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 13 Apple Inc.

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

17 ELAN MICROELECTRONICS
 18 CORPORATION,
 19 Plaintiff and Counterclaim
 Defendant,
 20 v.
 21 APPLE INC.,
 22 Defendant and Counterclaim
 23 Plaintiff.

Case No. C-09-01531 RS (PSG)
**DECLARATION OF NATHAN
 GREENBLATT IN SUPPORT OF
 APPLE INC.'S MOTION FOR
 SUMMARY JUDGMENT OF
 INDEFINITENESS OF CLAIMS 24, 26,
 AND 30 OF U.S. PATENT NO.
 5,825,352**

DATE: October 20, 2011
 TIME: 1:30 p.m.
 JUDGE: Hon. Richard Seeborg
 CTRM: 3, 17th Floor

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I, Nathan Greenblatt, declare:

I am an attorney with the law firm of Weil, Gotshal & Manges LLP, counsel of record for Defendant and Counterclaimant Apple Inc. (“Apple”) in the above-captioned matter. I submit this declaration based on personal knowledge and following a reasonable investigation. If called upon as a witness, I could competently testify to the truth of each statement herein.

1. Attached as **Exhibit A** is a true and correct copy of Exhibit A to the First Amended Joint Claims Construction Statement in this case.

2. Attached as **Exhibit B** is a true and correct copy of Order No. 15 (Indefiniteness) in United States ITC Action No. 337-TA-714.

3. Attached as **Exhibit C** is a true and correct copy of the Final Initial Determination (Public Version) in United States ITC Action No. 337-TA-714.

4. Attached as **Exhibit D** is a true and correct copy of *Encyclopaedia Britannica, Inc. v. Alpine Elecs., Inc.*, 355 Fed. Appx. 389 (Fed. Cir. Dec. 4, 2009).

5. Attached as **Exhibit E** is a true and correct copy of *Minerva Indus., Inc. v. Motorola, Inc.*, 2010 WL 446502, (E.D. Tex. Feb. 3, 2010).

6. Attached as **Exhibit F** is a true and correct copy of excerpts from the transcript of the *Markman* hearing proceedings in United States ITC Action No. 337-TA-714, dated August 18, 2010.

7. Attached as **Exhibit G** is a true and correct copy of United States Patent No. 5,825,352.

8. Attached as **Exhibit H** is a true and correct copy of excerpts from the transcript of the deposition of Robert Dezmelyk, dated August 17, 2010.

9. Attached as **Exhibit I** is a true and correct copy of Elan’s Memorandum in Support of Its Motion for Partial Summary Determination of Claim Construction in United States ITC Action No. 337-TA-714.

10. Attached as **Exhibit J** is a true and correct copy of the Commission Investigative Staff Motion for Summary Determination of Claim Construction in United States

