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 11 ELAN MICROELECTRONICS
 CORPORATION

12
 13 UNITED STATES DISTRICT COURT
 14 NORTHERN DISTRICT OF CALIFORNIA
 15 SAN JOSE DIVISION
 16

17 ELAN MICROELECTRONICS
 18 CORPORATION,

19 Plaintiff,

20 v.

21 APPLE, INC.,

22 Defendant.

Case No. 09-cv-01531 RS (PSG)

**AMENDED DECLARATION OF
 JENNIFER LIU IN SUPPORT OF
 PLAINTIFF ELAN
 MICROELECTRONICS
 CORPORATION'S MOTION FOR
 PARTIAL SUMMARY JUDGMENT OF
 INFRINGEMENT**

[Public Version]

23
 24 AND RELATED COUNTERCLAIMS
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DATE: June 9, 2011
 TIME: 1:30 p.m.
 Courtroom 3
 Hon. Richard Seeborg

1 I, Jennifer Liu, declare as follows:

2 1. I provide this Amended Declaration in place of my May 5, 2011 Declaration
3 lodged with the Court. This Amended Declaration notes the exhibits to be filed under seal
4 pursuant to the Court's May 11, 2011 Order Denying Motion to Seal, Without Prejudice (Dkt No.
5 204) and Plaintiff Elan Microelectronics Corporation's ("Elan") Renewed Motion for Leave to
6 File Under Seal.

7 2. I am an associate with the law firm of Alston & Bird LLP, counsel to Elan in this
8 action. I have personal knowledge of the following facts and, if called to testify, I could and
9 would testify competently to the matters stated herein.

10 3. Attached as Exhibit 1 is a true and correct copy of U.S. Patent No. 5,825,352.

11 4. Attached as Exhibit 2 is a true and correct copy of Apple Inc.'s Second
12 Supplemental Responses and Objections to Elan Microelectronics Corporation's First Set of
13 Interrogatories to Apple Inc. No. 4, and First Supplemental Responses and Objections to Elan
14 Microelectronics Corporation's First Set of Interrogatories to Apple Inc. No. 9, dated June 24,
15 2010.

16 5. Attached as Exhibit 3 is a true and correct copy of excerpts from the deposition
17 transcript of Steven Hotelling, dated November 19, 2010. **(Filed Under Seal)**

18 6. Attached as Exhibit 4 is a true and correct copy of Apple Inc.'s Responses and
19 Objections to Elan Microelectronics Corporation's Second Set of Interrogatories to Apple Inc.
20 [Nos. 13-15], dated January 12, 2011. **(Filed Under Seal)**

21 7. Attached hereto as Exhibit 5 is a true and correct copy of Apple Inc.'s
22 Supplemental Response and Objections to Elan Microelectronics Corporation's Interrogatory No.
23 13, dated April 1, 2011. **(Filed Under Seal)**

24 8. Attached hereto as Exhibit 6 is a true and correct copy of Apple's Supplemental
25 Responses and Objections to Elan Microelectronics Corporation's Interrogatory No. 15, dated
26 April 5, 2011. **(Filed Under Seal)**

27 9. I have reviewed Apple's responses to Elan's Second Set of Interrogatories, which
28 describe the touchpad model included in each Apple laptop computer relevant to Elan's Motion

1 for Partial Summary Judgment of Infringement. I have also reviewed the bills of materials
 2 (“BOMs”), produced by Apple in this matter corresponding to each Apple laptop computer
 3 relevant to this motion. The BOMs include Apple’s internal code names and external model
 4 numbers associated with each Accused Products. From that review, I have summarized the
 5 products relevant to this motion, the internal Apple code names and model numbers for those
 6 products, the dates those products were released, and the touchpads incorporated into those
 7 computers in the following table:

8	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
9	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
10	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
11		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
12		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
13	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
14		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
15		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
16		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
17		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
18		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
19		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
20		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
21		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
22		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
23	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
24		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
25		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
26		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
27		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]
28		[REDACTED]	[REDACTED]	[REDACTED]	[REDACTED]

- 1 10. Attached as Exhibit 7 is a true and correct copy of U.S. Patent No. 5,543,591
2 (APEL0008016-71).
- 3 11. Attached as Exhibit 8 is a true and correct copy of relevant pages from the iBook
4 G4 User Guide (mid 2005 Edition) (ELN000293-94, 302, 314).
- 5 12. Attached as Exhibit 9 is a true and correct copy of relevant pages from the
6 PowerBook G4 User Guide (early 2005 Edition) (ELN000627-28, 633, 641-42, 650).
- 7 13. Attached as Exhibit 10 is a true and correct copy of relevant pages from the
8 PowerBook G4 User Guide (late 2005 Edition) (ELN1042189-90, 1042197, 1042201, 1042210).
- 9 14. Attached as Exhibit 11 is a true and correct copy of relevant pages from the
10 MacBook User Guide (mid 2006 Edition) (ELN000883-84, 894, 899, 914-15).
- 11 15. Attached as Exhibit 12 is a true and correct copy of relevant pages from the
12 MacBook User Guide (late 2006 Edition) (ELN1040807, 1040818-19, 1040827, 1040879).
- 13 16. Attached as Exhibit 13 is a true and correct copy of relevant pages from the
14 MacBook User Guide (mid 2007 Edition) (ELN1040886, 1040898, 1040906, 1040960).
- 15 17. Attached as Exhibit 14 is a true and correct copy of relevant pages from the
16 MacBook User Guide (late 2007 Edition) (ELN1040965, 1040985, 1040990, 1041041).
- 17 18. Attached as Exhibit 15 is a true and correct copy of relevant pages from the
18 MacBook User Guide (early 2008 Edition) (ELN001105, 1123, 1128, 1179).
- 19 19. Attached as Exhibit 16 is a true and correct copy of relevant pages from the
20 MacBook User Guide (late 2008 Edition) (ELN1041129-30, 1041152-55, 1041214).
- 21 20. Attached as Exhibit 17 is a true and correct copy of relevant pages from the
22 MacBook User Guide (early 2009 Edition) (ELN1041221, 1041239, 1041244, 1041299).
- 23 21. Attached as Exhibit 18 is a true and correct copy of relevant pages from the
24 MacBook User Guide (mid 2009 Edition) (ELN1041304, 1041324, 1041329, 1041382).
- 25 22. Attached as Exhibit 19 is a true and correct copy of relevant pages from the
26 MacBook Pro User Guide (early 2006 Edition) (ELN000739-40, 750, 755, 770).
- 27 23. Attached as Exhibit 20 is a true and correct copy of relevant pages from the
28 MacBook Pro User Guide (mid 2006 Edition) (ELN1041534-35, 1041545, 1041550, 1041565).

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24. Attached as Exhibit 21 is a true and correct copy of relevant pages from the MacBook Pro User Guide (late 2006 Edition) (ELN1041678, 1041690, 1041698, 1041756).

25. Attached as Exhibit 22 is a true and correct copy of relevant pages from the MacBook Pro User Guide (mid 2007 Edition) (ELN1041762, 1041774, 1041782, 1041840).

[REDACTED]

29. Attached as Exhibit 26 is a true and correct copy of excerpts from The New IEEE Standard Dictionary of Electrical and Electronics Terms, dated January 15, 1993.

[REDACTED]

31. Attached as Exhibit 28 is a true and correct copy of Cypress CY8C24423 Datasheet produced by Apple in this matter bearing bates numbers APEL0013301-42.

32. Attached as Exhibit 29 is a true and correct copy of Cypress CY7C66113 Datasheet produced by Apple in this matter bearing bates numbers APEL0012655-71. **(Filed Under Seal)**

[REDACTED]

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[REDACTED]

37. Attached as Exhibit 34 is a true and correct copy of Cypress CY8C24094, CY8C24794, CY8C24894 and CY8C24994 Datasheet produced by Apple in this matter bearing bates numbers APEL1617587-635. **(Partially Redacted)**

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

41. Attached as Exhibit 38 is a true and correct copy of Cypress CY8C21434 Datasheet produced by Apple in this matter bearing bates numbers APEL0010822-60.

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

[REDACTED]

48. Attached as Exhibit 45 is a true and correct copy of an email chain entitled "CY8C24994/894 vs CY8C24794" between Cypress and Apple (APEL1295909-11). **(Filed**

