

Apple Awarded Second Patent Disclosing iPhone's "Slide-to-Unlock" Feature

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On October 25, 2011, the United States Patent and Trademark office granted Apple, Inc., a patent for the familiar “slide to unlock” feature embodied in its various hand-held touch-screen devices. United States Patent No. 8,046,721 is the second patent disclosing the slide to unlock method Apple has obtained based on an application it filed in December 2005. Claim 1 of the ‘721 teaches:

A method of unlocking a hand-held electronic device, the device including a touch-sensitive display, the method comprising: detecting a contact with the touch-sensitive display at a first predefined location corresponding to an unlock image, *continuously* moving the unlock image on the touch sensitive display in accordance with movement of the contact *while continuous contact with the touch screen is maintained*, wherein the unlock image is a graphical, interactive user-interface object with which a user interacts in order to unlock the device; and unlocking the hand-held device if the moving the unlock image on the touch-sensitive display results in movement of the unlock image from the first predefined location to a predefined unlock region on the touch sensitive display.

(emphasis added). With the exception of the ‘721 Patent’s additional limitations concerning “continuous contact,” claim 1 of the ‘721 Patent substantially recites the language of claim 1 of U.S. Patent No. 7,657, 849, which the USPTO issued to Apple on February 2, 2010. Claim 1 of the ‘849 Patent provides:

A method of controlling an electronic device with a touch sensitive display, comprising: detecting contact with the touch sensitive display while the device is in a user-interface locked state; moving an unlock image along a predefined displayed path on the touch-sensitive display in accordance with the contact, wherein the unlock image is a graphical, interactive user-interface object with which a user interacts in order to unlock the device; transitioning the device to a user-interface unlock state if the detected contact corresponds to a predefined gesture; and maintaining the device in the user-interface lock state if the detected contact does not correspond to the predefined gesture.

Apple is currently litigating against HTC (in Delaware), Motorola (in Florida), and Samsung (in the Netherlands) regarding alleged infringement of the ‘849 Patent.

In August of this year, the Dutch court presiding over Apple’s infringement action against Samsung issued a preliminary injunction ruling that suggests the European counterpart to the ‘849 patent will ultimately be invalidated as obvious. According to Folrian Mueller (FossPatents.blogspot.com), the prior art cited in the Dutch court’s

preliminary injunction ruling included a Swedish manufacture's windows based phone with a slide-to-unlock feature, the "Neonode N1m," a 1992 article entitled "Touchscreen Toggle Design," and Guitar Rig, a software effect processor released in 2004. In addressing the primary difference between the Neonode's slide to unlock feature and the invention claimed by Apple, the Dutch court reportedly referred to the "graphical unlock image" limitation of Apple's claimed invention as "lying on the hand" a Dutch saying connoting obviousness. Would the '721 Patent's continuous contact limitation have been significant to the Dutch court?

Time—and most likely, a jury—will tell whether Apple's U.S. slide to lock patents are as significant as the discourse sparked by the '721 Patent suggests. Stay tuned.