

# Exhibit D

No. 2012-1105

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**UNITED STATES COURT OF APPEALS  
FOR THE FEDERAL CIRCUIT**

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**APPLE INC.,**

*Plaintiff-Appellant,*

v.

**SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS  
AMERICA, INC., AND SAMSUNG TELECOMMUNICATIONS  
AMERICA, LLC,**

*Defendants-Appellees.*

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On Appeal from the United States District Court for the Northern District of  
California in Case No. 11-cv-01846-LHK, Judge Lucy H. Koh

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**CORRECTED JOINT APPENDIX — CONFIDENTIAL VERSION**

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IW 7306757

# THE UNITED STATES OF AMERICA

**TO ALL TO WHOM THESE PRESENTS SHALL COME:**

**UNITED STATES DEPARTMENT OF COMMERCE**

**United States Patent and Trademark Office**

July 28, 2011

**THIS IS TO CERTIFY THAT ANNEXED IS A TRUE COPY FROM THE  
RECORDS OF THIS OFFICE OF THE FILE WRAPPER AND CONTENTS  
OF:**

**APPLICATION NUMBER: 29/201,636**

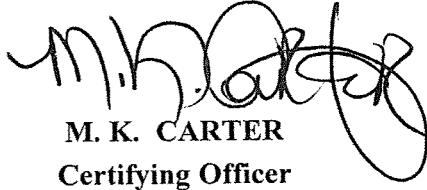
**FILING DATE: March 17, 2004**

**PATENT NUMBER: D504,889**

**ISSUE DATE: May 10, 2005**

By Authority of the  
Under Secretary of Commerce for Intellectual Property  
and Director of the United States Patent and Trademark Office



  
M. K. CARTER  
Certifying Officer

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Be It Known That We

**Bartley K. Andre  
Daniel J. Coster  
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Richard P. Howarth  
Jonathan P. Ive  
Steve Jobs  
Duncan Robert Kerr  
Shin Nishibori  
Matthew Dean Rohrbach  
Douglas B. Satzger  
Calvin Q. Seid  
Christopher J. Stringer  
Eugene Anthony Whang  
Rico Zorkendorfer**

have invented a new, original, and ornamental design for an

**ELECTRONIC DEVICE**

of which the following is a specification, reference being made to the accompanying drawings forming a part thereof.

## DESCRIPTION OF THE DRAWINGS

5           FIG. 1A is a top perspective view of an electronic device in accordance with the present design. The electronic device may correspond to a computing device such as a personal computer pad or tablet that incorporates a processor and monitor into a single housing. The monitor, which includes a display, may also include a touch screen. The electronic device may also correspond to an input/output device such as a display device or  
10   touch pad or screen. The display device and touch screen may be integrated together. The input/output device may be coupled to a computing device.

          FIG. 1B is a bottom perspective view of an electronic device in accordance with the present design.

          FIG. 2 is a top view of the electronic device shown in FIG. 1.

15          FIG. 3 is a bottom view of the electronic device shown in FIG. 1.

          FIG. 4 is a left side view of the electronic device shown in FIG. 1.

          FIG. 5 is a right side view of the electronic device shown in FIG. 1.

          FIG. 6 is an upper side view of the electronic device shown in FIG. 1.

          FIG. 7 is a lower side view of the electronic device shown in FIG. 1.

20          FIG. 8 is an exemplary diagram of the electronic device shown in FIG. 1 being used by a user.

          Attached hereto is an appendix showing various photographs of an electronic device in accordance with one embodiment.

25

**Notice of Allowability**

Application No.

29/201,636

Examiner

Freda S. Nunn

Applicant(s)

ANDRE ET AL.

Art Unit

2911

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☐ This communication is responsive to \_\_\_\_\_.
2. ☒ The allowed claim(s) is/are 1.
3. ☐ The drawings filed on \_\_\_\_\_ are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☒ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☒ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☒ Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date 0
4. ☐ Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5. ☐ Notice of Informal Patent Application (PTO-152)
6. ☐ Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☒ Other sketches attached.

**Notice of Allowability**

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Examiner

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4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All   b) ☐ Some\*   c) ☐ None   of the:
    1. ☐ Certified copies of the priority documents have been received.
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Paper No./Mail Date \_\_\_\_\_
7. ☒ Examiner's Amendment/Comment
8. ☐ Examiner's Statement of Reasons for Allowance
9. ☒ Other sketches attached.

Art Unit: 2911

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by *37 CFR 1.312*. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Because the drawing is its own best description, the description of FIG. 1 is deemed superfluous and has therefore been canceled. Also, for a definite disclosure and proper numbering, the figure descriptions have been (*37 C.F.R. 1.153*) amended to read:

FIG. 1 is a top perspective view of an electronic device in accordance with the present design;

FIG. 2 is a bottom perspective view thereof;

FIG. 3 is a top view thereof;

FIG. 4 is a bottom view thereof;

FIG. 5 is a left side view thereof;

FIG. 6 is a right side view thereof;

FIG. 7 is an upper side view thereof;

FIG. 8 is a lower side view thereof;

FIG. 9 is an exemplary diagram of the use of the electronic device thereof the broken lines being shown for illustrative purposes only and form no part of the claimed design.

Furthermore, the inclusion of the statement regarding the appendix is not proper for the specification of a Design Patent application. Therefore, said statement has been cancelled, *37 CFR 1.153*.

The drawing disclosure is objectionable because FIGS. 1A-8 have not been properly numbered and, the human figure has not been reduced to broken lines. Therefore, to overcome the objection, the figures currently numbered as FIGS. 1A-8 must be renumbered as FIGS. 1-9. Also, because the human figure is only being shown for illustrative purposes, said figure must be reduced to broken lines. Note the attached sketches. Correction is required, *37 CFR 1.84*.

When preparing new drawings in compliance with the requirement therefor, care must be exercised to avoid introduction of anything which could be construed to be new matter prohibited by 35 U.S.C. 132 and *37 CFR 1.121*.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Freda S. Nunn, whose telephone number is (571) 272-2607. The examiner can normally be reached on Monday – Thursday, and alternate Fridays from 7:00 am to 4:00 pm

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Alan Douglas, can be reached at (571) 272-2588. The FAX phone number for this group is (703)-872-9306.