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14 Attorneys for SAMSUNG ELECTRONICS CO.,
 LTD., SAMSUNG ELECTRONICS AMERICA,
 15 INC. and SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC
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17 UNITED STATES DISTRICT COURT
 18 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
 19

20 APPLE INC., a California corporation,

21 Plaintiff,

22 vs.

23 SAMSUNG ELECTRONICS CO., LTD., a
 Korean business entity; SAMSUNG
 24 ELECTRONICS AMERICA, INC., a New
 York corporation; SAMSUNG
 25 TELECOMMUNICATIONS AMERICA,
 LLC, a Delaware limited liability company,
 26

27 Defendant.
 28

CASE NO. 11-cv-01 846-LHK

**REPLY DECLARATION OF STEPHEN
 GRAY IN SUPPORT OF SAMSUNG'S
 MOTION FOR SUMMARY JUDGMENT**

1 **REPLY DECLARATION OF STEPHEN GRAY**

2 I, Stephen Gray, declare:

3 1. I have personal knowledge of the facts set forth herein, and am competent to testify
4 to the same.

5 2. I submit this reply declaration in support of Samsung's Motion for Summary
6 Judgment of non-infringement of U.S. Patent 7,844,915, and to respond to the Karan Singh's
7 declaration of May 31, 2012, in support of Apple's Opposition to Samsung's Motion for Summary
8 Judgment. If asked at hearings or trial, I am prepared to testify regarding the matters I discuss in
9 this declaration

10 3. Dr. Singh's declaration mischaracterizes certain paragraphs of my expert report. At
11 ¶ 266 of my rebuttal expert report on non-infringement of the '915 patent, I stated that, "In my 35
12 years of systems experience, I have never observed a system where an event object invoked a
13 method." As made clear in my deposition, this statement is incorrect—it is certainly *possible* for
14 an event object to invoke a method. (*See, e.g.*, Singh Decl. ¶¶ 45, 46, 58, and 70, pointing to the
15 Android source code "ev.getPointerCount()" — *i.e.*, the event object ("ev") *invoking* a method
16 ("getPointerCount")) Thus, it is certainly not an "impossibility" for an event object to invoke a
17 method. (Singh Decl. ¶ 63.)

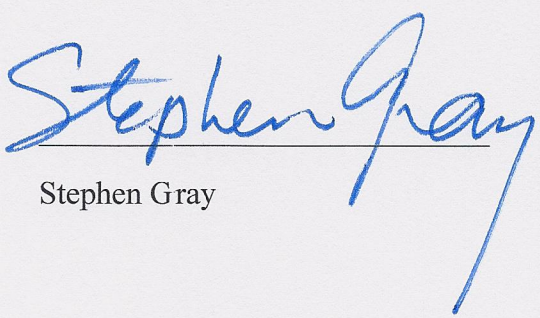
18 4. To the point, both my and Dr. Singh's analysis of the Android source code
19 concludes that the Android's MotionEvent object does not invoke a scroll or gesture operation, as
20 required by the claim 8[c] of the '915 patent.

21 5. The opinions expressed in this Declaration are my opinions based on my review to
22 date of the evidence in the record. I reserve the right to amend or update my opinions as
23 appropriate in response to future developments regarding claim construction.

24 6. At a hearing or trial, I reserve the right to use as exhibits various documents
25 produced in this case that refer or relate to the matters discussed in this Declaration or to either of
26 my Expert Reports. I have not yet selected particular exhibits that might be used. I also reserve
27 the right to create or assist in the creation of certain demonstrative evidence that will assist me in
28 testifying.

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I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on the 7th day of June, 2012, in Solana Beach, California.



Stephen Gray