

**EXHIBIT 12
TO DECLARATION
OF MATTHEW FISCHER**

Posted on Mar. 22, 2011 10:23 AM PDT

Frugalista says:

I think Apple has a case. A big factor is the consumer's perception. When I first saw it on the Amazon page I thought it had affiliation with the Apple App Store, it took me a moment to see that it was Andriod. Even though everyone generally refers to any brand of facial tissue as a Kleenax, another brand couldn't sell theirs as KleenaxTissues and get away with using a common name and removing a space.

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Posted on Mar. 22, 2011 11:28 AM PDT

G155 says:

You think the legal department at Amazon would have seen this coming. Anytime you hear the words "App Store" you think of Apple. They have spent millions of dollars branding and marketing the app store. If they have the legal trademark on "App Store" then they have every right to sue. Wouldnt you do the same thing if someone was infringing on your trademark?

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