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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 DR. ALAN
HEDGE IN SUPPORT OF APPLE'S
OPPOSITION TO SAMSUNG'S
MOTION FOR SUMMARY
JUDGMENT**

1 I, Alan Hedge, do hereby declare as follows:

2 1. My name is Dr. Alan Hedge. I previously submitted an expert report in this matter
3 on April 16, 2012. I am a Full Professor in the Department of Design and Environmental
4 Analysis at Cornell University, where I have taught since 1987.

5 2. I have been asked by counsel for Apple to review materials and to provide
6 teaching and opinions as to whether Apple's asserted trade dresses are "functional," among other
7 things.

8 3. My research, teaching, and consulting work has mainly been focused on issues of
9 design and workplace ergonomics as these affect the health, comfort, and productivity of workers.
10 I have published 3 books, 35 book chapters, 55 refereed journal articles, 140 refereed conference
11 proceedings, 40 other conference proceedings, 26 other articles, and 13 legislative reports on the
12 above topics. A complete list of my qualifications and prior testifying experience are contained in
13 Exhibits 1 and 2 to the Expert Rebuttal Report of Dr. Alan Hedge, dated April 16, 2012. A true
14 and correct copy of my report is attached as Exhibit A to this declaration.

15 4. In addition to the Opening Expert Report of Dr. Mark Lehto, dated March 22,
16 2012, I have also reviewed U.S. Patent Nos. D593,087, D618,677, D622,279, D627,790,
17 D604,305, D617,334 and D504,899, Apple's asserted trade dress and trademarks, and certain
18 publicly available materials. A list of the documents I considered and relied upon is attached as
19 Exhibit 3 to my report.

20 5. My opinions regarding Apple's asserted trade dresses are accurately set forth in
21 my expert report. These opinions also reference related material that appears in other sections of
22 my report.

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I declare under penalty of perjury that the foregoing, including statements from my Expert Report, is true and correct to the best of my knowledge and that this Declaration was executed on May 30, 2012, at Cincinnati, Ohio.



Alan Hedge