

**EXHIBIT 1
TO DECLARATION
OF MATTHEW FISCHER**

App Store Downloads Top 100 Million Worldwide

SAN FRANCISCO—September 9, 2008—Apple® today announced that iPhone™ and iPod® touch users have downloaded more than 100 million applications from its groundbreaking new App Store since its launch on July 11, 2008. More than 3,000 applications are currently available on the App Store, with over 90 percent priced at less than \$10 and more than 600 offered for free. Applications can take advantage of iPhone's large display, innovative Multi-Touch™ user interface, fast hardware-accelerated 3D graphics, built-in accelerometer and location-based technology to create mobile applications unlike any seen before.

"iPhone's unique capabilities, easy SDK and the ability to reach an audience of millions via the App Store made this an easy development choice for us," said John Pollard, Jott CEO. "To date, we've had hundreds of thousands of downloads of Jott for iPhone, which has been a major win for our company."

"Because I already had a full-time job I used the iPhone SDK to create Trism in my spare time and in my wildest dreams I never expected this kind of result," said Steve Demeter, founder of Demiforce. "Selling over 27,000 downloads in the first three weeks means I now have a significant new income stream and some exciting career choices that I didn't have a couple of months ago."

"As an 18 year old iPhone Developer Program member I won an Apple WWDC student scholarship and used the opportunity to complete my app over the summer," said Bryan Henry, developer of Equivalence. "It was a lot of fun to pull it together and certainly the most lucrative summer job I've ever had as I made over \$8,000 in my first month of App Store sales."

"Our new account registrations on the App Store are 300 percent better than all our other registration avenues combined," said Chris MacAskill, SmugMug's co-founder. "We've been able to do things with our iPhone app that we just couldn't have dreamed of doing on any other mobile platform, so these are revolutionary times for us and for iPhone and iPod touch users."

The App Store on iPhone works over cellular networks and Wi-Fi, so users can wirelessly download applications directly onto their iPhone or iPod touch and start using them immediately. Applications are free or charged to the user's iTunes® account and the App Store notifies the user when updates are available for their apps. The App Store is also available on iTunes (www.itunes.com) for Mac® or PC, which syncs applications to the iPhone or iPod touch using a USB cable.

Apple ignited the personal computer revolution in the 1970s with the Apple II and reinvented the personal computer in the 1980s with the Macintosh. Today, Apple continues to lead the industry in innovation with its award-winning computers, OS X operating system and iLife and professional applications. Apple is also spearheading the digital media revolution with its iPod portable music and video players and iTunes online store, and has entered the mobile phone market with its revolutionary iPhone.

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