

EXHIBIT 42

**MEGAN M. CHUNG'S DECLARATION IN SUPPORT OF APPLE INC.'S MOTION
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Thursday, October 25, 2007

Review: Apple's New Operating System

MacOS 10.5 offers easy file recovery, effective parental controls, and a host of clever, smaller features.

By Simson Garfinkel

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Mac attack: Apple's MacOS 10.5, dubbed Leopard.
Credit: Apple

Apple's new Macintosh operating system ships tomorrow. Visually stunning, OS 10.5--a.k.a. Leopard--is fast and stable, and it features a consistent set of powerful file-management tools familiar to anyone who has ever used iTunes. And unlike Microsoft Windows, which seems to grind slower with each successive release, OS 10.5 feels faster than 10.4 on the same hardware--provided that you have sufficient memory.

As I mentioned in my [May 2007 review](#), Leopard's centerpiece technology is Time Machine, a

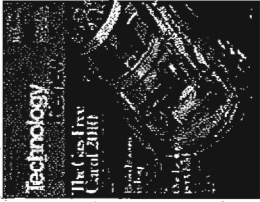
revolutionary backup system that lets you take your computer "back in time" to find accidentally deleted files, address-book entries, photographs, and the like. Click "Time Machine," and the desktop drops off the screen to reveal a flowing star field with a sequence of windows progressing back toward the beginning of time (or at least to when you installed Leopard). Click on the timeline, and you can travel back to before you accidentally deleted a key paragraph in that annual report. You can then copy it and bring it back with you into the present.

Multimedia

• Click here for screen shots of the Time Machine application's graphical user interface.

Time Machine also has a clever disaster-recovery feature that lets you rebuild your Mac from a backup if the main hard drive fails. This feature is built into the MacOS installation process: once the operating system is installed, the computer asks you if you have a Time Machine backup to restore.

Yes, Time Machine's functionality is really no different than that of a traditional incremental backup system. But Time Machine is so much prettier and easier to use! Like the rest of 10.5, Time Machine's graphics and animations are smooth and pleasing but not excessive. The program needs just a tiny bit of configuration: turn it on and specify the hard drive where you want to keep your backups. The defaults are sensible but easily customized. And Time Machine is extensible, so that developers can incorporate it into their own applications. (For example, clicking the Time Machine icon while AddressBook is active allows you to restore



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individual address-book entries, rather than the entire AddressBook file.)

Unfortunately, Time Machine has a serious problem: when you "secure empty trash" a file on your Mac, the backup remains in Time Machine--with no indication or warning to the user that it's still there. If you want to delete the Time Machine backup, you need to enter Time Machine, find the file, and then tell Time Machine to delete all those backups as well. You'll have no clue as to whether they are "securely" deleted or just unlinked.

Leopard's other big breakthrough is its Parental Controls, one of the best implementations of child-control technology I've seen. Parental Controls allows you to set time limits on your child's use of the computer (separate limits on weekdays and weekends), bedtimes, and wake-up times. The system gives a warning when bedtime is approaching; if your child is working hard on a paper for school, you can type in your username and password and lift the electronic curfew.

Parental Controls also allows you to specify websites that can't be accessed, the people with whom your child can exchange e-mails and instant messages, and even which applications your child can run. I was pleased to see that restrictions on websites and the like are actually built into the operating system, rather than built into Apple's Safari Web browser: I downloaded and ran a copy of Firefox, but the blocked websites remained blocked.

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October 25, 2007

STATE OF THE ART

Apple Offers New Goodies in Leopard System

By DAVID POGUE

If you're a computer company, what on earth do you add to the sixth annual version of your operating system?

It's not as though there are any glaring holes left. Nobody is still crying out for a better way to organize photos.

That's the challenge that Apple faced in developing Mac OS X 10.5, code-named Leopard, which goes on sale tomorrow after a four-month delay. Price: \$110 online, \$190 for a family pack, or free on a new Mac. As Steve Jobs points out, for that money, "everyone gets the Ultimate version." (That's a swipe at Microsoft, which sells Windows Vista in at least five versions costing as much as \$330 for the Ultimate).

Microsoft had it a little easier with Vista, because everybody knew what Windows needed: better security. Maybe Mac OS X is harder to hack, or maybe the virus writers consider the Mac's 8 percent market share too piddling to bother with. But in its six years, Mac OS X hasn't experienced a single virus outbreak or spyware infestation.

So Apple's mission in Leopard was to make us aware of needs we never knew we had — something Apple is usually good at.

Apple's Web site lists 300 new features in Leopard. They're not all earth-shattering; they include a Braille font, a "Word of the Day" screen saver and a Danish spelling checker. (Settle down, folks.)

Fortunately, others really do make you slap your head and say, "Of course!"

The one Apple extols the most, with reason, is called Time Machine. It's a backup program.

Of course, the world is full of backup programs. But almost nobody uses them. Chances are extremely good that you, at this moment, do not have an automated, regular backup of your

entire computer.

Time Machine keeps multiple backups of everything — programs, settings, files, photos, even the operating system itself — on a second hard drive (or another Leopard Mac on the network). The need for a second drive is a drag, but it's a necessary evil. Besides, hard drives are cheap; you can buy an internal 250-gigabyte one for \$75.

When you connect the second drive, Leopard asks if you want to use it for Time Machine. If you click O.K., that's it. One click — that's got to be the shortest setup of any backup system in history.

Time Machine updates its mirror of your main drive every hour, although you can also trigger updates on demand. At day's end, Time Machine replaces those hourly backups with a single daily backup; at the end of the month, those are replaced by a single month-end backup. (Apple assumes that it won't take you a whole month to notice that your hard drive crashed.)

If disaster strikes — sunspots, clueless spouse, overtired self — you enter Time Machine's recovery mode. The sleek, modern-looking Leopard desktop falls away like a curtain, revealing — startlingly — a deep-space starfield. The window that once contained your files remains floating before you, with dozens of iterations of itself, like file cards, receding into the background.

You can now scroll backward through time until the window looks as it did before the unfortunate event. (You can also use the Search box to find missing files.) When you find the files you want and click Restore, the regular desktop slides back up into view. The recovered icons are back in their original window.

Not everyone falls under the spell of that gorgeous animated starfield; critics call it unnecessary eye candy. But making Time Machine attractive — and prominent and effortless — is all part of the mission. The more people who can be persuaded to turn it on, the more will be spared the misery of losing their photos, music and e-mail.

That's not the only routine-changing feature. Quick Look lets you tap the Space bar to view the contents of a document's icon at full size, right at the desktop, without having to open the program that created it. It works with most common file types — Word, Excel, PowerPoint, PDF, HTML, Apple's iWork suite, text files, photos, music, movies, fonts and so on — and it's fantastic.

Another is called Spaces, which gives you up to 16 full-size virtual monitors. You can park the

windows of a different program, activity or project on each one — e-mail and chat on Screen 1, Photoshop on Screen 2 — and switch among all these “external monitors” at will. An ingenious map view lets you drag these virtual screens around in space, and even drag open windows between screens.

Virtual-screen software isn’t new. But having it built in, and with so much polish, makes a huge difference.

Leopard’s parental controls play catch-up with Windows Vista’s. Now you can set time limits for your children’s computer use (different for weekdays and weekends), and even make the Mac lock itself at bedtime. A log tracks their activities, including e-mail and chat correspondents and Web sites visited.

The list of smaller goodies is long: A more polished Boot Camp lets you restart current Mac models in Windows. Screen sharing, over the network or the Internet, lets gurus assist newbies from afar. Web Clips lets you capture a rectangular region of any Web page and save it as a self-updating fixture on your desktop — great for best-seller lists, top headlines or most-watched video sections. The Dictionary program can now search Wikipedia.

The iChat text/voice/video chat program now lets you use a photo or a movie as a backdrop when you’re videoconferencing — like a blue-screen effect but without the blue screen. It also lets you display documents, presentations or movies to your videoconferencing buddies.

And invisibility mode lets you see who else is online, but they can’t see — or bother — you.

Now, not all of Leopard’s features are slam dunks. Take Stacks, for example. When you click the icon of a folder in the Dock (the row of quick-access icons at the bottom of the screen), you see its contents, arrayed as a fan or a grid of icons hovering in space.

That’s handy if you want to open or drag one. And since icons in Leopard are actual miniatures of the documents they represent, it’s nice to have a preview of what you’re about to open.

But if the folder is very full, the “stack” shows only some of its contents. (In previous Mac OS X versions, clicking a Dock folder produced a simple, but complete, menu of its contents.)

The most serious misstep in Leopard is its new see-through menus. When the menu commands — Save As, Page Preview, whatever — are superimposed on the text of whatever document is behind them, they’re much harder to read. Often, Apple’s snazzy graphics are justifiable because they make the Mac more fun to use. In this case, though, nothing is gained,

and much is lost.

Otherwise, the only cause for pause is the usual minor set of 1.0 bugs, which Apple generally fixes with software updates after a major release. I pushed my system hard for a week using the final Leopard software, and encountered occasional glitches with Spaces, automated synching among Macs and switching programs. I also found a few programs and add-ons that will need updates to run in Leopard.

On the other hand, Leopard maintains all the goodies of previous Mac OS X versions. To the amazement of many Windows refugees, Mac OS X requires no serial number and no "activation"; it's not copy-protected. It doesn't clutter the desktop with crippled bits of free-trial software from other companies. There are no nagging balloons or come-ons.

Leopard does well with backward compatibility, too. Thanks to modest minimum requirements (512 megabytes of memory, 867 megahertz), Apple says Leopard runs on three-year-old Macs and even high-end six-year-old machines.

Leopard is powerful, polished and carefully conceived. Happy surprises, and very few disappointments, lie around every corner. This Leopard has more than 300 new spots — and most of them are bright ones.

E-mail: Pogue@nytimes.com

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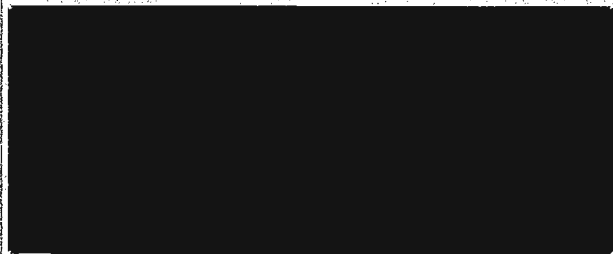
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Product Summary

The good: Elegant backup via Time Machine; Finder offers

CNET Editors' Rating

8.0/10



powerful navigation tweaks, novel workspace customization through Spaces' virtual desktops; integration with Web data and applications; Cover Flow visualizes file browsing; iChat Theater offers green-screen backgrounds and lets users access each others' desktops; Bootcamp included.

The bad: Leopard was afflicted in some cases by installation woes and application failures; some new features, such as geotagging, aren't obvious to find; users with older Macs can't run Leopard.

The bottom line: The grace of Leopard's interface enhancements makes productivity more pleasurable with a Mac, as more than 300 functional and fun features top off this update.

Specs: License qty: 1 user; License type: Complete package. Min hard drive space: 9 GB See full specs >>

Price range: \$117.73

See all products in the Mac OS 10.5 Leopard series

CNET editors' review

Reviewed by: Elsa Wenzel

Reviewed on: 10/25/2007

Updated on: 11/02/2007

Released on: 10/26/2007



Photo gallery:

Apple Mac OS X 10.5 Leopard

Leopard makes it far easier to find documents and applications than Windows Vista.

Leopard's interface niceties made the daily mechanics of using the computer more pleasurable. Mundane chores, such as finding files and backing up data, become a visual treat (See our photo gallery of screenshots.)

Mac OS X 10.5 Leopard costs \$129 out of the box, or \$199 for up to five users. Those who bought Macs after October 1 must pay \$9.95 to have Leopard shipped to them.

Setup and installation

It took us about 40 minutes to install Mac OS X 10.5 Leopard on an intel-based MacBook. That's a bit longer than it took to install than Windows Vista, but not by much. However, installation didn't run so smoothly on some systems. Leopard took a painfully long hour or so to install on an iBook G4, the 933 Mhz processor just grazing the minimum requirements.

You should proceed carefully when migrating the files and applications you'll need. Apple steps you through the process, but take your time to avoid overwriting valuable data. Leopard changed the personal desktop image during one migration from Tiger, while leaving the desktop photo alone in other cases. After installing Leopard on MacBook Pro 2.33 Core 2 Duo with 2GB of RAM, there were problems with various applications, including Parallels and GroupCal.

Excellent

Editorial policies >>

Average user rating

from 156 users



7.4/10

Very good

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Vonage

Leopard ran bug-free on a 2GHz Core 2 Duo Macbook. Some users, however, reported the fabled "blue screen of death" historically associated with Microsoft Windows; Apple addressed the issue.

To run Leopard, you'll need an Intel or PowerPC G5 Mac. A PowerPC-based G4 Mac with an 867MHz or better processor will work, as well. Apple suggests having 512MB of RAM. Additionally, you'll need a USB or FireWire external backup drive (or a file-sharing volume on a network) to use Time Machine. Features on iChat require a Webcam.

Interface

The new look and feel of Leopard is different without demanding that you relearn the layout. The Dock organizing applications and files becomes a bit more transparent. Bump it over to one side, and the Dock looks a bit flatter. A drop shadow now highlights the active window, and all windows share a unified visual design.

Click on an icon on the Dock and related items fan out in the order you last accessed them. New Stacks help to unclutter your desktop by showing icons of items in the order they were last accessed. This is especially helpful for keeping downloads in one place, although you can't resize the icons. If the Stack is packed with items, you can display them as a grid.

The souped-up Finder introduces a sidebar that allows you to rearrange items in the Places section, while Search For submenus can locate files based on type and when you last worked on them. Click on Today, for instance, and you'll see everything you've touched lately in chronological order. If you work on a network, checking out another person's desktop starts with the simple Share Screen option.

Spotlight scours through files in shared folders on a network, as well as within Safari's Web History (which you should regularly dump to fend off snoops). It gets smarter, reading "Not" and "Or," dates and phrases, and even serving as a calculator for trig equations.

Many new design elements reflect what you've already seen in iTunes and iPhone. Cover Flow, for instance, shuffles through folders as you hold down an arrow key. This makes perfect sense for browsing files. Plus, you can peek at most documents instantly. Quick Look provides previews that can pop up files from iWork, iLife, Microsoft Office, PDFs, as well as popular image and video formats. In each instance appear relevant options, such as Full Screen view or Add to iPhoto. Select several files, double-click them, and you've got a custom slide show.

In addition to making it easier to find your work, interface additions are intended to make multitasking less stressful. Virtual desktops, called Spaces, cluster open windows into categories or boxes. This can cut the number of windows you may otherwise stack around your desktop, especially helpful for tiny monitors. For example, you could move everything you need to edit a vacation video into one space, and in another, Space place the files and apps needed to write a dissertation. Spaces were a cinch to set up (such as drawing a chart in a word processor), but a tad awkward for us to master until we learned the keyboard shortcuts. You can also use the mouse to drag items between Spaces, and to drag the Spaces themselves around.

Features

If you rarely back up your work because the process is too boring or confusing, Time Machine is likely to change that. The spaced-out interface is about as sexy as backup can get, displaying a dynamic timeline alongside snapshots of selected folders and files throughout their history. To restore a file you lost, just go to an earlier time, click the Restore button, and you'll zoom back to your present Desktop. For a current period of 24 hours, Time Machine backs up automatically every hour. It backs up each day for the past month and each week for content updated earlier than that.

Time Machine immediately detected our external hard drive via two USB ports and we started backing up within a few minutes. You cannot back up to your Mac's hard drive. You can check out the drives of fellow Leopard users with Time Machine, too. However, Apple doesn't offer password-protection and encryption options upfront showing you how to lock that drive from curious outsiders. Only longtime Mac users are likely to know to explore such options within Leopard's Security settings.

iChat lets you and Leopard-using buddies share files and control each others' desktops, expanding the tool's potential professional use. And you can record iChat sessions as AAC audio or MPEG video files ready for an iPod, which is a great feature for podcasters.

iChat Theater's silly effects can distort your face like you're looking in a fun-house mirror. Green-screen backgrounds within iChat Theater let your talking head appear in a video conference in front of, say, included images of the moon or your own pictures. (We still wish the "Star Wars R2D2" theme were included.) Other chat buddies can see these.

whether they're using an older iteration of OS X or they're using AIM on a Windows PC. iChat enables you to share files as you gab via video, so you and a friend can watch the same movie clip or flip through the same PowerPoint presentation. Photo Booth integrates with iChat, letting you record videos and show off full-screen slide shows.

Mac's new Mail application integrates rich note-taking into e-mail. These notes can serve as scrapbooks containing images. Some 32 e-mail templates enable you to drop in pictures and resize them with a built-in photo browser. Mail's RSS feeds tie into those in Safari. The e-mail application also detects addresses for mapping via Google, as well as contacts for a quick save. Natural language capabilities, similar to those within Gmail, recognize phrases such as "next Saturday" for scheduling. Changes are synchronized between Mail and iCal. Setting up Mail is less complicated than Outlook, and it works with accounts from 27 services, including Yahoo, AOL, and Gmail.

However, we wish we could access RSS feeds from Mail without signing into our e-mail account. We encountered delays with several different Gmail accounts. In one case, the most current Gmail message that loaded in Mail—15 minutes after we had logged in—was from December 2006. We kept leaning on the Get Mail button for an unsatisfactory, slow and incomplete refresh.

Finally, the Safari browser default is tabbed without making you turn on the feature. Safari's cool new Web Clips tool lets you turn any snippet from a Web page into a widget for your Dashboard. Potential plugins from third parties that would be nice to have already include the Web Clips feature for the popular Mozilla Firefox browser.

Leopard offers many tie-ins to Web-based content (see the Webware video). Among them is Wikipedia as a new companion to the Dictionary. Although you can access the open-source encyclopedia from the Desktop, no entries are saved locally.

Geotagging is a cool addition to Leopard, enabling you to tie photos to latitude and longitude through built-in GPS on digital cameras so you can put picture galleries on a map.

Leopard offers 17 new features. There's support for Braille output devices as well as contracted and non-contracted Braille. It's the first operating system that can use a Braille display during installation. VoiceOver makes it easier to jump to sections on a Web page, and its preferences can be transported to other Macs. However, for people with repetitive stress injuries, Leopard supports voice-activated commands only—not dictation.

There are updates to less glamorous elements such as Automator and Dashboard, and Network Preferences has been streamlined. Developers can enjoy full 64-bit support, and get to linker with fun extras, which we wish were integrated already within iChat Theater. ColorSync reads EXIF sRGB data from cameras, and there's support for connecting more cameras via cable or Wi-Fi, and for other gadgets via Bluetooth.

Security

More firewall controls are among several security enhancements to Leopard. Yet the firewall isn't turned on by default, and we consider it vulnerable to outside threats. To fend off Trojans and spoofing attempts, you'll be grilled more when downloading materials. A mechanism called Sandboxing is supposed to prevent potential external threats from hijacking your applications. Parental controls are now featured more prominently in the System and offer content filters, time limits, and Internet activity loggers to keep tabs on young Web surfers.

Performance

We saw only a 1 percent to 3 percent improvement with Leopard over Tiger on our performance tests. As this falls within our typical margin of error (5 percent), we saw no significant difference with application performance when moving from Tiger to Leopard.

We were unable to complete our Photoshop CS3 test because our automation routine tests, which typically run fine under Tiger, had problems with Leopard. Adobe's Web site indicates that Photoshop CS3 should be compatible with Leopard—other than the automation snafu, Photoshop CS3 appears to operate normally.

This underlies the point that some applications might not be 100 percent compatible yet with Leopard. For instance, Adobe is rolling out updates to various CS3 image, video and audio editing applications within the next four months. FileMaker is warning users of FileMaker Pro 9 that there are some compatibility problems with Leopard. However, FileMaker expects to have an update available by November 19.

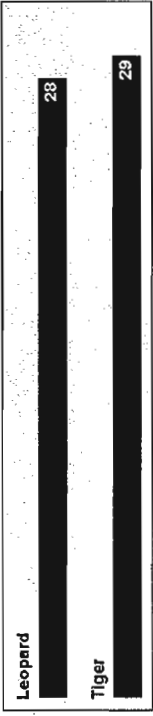
Service and support

Support options remain the same as in the Tiger version. You get 90 days of help free by telephone, as with other products from Apple. Phone support thereafter costs \$49 per incident. AppleCare support lasts a year after you buy http://reviews.cnet.com/macintosh-os/mac-os-x-10.4.5/os-3673_7_32058772.html (4 of 9)6/30/2008 1:16:37 PM

Leopard. For extra peace of mind, you should consider extended warranties.

Apple also tweaked the Help menus within OS X 10.5. These are arranged well, although they didn't always provide an instant answer. Many items are better explained on Apple's Web site via message boards, user forums, and a well-organized knowledge base.

Boot time (in seconds)
(Shorter bars indicate better performance)

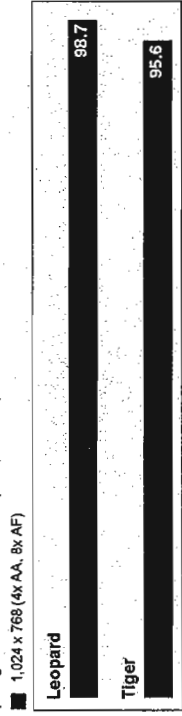


Multimedia multitasking test (in seconds)
(Shorter bars indicate better performance)



Note: Note: Apple QuickTime 7.2.1 and Apple iTunes 7.4.2(4)

Quake 4 performance (in fps)
(Longer bars indicate better performance)



■ 1,024 x 768 (4x AA, 8x AF)

Find out more about how we test desktop systems.

System configuration:

Apple Mac Pro

2x2.66GHz Xeon X5355 (note that this is not a production configuration); 2GB 667MHz DDR2 FB-DIMM; 5126MB ATI X1900 graphics card; 500GB 7,200rpm hard drive

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User opinions



7.4/10 Average user rating from 156 users

Very

good

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Apple tops Consumer Reports tech support ratings

by Peter Cohen, Macworld.com

May 5, 2008 3:00 pm
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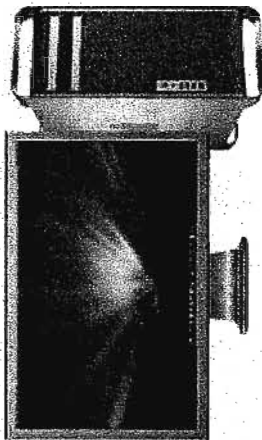
Apple beat all comers in a Consumer Reports survey released Monday that rates the technical support offered by computer makers. Apple topped the rankings for both laptop and desktop support, beating out Lenovo, Dell, Toshiba, Gateway, Sony and HP.

Consumer Reports based its ratings feedback from owners of more than 4,500 laptop computers and almost 5,600 desktop computers who contacted manufacturer tech support between September 2006 and January 2008. Computer owners were asked to rate their experience based on three criteria: Whether the manufacturer solved their problem, how long they waited to talk with someone on the phone, and how knowledgeable the support staff were. Apple received the highest ranking of "Better" in all three areas for both laptops and desktops the only company to do so.

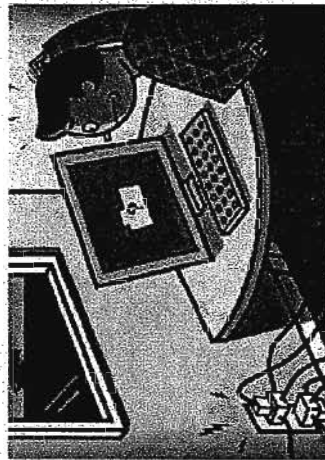
Consumer Reports rated customer satisfaction with tech support on a scale of 0 to 100, with 100 being the most satisfied. Apple scored an 83 in the laptop survey and an 81 on the desktop side. A ranking over 80 means that respondents were very satisfied, according to *Consumer Reports*—Apple was the only manufacturer to top 80 in either category.

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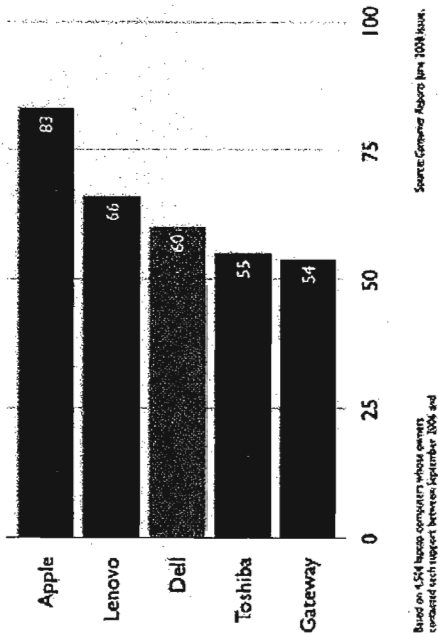


Essential Mac Maintenance. Get set up

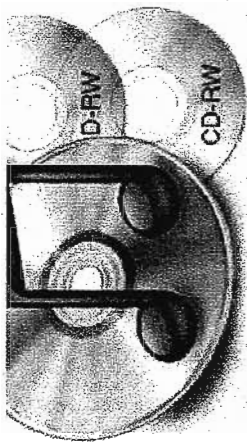


Laptops

Consumer Reports reader scores, rating laptop manufacturers for their tech support.

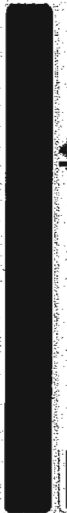
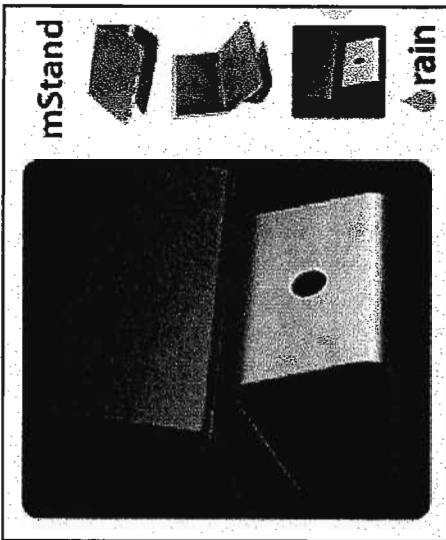


On the laptop side, Lenovo finished second with a score of 66, followed by Dell (60), Toshiba (55), and Gateway (54); Sony (51) and HP (48) finished sixth and seventh, respectively. For desktops, Apple's closest competitor was Dell, with a satisfaction score of 56. Gateway tallied a score 54 while HP and Compaq both tied with scores of 47.



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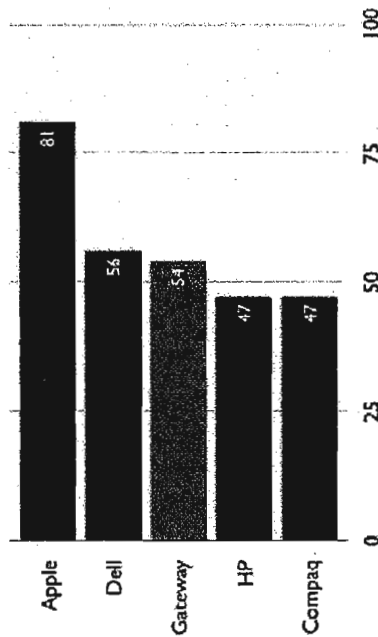


Jun 10
CitronoSync 3.6



Desktops

Consumer Reports reader scores, rating desktop manufacturers for their tech support.



Based on 2,570 desktop computer whose owners conducted tech support between September 2006 and January 2008

Source: Consumer Reports June 2008 issue.

In particular, Apple ranked highly for the walk-in service that customers receive when visiting Apple's brick-and-mortar retail stores. The staff manning the Genius Bars at Apple's retail store provided "the best troubleshooting by far," according to the report, solving problems 90 percent of the time.

"The only drawback is if you're living somewhere that there isn't a store close by or if you're in a big city where the Genius Bar is likely to be really crowded," said Donna Tapellini, associate editor at *Consumer Reports*.

Still, Apple's strong showing would seem to validate the company's retail strategy of launching stores both in the U.S. and overseas. Since opening the first Apple Stores seven years ago, the company's retail presence has grown to 208 stores worldwide.

"It's one of those things that you can't do with any other brand," said Michael Gartenberg, vice president and research director at Jupiter Research, a market-research firm. "Other PC manufacturers don't have a chain of stores where you can expect someone to help you with your purchase."

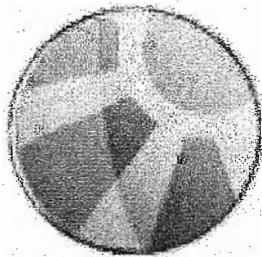
That's not to say that other PC manufacturers don't have retailers who can't supply tech support, however. In fact, Tapellini noted that *Consumer Reports* last year studied the efficacy of retailer support compared to manufacturer support and found that retailers managed it better. "Circuit City's Firedog, for example, the Geek Squad at Best Buy," she said. "But the independent computer retailers were even better."

The *Consumer Reports* study shows a little room for Apple to improve its support, particularly over the telephone. Anyone can walk in to an Apple Store and get help from a Mac Genius regardless of how long they've had their Mac, but Apple limits its telephone-based support to 90 days from the date of purchase, unless you purchase an AppleCare plan, which can run as high as \$349 for a MacBook Pro.

"They shouldn't let their tech support get any lower quality than it is," Tapellini said. "Especially if they're only offering 90 days of free telephone tech support, they need to keep that quality up."



Jun 9
FoldersSynchronizer X 3.6



Jun 9
Daylife 3.7



Jun 5
Yahoo! Calendar

"Apple should continue to build out the store infrastructure," Gartenberg added. "And they should continue to invest in customer training. They're doing many of these things in the store at little or no cost. Apple is becoming the Nordstrom of customer service in terms of technology."

"In an age where technology gets more sophisticated and consumers need more help, this bodes well for Apple," said Gartenberg. "This underscores the effort that Apple makes to help its customers."

The full report, which also includes buying advice for desktops, laptops, and all-in-ones, appears in the June issue of *Consumer Reports*; that publication's subscribers can also get it online at the Consumer Reports Web site.

Tags

- apple
- company news

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"Apple tops Consumer Reports tech support ratings" Comments

AndrewRodney says:
Mon May 05 17:20:29 PDT 2008

Re: Apple tops Consumer Reports tech support ratings

Any regular subscriber of CR will know this isn't anything new.

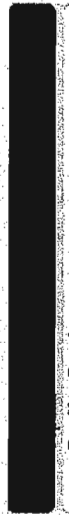
Reply to this comment
heisetax says:
Mon May 05 17:32:55 PDT 2008

Re: Apple tops Consumer Reports tech support ratings



Jun 4
Google Calendar

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Top User Rated
All Categories



iPod touch 16GB MP3 Player Price: \$514.95



iPod classic 80GB MP3 Player - Black Price: \$199.99



iPod nano 3rd Generation 4GB MP3 Player - Silver Price: \$119.95



iPod touch 8GB MP3 Player Price: \$229.00



iPod touch 8GB MP3 Player w/ January Software Upgrade Price: \$229.99



EXHIBIT 46

**MEGAN M. CHUNG'S DECLARATION IN SUPPORT OF APPLE INC.'S MOTION
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Home > Products > Open Computing > The Apple Alternative

Open Computer: The Apple Alternative

The Open Computer is a PC that works just like a Mac with Apple's latest operating system OS X 10.5 a.k.a. Leopard. With the Open Computer you can run OS X natively as if you had purchased an expensive Apple computer except that, while paying less, you receive more. Apple's entry-level computer, the Mac Mini, is a small and not very powerful machine. When comparing base configurations, the Mac Mini costs 150% of the price of the Open Computer while offering poorer performance, smaller storage space, and RAM. Not only that but the Mac Mini doesn't have the option for an nVidia GeForce 8600 video card like the Open Computer does so playing games on it is a lost cause. You can even buy one right now. Check out the detailed specifications.

Features

- **Processor** The base processor of the Open Computer is faster than any processor available for the Mac Mini.
- **Memory** The Open Computer comes with 2 GB of memory by default--twice as much as the Mac Mini.
- **Storage** The Open Computer brings, by default, a 250GB 7200RPM SATA hard drive which means better drive performance and three times as much space as the base Mac Mini and the drive on the Open Computer can be upgraded to a 400GB model for file sharing and media editors.

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- Open Computer: The Apple Alternative
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- Looking Into A Used Apple Computer?
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Psystar Corporation - Open Computer

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Open Computer

Price per Unit
(piece): \$554.99

Number pieces in packaging:1
Number pieces in box:1

[Ask a question about this product](#)

The highly extensible Open Computer is a configuration of PC hardware capable of running unmodified OS X Leopard kernels. All known Leopard software works flawlessly including the built-in Software Update utility. **The price includes a retail copy of Leopard in its original package.** We preinstall OS X on your machine so that you may be able to begin using your Open Computer right out of the box. Information about our restore disc is available [on our website](#). *Please note* that Bootcamp is not supported by Open Computers because it is Apple-hardware specific.

Base Configuration

- **Mac OS X Leopard preinstalled**
- **no keyboard, mouse, or monitor included**
- **2.0GHz Intel Dual-Core Pentium 2.0GHz Processor**
- **2GB of DDR2 800 memory**
- **PCI-Express nVidia GeForce 7200GS 256MB**
- **Dual Layer 20x DVD+/-RW SATA drive (like a SuperDrive)**
- **Gigabit Ethernet**
- **4 rear USB Ports**
- **Integrated Audio**

[Read more about the Open Computer](#)

[Read the OpenFAQ for Frequently Asked Questions](#)

[Read about our Restore Disc](#)

[View a detailed specification](#)

[See the new OpenPro Computer!](#)

Password

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- [Create an account](#)

pictures is a mesh shroud for the top 120MM fan and is optional. The shroud will be included in the package but will not be attached. Get 2 Video Cards! Run 4 monitors! The OpenPro can now be equipped with two GeForce 8800GTs so that you can run 4 DVI monitors and maximize screen real estate for graphic design and video editing. These cards will not work in SLI or Crossfire configuration but the displays will be fully accelerated by the card they are connected to.

Base Configuration

- Mac OS X Leopard 10.5 preinstalled
- no keyboard, mouse, or monitor included
- 2.4GHz Intel Core 2 Quad Q6600 Processor
- 2GB of DDR2 800 memory
- nVidia GeForce 8600GT with 512MB of RAM
- Dual Layer 20x DVD+/-RW SATA drive (like a SuperDrive)
- Dual Gigabit Ethernet
- 8 rear USB Ports
- 3 Firewire 400 ports (1 std on the rear, 1 mini on the rear, 1 std on the front)
- 7 channel Integrated Audio SPDIF and Optical Output



[View a detailed specification](#)
[Read about our Restore Disc](#)

Memory

- 2GB DDR2 RAM (+\$0.00)
- 4GB DDR2 RAM (+\$70.00)
- 8GB DDR2 RAM (+\$180.00)

Processor

- Core2Quad/2.4GHz Q6600 (+\$0.00)
- Core2Duo/3.16GHz E8500 (+\$0.00)
- Core2Quad/2.5GHz Q9300 (+\$110.00)
- Core2Quad/2.6GHz Q9450 (+\$175.00)

Hard Drive

- 750GB 7200RPM SATA (+\$0.00)

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Computer for less?

The Open Computer can now be purchased with Leopard included and preinstalled to make it fully functional out of the box!

Open Computer



The Open Computer is an alternative to pricey Apple hardware. [Product Details...]

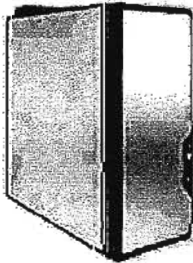
\$399.99

Average customer rating: ★★★★★
Total votes: 9

EXHIBIT 47

**MEGAN M. CHUNG'S DECLARATION IN SUPPORT OF APPLE INC.'S MOTION
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Don't let computer companies make choices for you; choose your powerful and economic Open Computers. No one can force your h
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Open Computers will broaden your horizons.

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Information Technology and Communication Consultants

[OpenComputing Leopard Restore Disk](#)

Tuesday, 12 August 2008 00:00

Psystar is now shipping restore media to Open Computing customers at no cost. The restore media is differ
different configurations of Open Computers (based on operating systems) and are outlined below:

- Customers who purchased Open Computing products with Windows XP/Vista/2003/2008 already h
restore capabilities with their OS CDs which are included with their computers. We will, however,
Linux-based live-CD distribution called [SystemRescueCD](#) which supports a wide range of restore
capabilities and can read Windows drives in the event that you need a simple graphical environmen
recover files and cannot boot into windows.
- Customers who purchased Open Computing products with Linux will receive a copy of the "flavor"
Linux's installation CD or DVD which their configured their system to have installed by default, a t
the installation media for any other Linux distribution that we offer, or [Finnix](#) which is like a sysadm
swiss-army knife that we like.
- Customers who purchased Open Computing products with Leopard will receive a restore disc whic
 - allow them to reinstall their OS directly from the Leopard DVD included with their comput
 - allow them to boot into the service console

Shopping Cart

Your Cart is currently
empty.

Client Login

We strive to improve your (our customer's) computing experience and hope that these tools may assist you :
hopefully few (if any) dark times.

[Read More Here](#)

Username

[Leopard 10.5.4 - Business As Usual](#)

Wednesday, 02 July 2008 09:41

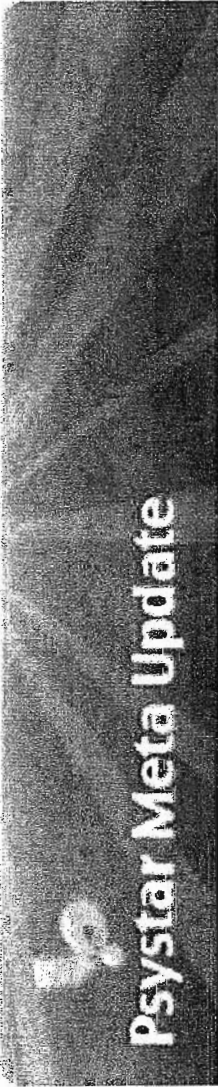
Password

The update for Leopard 10.5.4 is available through Leopard's native Software Update utility for users who l
our 10.5.3 scripted installer or whose computers shipped with 10.5.3 Leopard. Just click the Apple on the t
the screen and select "Software Update" to run the built-in Software Update application.

EXHIBIT 48

**MEGAN M. CHUNG'S DECLARATION IN SUPPORT OF APPLE INC.'S MOTION
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In comes the cavalry

Psystar has always been more a Cowboy than a Hippie. Now we've changed lawyers to better reflect who we are. Camara & Sibley LLP of Houston, Texas, has officially become our primary legal counsel in our ongoing litigation with Apple.

Everyone here values openness. And that's how we're going to fight Apple: in public. We have nothing to hide. We buy hundreds of copies of OS X legally, from retailers like Amazon and Apple itself. We're probably one of Apple's biggest customers. Then we install these copies of OS X, along with kernel extensions that we wrote in-house, on computers that we buy and build. Then we resell the package to people like you. That's it.

Apple's copyright on OS X doesn't give Apple the right to tell people what they can do with it after they buy a copy...

[To continue reading, visit the Psystar Community.](#)

Calling all cars

In the past, Psystar has taken a reserved stance towards interactions with the public and media under the advice of our previous legal counsel. We would like to apologize to everyone, as this has never reflected the opinion of Psystar Corporation,

In this issue

- [In comes the cavalry](#)
- [Calling all cars](#)
- [Open computing goes south of the border](#)

Promotions

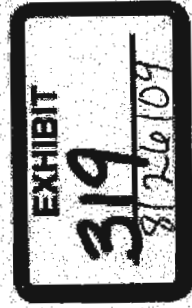
Hit the Jackpot
Feeling lucky? Just enter coupon code 7SEVEN7 and receive \$100 off our newest model, the Open(7). Act quickly as supplies are limited.

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Not interested in this email? Unsubscribe.



PS017924

8/12/09 2:42 PM

nor its founders or employees.

To better communicate with our user base, we are now announcing the launch of the Psystar Community. We invite you to come and exchange ideas with us and let us know what topics you're interested in. We will also be transitioning all open source materials from Psystar to the community site and are developing a wiki to better explain and perhaps even standardize methods for running OS X on generic Intel hardware.

Although you may not need an Open Computer today, everyone does have the right to run legally purchased software on any hardware they see fit. And after all, that is what Psystar is about, open computing, open source and open minds. Visit our new community site and help to show your support of Psystar. A little competition in the market place never hurt anyone...except the cartel.

[Visit the Psystar Community](#)

Open computing goes south of the border

Our vision at Psystar has always been to offer affordable computers systems of every flavor to the masses. Psystar is proud to announce it is expanding its distribution to South America, with our newest distributor based in Guatemala. For information on becoming a distributor, contact distributors@psystar.com.

We feel this is a large step in the right direction of getting open computers to people who traditionally can't afford more expensive systems. Our South American customers rejoice, open computers have reached your shores.

Psystar Meta Update Newsletter :: July 2009

<http://psystar.cmail1.com/T/ViewEmail/r/6677A80CC84F8016>

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Open Computer: The Smart Alternative to an Apple

Why spend \$1999 to get the least expensive Apple computer with a decent video card when you can pay less than a fourth of that for an equivalent sleek and small form-factor desktop with the same hardware. Sometimes reinventing the wheel is a good thing. The Open Computer can work for new Mac users and Mac geniuses, alike.

New to Mac: I Want a Mac

You don't need to spend an arm and a leg to get the full OS X Leopard experience. Apple's Mac Mini is completely stripped and still expensive. Why would you want a stripped-down computer, anyway? You asked for a good and inexpensive computer that can run OS X and we answered with the Open Computer which is

- less expensive than even the cheapest Apple computer out now
- faster than most Apple computers out now
- running arguably the best operating system available
- ready to run out of the box when you purchase it with Leopard included. If you buy Leopard with your Open Computer we'll install it for free.

[Read more...](#)

Experts and Geniuses: I Want a Hackintosh

This is a great opportunity for the experienced user. With the Open Computer you can

- run a Vanilla kernel for the genuine Leopard experience
- get under the hood and really see what makes OS X tick
- develop device drivers and applications specific to OSx86

[Read more...](#)

Check out the OS X updates for the Open Computers

