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13 Attorneys for SAMSUNG ELECTRONICS
CO., LTD., SAMSUNG ELECTRONICS
14 AMERICA, INC. and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC
15

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18 APPLE INC., a California corporation,

19 Plaintiff,

20 vs.

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

24 Defendants.
25

CASE NO. 11-cv-01846-LHK (PSG)

**DECLARATION OF HANKIL KANG IN
SUPPORT OF APPLE'S
ADMINISTRATIVE MOTION TO FILE
DOCUMENTS UNDER SEAL**

1 Pursuant to Civil L.R. 79-5(d), Defendants Samsung Electronics Co., Ltd., Samsung
2 Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively,
3 “Samsung”) submit the Declaration of Hankil Kang in Support of Apple’s Administrative Motion
4 to File Documents Under Seal (Dkt. No. 1140), to establish that the following documents, or
5 portions thereof, are sealable:

- 6 • Exhibit Nos. 13 and 14 to the Declaration of Jason R. Bartlett in Support of Apple’s
7 Response to Samsung’s Opening Memorandum Regarding Design Patent Claim
8 Construction (“Bartlett Declaration”); and
- 9 • Exhibit Nos. 20, 39 and 40 to the Declaration of Peter W. Bressler, FIDSA, in Support
10 of Apple’s Response to Samsung’s Opening Memorandum Regarding Design Patent
11 Claim Construction (“Bressler Declaration”).

12 **DECLARATION OF HANKIL KANG**

13 I, Hankil Kang, do hereby declare as follows:

14 1. I am Legal Counsel at Samsung Electronics Co., Ltd. I submit this Declaration in
15 support of Apple’s Administrative Motion to File Documents Under Seal Regarding Apple’s
16 Opposition to Samsung’s Design Claim Construction (Dkt. No. 1140). I have personal
17 knowledge of the facts set forth in this Declaration and, if called as a witness, could and would
18 competently testify to them.

19 2. Exhibit No. 13 to the Bartlett Declaration consists of excerpts from the March 2,
20 2012 deposition transcript of Minhyouk Lee, Samsung’s Vice President of the Mobile
21 Communications Division Design Team. These excerpts have been designated HIGHLY
22 CONFIDENTIAL-ATTORNEYS’ EYES ONLY under the Protective Order. The portions of the
23 excerpts that Samsung requests be sealed contain confidential information relating to the
24 development of the Galaxy S phone, including Samsung’s design methodology and philosophy,
25 device manufacturing techniques, and hardware development. This information is confidential
26 and proprietary to Samsung, and could be used to its disadvantage by competitors if it were not
27

1 filed under seal. A proposed redacted version of the excerpts from Mr. Lee's deposition
2 transcript is attached as Exhibit 1.

3 3. Exhibit No. 14 to the Bartlett Declaration consists of excerpts from the February
4 17, 2012 deposition transcript of Gi-Young Lee, Volume 2, which is designated HIGHLY
5 CONFIDENTIAL-ATTORNEYS' EYES ONLY under the Protective Order. Certain portions of
6 the excerpts that Samsung requests be sealed contain confidential information relating to the
7 development of potential products considered by Samsung during the design and development
8 process. Samsung has not yet released these products, but may do so in the future. Other
9 portions of the excerpts contain confidential information relating to the factors Samsung considers
10 in designing Samsung products. This information is therefore confidential and proprietary to
11 Samsung, and could be used to its disadvantage by competitors if it were not filed under seal. A
12 proposed redacted version of the excerpts from Ms. Lee's deposition transcript is attached as
13 Exhibit 2.

14 4. Exhibit Nos. 20, 39 and 40 to the Bressler Declaration consist of images of
15 alternative designs considered by Samsung during the design and development process leading to
16 the release of certain of the accused Samsung products. Samsung has not yet implemented these
17 designs in released products, but may do so in the future. The information conveyed by these
18 images, which Samsung has designated HIGHLY CONFIDENTIAL-ATTORNEYS' EYES
19 ONLY under the Protective Order, is therefore confidential and proprietary to Samsung, and could
20 be used to its disadvantage by competitors if it were not filed under seal.

21 I declare under penalty of perjury that the forgoing is true and correct to the best of my
22 knowledge. Executed this 3rd day of July, 2012, in Suwon, South Korea.

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Hankil Kang

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/s/ Victoria Maroulis