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As a company over the past few years, Apple has come a long way in the wrong direction – exactly the opposite direction from that indicated in the seminal, game-changing Macintosh "1984" commercial. As time goes on, Apple seems to rely less and less on its ability to create a groundbreaking product, and more and more on its ability to use the power of government to prevent others from doing likewise.

The verdict in last month's patent lawsuit – in which Apple managed to have Korean electronics firm Samsung sanctioned for, among other things, violating an Apple patent on the shape of tablet computers – is just the tip of an iceberg extending well below the waterline of recent history.

Apple once sued New York City ("the Big Apple") over an apple-shaped logo.

It has sued other companies over the use of the lowercase letter "i" and the word "pod."

It sued Digital Research for copying the "look and feel" of MacOS – a "look and feel" that it had itself stolen from Xerox Alto/Star (even going so far as to raid Xerox to staff the original Mac design team).

It sued Psystar for manufacturing hardware that could run MacOS X.

An obvious first reaction to much of this litigation is to notice how frivolous it is. A company claiming an exclusive right to make cuboid devices with rounded corners? Really? I just walked through my kitchen and counted four such devices, none manufactured by Apple. Claiming ownership of the lowercase letter “i” seems ... well, a bit broad, don’t you think?

It would be a mistake to focus on the frivolity of Apple’s claims, though. As “intellectual property” critic Stephan Kinsella points out : “The problem is not low-quality patents, nor patent trolls, nor software patents, nor unclear nonobviousness standards, nor an incompetent PTO [U.S. Patent & Trademark Office], nor too-long patent terms, nor inadequate prior art databases – though these are all problems. The problem is good patents, high-quality patents, issued to cover existing products of existing companies, who use them to bash their competitors over the head.”

In this latest case, Apple has straightforwardly demanded that American consumers buy its devices rather than Samsung’s, and it has the wherewithal to enforce that demand. Not because Apple’s devices are cheaper than Samsung’s. Not because Apple’s devices are better than Samsung’s in this way or that. Because, and only because, Apple’s friends in government have guns and they are pointing those guns at Samsung and telling Samsung it can’t even offer you its products.

At some point, this approach will inevitably backfire on Apple.

Internally, there’s no incentive – no sense of urgency – to remain innovative when you don’t think you have to. The ability to seemingly lock down a market to your old products translates, in internal culture, into an unwillingness to spend money and man-hours improving those products.

Externally, market forces have a tendency to win out regardless of the speed bumps that capitalist protectionism puts in their way. The monopolies Apple believes it has secured will eventually be circumvented or made obsolete by young, hungry competitors who don’t yet have friends in Washington.

In the meantime, here's hoping that Apple will see the light, halt its ongoing degeneration into a sleazy protection racket, and return to being a company that thrives on the basis of great products.

(Disclaimer: I'm a longtime Apple fanboy. I bought my first Macintosh in 1994, and ever since then I've defaulted to Macs versus Windows PCs and even Linux boxes when I've been able to get one. To my mind, Apple's design ethos is topnotch. Their stuff is usually innovative and always, always, always – to drag out an old phrase – "user friendly.")

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