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Attorneys for Plaintiff and
Counterclaim-Defendant APPLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

v.

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

Defendants.

Case No. 11-cv-01846-LHK (PSG)

**DECLARATION OF SUSAN KARE
IN SUPPORT OF APPLE'S
OPPOSITION TO SAMSUNG'S
MOTION FOR SUMMARY
JUDGMENT**

1 I, Susan Kare, do hereby declare as follows:

2 1. My name is Susan Kare. I previously submitted my Expert Report in the current
3 matter on March 22, 2012. I also submitted my Rebuttal Expert Report on April 16, 2012. I am
4 currently a graphic designer at Susan Kare Design, which I founded in 1987.

5 2. My professional work has focused on the design of icons and interface graphics. I
6 have approximately 30 years of experience in this type of design and have created icons for
7 hundreds of clients. My qualifications are set forth in my March 22, 2012 Expert Report.

8 3. I have been asked by counsel for Apple to opine on the visual appearances of
9 designs depicted in U.S. Design Patent No. D604,305 and U.S. Design Patent No. D617,334
10 (collectively, the “Asserted Design Patents”), and the visual appearance of the user interface
11 graphics of the iPhone, iPhone 3, iPhone 3GS, and iPhone 4 (the “iPhone Devices”); the
12 similarities between the appearances of the applications screens of various Samsung phones
13 compared to the Design Patents and the designs utilized in the iPhone Devices; the availability of
14 designs that constitute alternatives to the designs depicted in the Asserted Design Patents and the
15 designs utilized in the iPhone Devices; the relationship between functionality and visual
16 appearances of the designs depicted in the Asserted Design Patents and the designs utilized in the
17 iPhone Devices; and the non-obviousness of the designs depicted in the Asserted Design Patents.

18 4. In addition to the expert report of Samuel Lucente, I have also reviewed the
19 Asserted Design patents, the iPhone Devices, various Samsung devices, certain publicly available
20 materials, and certain confidential Samsung documents. Lists of the documents I considered and
21 relied upon are attached as Exhibit 2 to my March 22, 2012 Expert Report and Exhibit 1 to my
22 April 16, 2012 Rebuttal Expert Report.

23 5. A true and correct copy of excerpts of my March 22, 2012 Expert Report is
24 attached hereto as Exhibit 1. A true and correct copy of excerpts of my April 16, 2012 Rebuttal
25 Expert Report is attached hereto as Exhibit 2. My opinions are accurately set forth in these
26 reports.

27 I declare under penalty of perjury that the foregoing, including statements from my Expert
28 Report and Rebuttal Expert Report, is true and correct to the best of my knowledge and that this

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Declaration was executed on May 30, 2012, at San Francisco, CA.



Susan Kare