companies. Apple and Amazon compete against each other in many businesses including e-books as well as digital music and

movie sales.

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Should Apple get to trademark 'App Store'? Yes No**SUBMIT VOTE**[View Results »](#)

Apple registered for a trademark on the term App Store on July 17, 2008. It has been using the name since then to refer to its applications store for iPhones, iPod touches and iPads that contains over 350,000 games, entertainment, news and other apps that users can download to customize their devices.

The filing says Amazon began using the phrase around January of this year to refer to its mobile-software download service. Amazon, however, cites it as "Appstore," with no space and a lower case 's'.

"We've asked Amazon not to copy the App Store name because it will confuse and mislead customers," said a spokeswoman for Apple. A spokeswoman for Amazon said it doesn't comment on pending litigation.

Although Apple's trademark was approved by authorities, it is also being challenged by Microsoft Corp. and is currently subject to proceedings before an appeals board of the U.S. Patent and Trademark Office, Apple said in its filing.

Write to Yukari Iwatani Kane at yukari.iwatani@wsj.com and Geoffrey A. Fowler at geoffrey.fowler@wsj.com

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Apple's App Store and a little trademark history

By Larry Dignan

March 22, 2011, 8:03 AM PDT

Takeaway: Apple is suing Amazon.com over use of the App Store trademark. Apple was granted the App Store trademark by the U.S. Patent and Trademark Office, but Microsoft is opposing the registration. This trademark fiesta started with Salesforce.com

Apple's App Store trademark began with Salesforce.com.

Bloomberg reports that Apple is suing Amazon.com over use of the App Store trademark. Apple was granted the App Store trademark by the U.S. Patent and Trademark Office, but Microsoft is opposing the registration.

It's a lot of hubbub for a trademark that was given to Apple by a former intern turned CEO. Way back in 2006—two years before Apple made the App Store term a household name—Salesforce.com outlined its AppStore vision. Salesforce.com's idea went like this:


Customers will be able to use AppStore as a single source for trying, buying and deploying on-demand applications on the AppExchange. AppStore will provide a complete package of commercial services and revenue-sharing programs for developers and partners, who will be able to use AppStore as a global distribution network to market, sell, invoice and deliver the applications they have built using the Apex programming language and platform and made available on the AppExchange.


So what happened? Salesforce.com CEO Marc Benioff recapped the App Store tale earlier this month at its CloudForce conference in New York. Speaking at a press and analyst lunch, Benioff made the following points:

- Salesforce.com had the AppStore dream.
- But thought AppExchange was a better term and sounded more enterprise-ish.
- Benioff, a former Apple intern, ran this AppExchange idea past Steve Jobs, who informed Salesforce.com that it needed scale to become a real platform.
- Notes were swapped.
- Benioff, who idolizes Jobs and was grateful for a little help forming a business idea, gave Apple the www.appstore.com URL and the rest is history.




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