

ORIGINAL

AO 440 (Rev. 01/09) Summons in a Civil Action

UNITED STATES DISTRICT COURT
for the

Northern District of California

FILED
2010 MAY -5 P 12:00
RICHARD W. WEIKING
CLERK, U.S. DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

APPLE INC., a California Corporation,

Plaintiff

v.

EASTMAN KODAK COMPANY, a New Jersey Corporation,

Defendant

Civil Action No.

ADR

SUMMONS IN A CIVIL ACTION

JCS

To: (Defendant's name and address)

Eastman Kodak Company
343 State Street
Rochester, NY 14650
c/o CT Corporation System
818 West Seventh Street
Los Angeles, CA 90017

E-filing

CV 10-01609

A lawsuit has been filed against you.

Within ²¹20 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ. P. 12 (a)(2) or (3) — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

Matthew D. Powers
Steven S. Cherenksy
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

APR 15 2010

Date: _____

CLERK OF COURT
Richard W. Weiking

Tiffany Salinas-Harwell
Signature of Clerk of Court or Deputy Clerk
Tiffany Salinas-Harwell

<i>Attorney or Party without Attorney:</i> MATTHEW D. POWERS (SBN 104795), Bar #206451 WEIL, GOTSHAL & MANGES LLP 201 REDWOOD SHORES PARKWAY REDWOOD SHORES, CA 94065 Telephone No: 650 802-3000				<i>For Court Use Only</i>	
<i>Attorney for:</i> Plaintiff				<i>Ref. No. or File No.:</i> 15096.0024	
<i>Insert name of Court, and Judicial District and Branch Court:</i> United States District Court, Northern District Of California					
<i>Plaintiff:</i> APPLE INC. <i>Defendant:</i> EASTMAN KODAK COMPANY					
PROOF OF SERVICE SUMMONS		<i>Hearing Date:</i>	<i>Time:</i>	<i>Dept/Div:</i>	<i>Case Number:</i> CV10-01609

1. *At the time of service I was at least 18 years of age and not a party to this action.*
2. I served copies of the Summons In A Civil Action; Civil Cover Sheet; Complaint For Patent Infringement; Order Setting Initial Case Management Conference And Adr Deadlines; Civil Standing Orders For Magistrate Judge Joseph C. Spero; Standing Order Re: Case Management Conference; Contents Of Joint Case Management Statement; Notice Of Rule Discontinuing Service By Mail; Noitce Of Assignment Of Case To A United States Magistrate Judge For Trial; Declination To Proceed Before A Magistrate Judge And Request For Reassignment To A United States District Judge; Consent To Proceed Before A United States Magistrate Judge; Order Of The Chief Judge; Welcome To The U.S. District Court; Notice Of Assignment Of Case To A United States Magistrate Judge For Trial; Consent To Proceed Before A United States Magistrate Judge; Declination To Proceed Before A Magistrate Judge And Request For Reassignment To A United States District Judge.
3. *a. Party served:* EASTMAN KODAK COMPANY, a New Jersey Corporation
b. Person served: MARGARET WILSON, PROCESS SPECIALIST, CT CORPORATION, REGISTERED AGENT
4. *Address where the party was served:* 818 W 7TH STREET
 LOS ANGELES, CA 90017
5. *I served the party:*
 - a. **by personal service.** I personally delivered the documents listed in item 2 to the party or person authorized to receive service of process for the party (1) on: Thu., Apr. 15, 2010 (2) at: 2:55PM
7. **Person Who Served Papers:**
 - a. DOUG FORREST
 - b. **FIRST LEGAL SUPPORT SERVICES**
 1511 W. BEVERLY BLVD.
 LOS ANGELES, CA 90071
 - c. 213-250-1111
 - d. **The Fee for Service was:** Recoverable Cost Per CCP 1033.5(a)(4)(B)
 - e. I am: (3) registered California process server
 - (i) Independent Contractor
 - (ii) *Registration No.:* 5141
 - (iii) *County:* Los Angeles

8. *I declare under penalty of perjury under the laws of the State of California and under the laws of the United States Of America that the foregoing is true and correct.*
 Date: Fri, Apr. 16, 2010



 (DOUG FORREST)
 6567956.weigo-sf.284202