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13 Attorneys for SAMSUNG ELECTRONICS CO., LTD.,

SAMSUNG ELECTRONICS AMERICA, INC., and

14 SAMSUNG TELECOMMUNICATIONS AMERICA, LLC

15 UNITED STATES DISTRICT COURT

16 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

17 APPLE INC., a California corporation,

18 Plaintiff,

19 vs.

20 SAMSUNG ELECTRONICS CO., LTD., a  
21 Korean business entity; SAMSUNG  
22 ELECTRONICS AMERICA, INC., a New  
23 York corporation; SAMSUNG  
TELECOMMUNICATIONS AMERICA,  
LLC, a Delaware limited liability company,

24 Defendants.

CASE NO. 11-cv-01846-LHK

**DECLARATION OF SAM STAKE IN  
SUPPORT OF SAMSUNG'S OPPOSITION  
TO APPLE'S MOTION FOR SUMMARY  
JUDGMENT OF NON-INFRINGEMENT  
OF U.S. PATENT NO. 7,362,867 AND  
INVALIDITY OF U.S. PATENT NOS.  
7,456,893 AND 7,577,460**

1 I, Sam Stake, hereby declare as follows:

2 1. I am an attorney in the law firm of Quinn Emanuel Urquhart & Sullivan, LLP,  
3 counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung  
4 Telecommunications America, LLC (collectively, "Samsung"). I have personal knowledge of the  
5 facts set forth in this declaration and, if called upon as a witness, I could and would testify to such  
6 facts under oath.

7 2. Attached hereto as Exhibit 1 is a true and correct copy of "IPR Information  
8 Statement and Licensing Declaration," submitted by Samsung Electronics Corporation to the  
9 European Telecommunication Standards Institute, bearing document control numbers APLNDC-  
10 WH-A0000009375-96.

11 3. Attached hereto as Exhibit 2 is a true and correct copy of excerpts of the deposition  
12 transcript of Mani Srivastava, dated April 25, 2012.

13 4. Attached hereto as Exhibit 3 is a true and correct copy of excerpts of the Expert  
14 Report of Mani Srivastava, Ph.D. Regarding Invalidity of the Asserted Claim of U.S. Patent No.  
15 7,577,460.

16 5. Attached hereto as Exhibit 4 is a true and correct copy of excerpts of U.S.  
17 Application No. 09/540,830, dated March 31, 2000, bearing document control numbers APLNDC-  
18 WH-A0000014278-310.

19 6. Attached hereto as Exhibit 5 is a true and correct copy of an Office Action in  
20 connection with U.S. Application No. 09/540,830, dated August 8, 2002, bearing document  
21 control numbers APLNDC-WH-A0000014255-66.

22 7. Attached hereto as Exhibit 6 is a true and correct copy of Applicants' Response and  
23 Amendments in connection with U.S. Application No. 09/540,830, dated November 7, 2000,  
24 bearing document control numbers APLNDC-WH-A0000014245-54.

25 8. Attached hereto as Exhibit 7 is a true and correct copy of an Office Action in  
26 connection with U.S. Application No. 09/540,830, dated February 3, 2003, bearing document  
27 control numbers APLNDC-WH-A0000014229-41.

28

1           9.       Attached hereto as Exhibit 8 is a true and correct copy of an Office Action in  
2 connection with U.S. Application No. 09/540,830, dated June 27, 2003, bearing document control  
3 numbers APLNDC-WH-A0000014147-60.

4           10.      Attached hereto as Exhibit 9 is a true and correct copy of Applicants' Response and  
5 Amendments in connection with U.S. Application No. 09/540,830, dated March 17, 2004, bearing  
6 document control numbers APLNDC-WH-A0000014115-22.

7           11.      Attached hereto as Exhibit 10 is a true and correct copy of excerpts of the  
8 deposition transcript of Jeong-Seok Oh, dated November 11, 2011.

9           12.      Attached hereto as Exhibit 11 is a true and correct copy of excerpts of the  
10 deposition transcript of Sang-Ryul Park, dated November 18, 2011.

11          13.      Attached hereto as Exhibit 12 is a true and correct copy of excerpts of the Expert  
12 Report of Woodward Yang Regarding the Infringement of U.S. Patent Nos. US 7,577,460, US  
13 7,456,893, US 7,698,711, and US 7,079,871.

14          14.      Attached hereto as Exhibit 13 is a true and correct copy of excerpts of the  
15 deposition transcript of Woodward Yang, dated May 8, 2012.

16          15.      Attached hereto as Exhibit 14 is a true and correct copy of excerpts of the  
17 deposition transcript of Woodward Yang, dated May 9, 2012.

18               I declare under penalty of perjury under the laws of the United States of America that the  
19 foregoing is true and correct.

20               Executed on May 31, 2012, in San Francisco, California.

21  
22                               /s/ Sam Stake

23                               Sam Stake

24               I, Victoria F. Maroulis, am the ECF User whose identification and password are being used  
25 to file this document. Pursuant to General Order 45.X.B, I hereby attest that Sam Stake, counsel  
26 for Samsung, concurred in this filing.