

EXHIBIT B

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Apple Inc.

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

18 ELAN MICROELECTRONICS
CORPORATION,

19 Plaintiff and Counterclaim
20 Defendant,

21 v.

22 APPLE INC.,

23 Defendant and Counterclaim
24 Plaintiff.

Case No. C-09-01531 RS

APPLE INC.'S RESPONSES AND
OBJECTIONS TO ELAN
MICROELECTRONICS
CORPORATION'S THIRD SET OF
INTERROGATORIES TO APPLE INC.
[NOS.16-23]

Hon. Richard Seeborg

Demand for Jury Trial

25 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Defendant
26 and Counterclaim Plaintiff Apple Inc. ("Apple") hereby objects to Plaintiff and Counterclaim
27 Defendant Elan Microelectronics Corporation's ("Elan") Third Set of Interrogatories to Apple
28 Inc. [Nos. 16-23] ("Interrogatories"), as follows:

1 APEL0249521-0253953 (MacBook Air)

2 APEL0261345-0293031 (MacBook)

3 APEL0294884-0300036 (MacBook Pro)

4 APEL0300037-0301934 (MacBook)

5 APEL0301935-0329552 (MacBook Pro)

6 APEL1269766-1270471 (iPad)

7 APEL1442393-1444569 (iPhone 4)

8 APEL1444570-1444860 (Magic Trackpad)

9 **INTERROGATORY NO. 19:**

10 State on a monthly basis from January 1, 2003 to the present, the total units of the
11 Accused Instrumentality (including but not limited to touch pads and touch screens or
12 components thereof that is incorporated into or implemented by each of the Accused Product)
13 Apple purchased, Apple's cost incurred for purchasing these units.

14 **RESPONSE TO INTERROGATORY NO. 19:**

15 In addition to its General Objections, Apple objects to this Interrogatory to the
16 extent it calls for information protected by the attorney-client privilege, work product doctrine or
17 any other applicable privilege or immunity. Apple objects to this Interrogatory as overbroad and
18 unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

19 Subject to and without waiving its objections and following a reasonable search,
20 Apple will produce documents pursuant to Rule 33(d) from which the requested information can
21 be ascertained.

22 **INTERROGATORY NO. 20:**

23 Identify all Apps and indicate those that require or include features that utilize the
24 use of multiple fingers or the Multi-Touch technology.

25 **RESPONSE TO INTERROGATORY NO. 20:**

26 In addition to its General Objections, Apple objects to this Interrogatory to the
27 extent it calls for information protected by the attorney-client privilege, work product doctrine or
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1 any other applicable privilege or immunity. Apple objects to this Interrogatory as overbroad and
2 unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.
3 Apple further objects that the requested information is publicly available and equally accessible to
4 Elan.

5 **INTERROGATORY NO. 21:**

6 State, on a monthly basis since January 1, 2003, the revenue and profit generated
7 by Apple from each App identified in Interrogatory 17, including but not limited to sales,
8 subscriptions, royalties, license revenues or any other form of compensation from consumers,
9 developers, publishers or other third parties.

10 **RESPONSE TO INTERROGATORY NO. 21:**

11 In addition to its General Objections, Apple objects to this Interrogatory to the
12 extent it calls for information protected by the attorney-client privilege, work product doctrine or
13 any other applicable privilege or immunity. Apple objects to this Interrogatory as overbroad and
14 unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.

15 **INTERROGATORY NO. 22:**

16 Identify all surveys, market or product projections, market or consumer research or
17 report, or group studies conducted or commissioned by or on behalf of, or otherwise in the
18 possession of, Apple that relate to, or include as part of the subject matter of the overall Accused
19 Products, the Accused Instrumentality, Multi-Touch technology or the functionalities of touch-
20 sensing input devices.

21 **RESPONSE TO INTERROGATORY NO. 22:**

22 In addition to its General Objections, Apple objects to this Interrogatory to the
23 extent it calls for information protected by the attorney-client privilege, work product doctrine or
24 any other applicable privilege or immunity. Apple objects to this Interrogatory as overbroad and
25 unduly burdensome and not reasonably calculated to lead to the discovery of admissible evidence.
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1 US7655937; US76563931; US7663601; US7663607; US7671837; US7673510; US7692638;
2 US7715187; US7719522; US7728823; US7766517; US7800592; US7808479; US7812827;
3 US7876310; US7916467; USD527659; USD527660; and USD532324. As another example, a
4 search of issued patents in a public database has identified the following U.S. patents on which
5 Wayne Westerman, Firmware Engineer 5, Human Interface Devices is named as an inventor and
6 some which may be relevant to the accused functionalities: US6323846; US6570557;
7 US6677932; US6888536; US7030861; US7339580; US7479949; US7619618; US7643010;
8 US7643011; US7656394; US7705830; US7764274; US7777732; US7782307; US7812828;
9 US7818393; US7840912; US7841512; US7855718; US7867403; US7876310; US7876311;
10 US7877707; US7916126; US7920131; US7924271; US7932896; US7932897; USRE40153; and
11 USRE40993. Apple has numerous other patents and patent applications, both in the United States
12 and abroad, that relate to various innovations, including innovations relating to its product
13 portfolio, including the accused Apple products.
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15 Dated: May 12, 2011

WEIL, GOTSHAL & MANGES LLP

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18 By: /s/ Nathan Greenblatt
19 Nathan Greenblatt
20 Attorneys for Defendant and
21 Counterclaim Plaintiff Apple Inc.
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