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Google and OHA sued over Android name

Could the platform be forced to rebrand?

by Amy-Mae Elliott published on 1 May 2009

Google could be forced to rename its Android operating system and platform if an Illinois-based software developer gets his way in court.

Erich Specht, owner of Android Data Corp, is suing Google - and 46 other companies that are members of the Open handset Alliance - for \$94 million in damages over the term "Android".

"Basically, it's a stolen name", Specht's attorney told Forbes. "It's our trademark, and Google is using it as if it's theirs".

As well as the cash, Specht wants all Android-branded products - including the HTC Magic, launching on Vodafone today - to be removed from the market and repackaged under a different name.

In what's a complicated chain of US Patent and Trademark Office documents and processes, Specht's claims on the term Android date back to 1998, while he trademarked "Android Data" in 2002.

Google applied for its Android trademark in October 2007, an application that was initially rejected in early 2008 for being too similar to Specht's mark. But Google appealed this, as it seems Android Data had been dissolved in 2004.

A court date for the case is expected to be announced next week, after which Google will have 60 days to respond. A Google spokesperson has said it "will defend vigorously against them".

