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11 Attorneys for Plaintiff and  
 12 Counterclaim-Defendant APPLE INC.

13 UNITED STATES DISTRICT COURT  
 14 NORTHERN DISTRICT OF CALIFORNIA  
 15 SAN JOSE DIVISION

17 APPLE INC., a California corporation,  
 18 Plaintiff,  
 19 v.  
 20 SAMSUNG ELECTRONICS CO., LTD., a  
 21 Korean business entity; SAMSUNG  
 22 ELECTRONICS AMERICA, INC., a New York  
 corporation; SAMSUNG  
 23 TELECOMMUNICATIONS AMERICA, LLC, a  
 Delaware limited liability company,  
 24 Defendants.

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

**DECLARATION OF  
 JOSEPH KANADA IN SUPPORT  
 OF APPLE'S OPPOSITION TO  
 SAMSUNG'S MOTIONS IN  
 LIMINE**

1 I, JOSEPH KANADA, declare as follows:

2 1. I am an associate in the law firm of Morrison & Foerster LLP, counsel for Apple  
3 Inc. (“Apple”). I am licensed to practice law in the State of California and admitted to practice  
4 before this Court. Unless otherwise indicated, I have personal knowledge of the matters stated  
5 herein or understand them to be true from members of my litigation team. I make this declaration  
6 in support of Apple’s Opposition to Samsung’s Motions in Limine.

7 2. Attached hereto as **Exhibit 1** is a true and correct copy of an excerpt from the  
8 document produced at SAMNDCA10809390.

9 3. Attached hereto as **Exhibit 2** is a true and correct copy of an excerpt from the  
10 document produced at SAMNDCA11374409.

11 4. Attached hereto as **Exhibit 3** is a true and correct copy of an excerpt from the  
12 document produced at SAMNDCA11010883.

13 5. Attached hereto as **Exhibit 4** is a true and correct copy of an excerpt from the  
14 document produced at SAMNDCA 110300081.

15 6. Attached hereto as **Exhibit 5** is a true and correct copy of an excerpt from the  
16 expert report of Peter Bressler, FIDSA, dated April 16, 2012.

17 7. Attached hereto as **Exhibit 6** is a true and correct copy of an excerpt from the  
18 transcript of the February 17, 2012 deposition of Don Joo Lee.

19 8. Attached hereto as **Exhibit 7** is a true and correct copy of an excerpt from  
20 Plaintiff’s Trial Exhibit 26.

21 9. Attached hereto as **Exhibit 8** is a true and correct copy of an excerpt from  
22 Samsung’s Draft Jury Instructions.

23 10. Attached hereto as **Exhibit 9** is a true and correct copy of an excerpt from the  
24 transcript of the February 24, 2012 deposition of Sangeun Lee.

25 11. Attached hereto as **Exhibit 10** is a true and correct copy of an excerpt from the  
26 transcript of the February 22, 2012 deposition of Timothy Benner.

27 12. Attached hereto as **Exhibit 11** is a true and correct copy of Apple’s Response to  
28 Interrogatory 5, dated March 4, 2012.

1           13. Samsung's expert on ergonomic issues, Mark Lehto, presented numerous  
2 arguments in his expert report relating to the purported functionality of Apple's design patents  
3 and trade dress. Many of those arguments were disclosed by Samsung for the first time in its  
4 March 7, 2012 response to Apple's Interrogatory No. 40. Despite the timing of this disclosure,  
5 Apple did not move to strike any portion of Mark Lehto's expert report.

6           14. Attached hereto as **Exhibit 12** is a true and correct copy of an excerpt from the  
7 expert report of Robert Anders, IDSA, dated April 16, 2012.

8           15. Attached hereto as **Exhibit 13** is a true and correct copy of a press release on the  
9 Samsung website, available at [http://www.samsung.com/us/news/newsRead.do?news\\_seq=19816](http://www.samsung.com/us/news/newsRead.do?news_seq=19816)  
10 and accessed on July 10, 2012.

11           16. Attached as **Exhibit 14** is a true and correct copy of information from Samsung's  
12 website regarding the Galaxy S 4G, available at [http://www.samsung.com/us/mobile/cell-](http://www.samsung.com/us/mobile/cell-phones/SGH-T959HABTMB-buy)  
13 [phones/SGH-T959HABTMB-buy](http://www.samsung.com/us/mobile/cell-phones/SGH-T959HABTMB-buy) and accessed on July 8, 2012.

14           17. Attached as **Exhibit 15** is a true and correct copy of information from Samsung's  
15 website regarding the Infuse 4G, available at [http://www.samsung.com/us/mobile/cell-](http://www.samsung.com/us/mobile/cell-phones/SGH-I997ZKAATT)  
16 [phones/SGH-I997ZKAATT](http://www.samsung.com/us/mobile/cell-phones/SGH-I997ZKAATT) and accessed on July 8, 2012.

17           18. Attached as **Exhibit 16** is a true and correct copy of information from Samsung's  
18 website regarding the Tab 7 Plus, available at [http://www.samsung.com/us/mobile/galaxy-](http://www.samsung.com/us/mobile/galaxy-tab/GT-P6210MAYXAR-buy)  
19 [tab/GT-P6210MAYXAR-buy](http://www.samsung.com/us/mobile/galaxy-tab/GT-P6210MAYXAR-buy) and accessed on July 8, 2012.

20           19. Attached as **Exhibit 17** is a true and correct copy of information from Samsung's  
21 website regarding the Tab 7.7, available at [http://www.samsung.com/us/mobile/galaxy-tab/SCH-](http://www.samsung.com/us/mobile/galaxy-tab/SCH-I815LSAVZW-buy)  
22 [I815LSAVZW-buy](http://www.samsung.com/us/mobile/galaxy-tab/SCH-I815LSAVZW-buy) and accessed on July 8, 2012.

23           20. Attached as **Exhibits 18 and 19** are true and correct copies of information from  
24 Samsung's website regarding the Captivate with Android 2.3, available at  
25 <http://www.samsung.com/us/mobile/cell-phones/SGH-I897ZKAATT> &  
26 <http://www.samsung.com/us/mobile/cell-phones/SGH-I897ZKAATT-buy> and accessed on July 9,  
27 2012.  
28

1           21.     Attached as **Exhibits 20 and 21** are true and correct copies of information from  
2 Samsung's website regarding the Droid Charge with Android 2.2, available at  
3 <http://www.samsung.com/us/mobile/cell-phones/SCH-I510RAAVZW> &  
4 <http://www.samsung.com/us/mobile/cell-phones/SCH-I510RAAVZW-buy> and accessed on  
5 July 9, 2012.

6           22.     Attached as **Exhibits 22 and 23** are true and correct copies of information from  
7 Samsung's website regarding the Epic 4G with Android 2.3, available at  
8 <http://www.samsung.com/us/mobile/cell-phones/SPH-D700ZKASPR> &  
9 <http://www.samsung.com/us/mobile/cell-phones/SPH-D700ZKASPR-buy> and accessed on  
10 July 9, 2012.

11          23.     Attached as **Exhibits 24 and 25** are true and correct copies of information from  
12 Samsung's website regarding the Exhibit 4G with Android 2.3, available at  
13 <http://www.samsung.com/us/mobile/cell-phones/SGH-T759ZKBTMB> &  
14 <http://www.samsung.com/us/mobile/cell-phones/SGH-T759ZKBTMB-buy> and accessed on  
15 July 9, 2012.

16          24.     Attached as **Exhibits 26 and 27** are true and correct copies of information from  
17 Samsung's website regarding the Galaxy S 4G with Android 2.3, available at  
18 <http://www.samsung.com/us/mobile/cell-phones/SGH-T959HABTMB-features> &  
19 <http://www.samsung.com/us/mobile/cell-phones/SGH-T959HABTMB-buy> and accessed on  
20 July 9, 2012.

21          25.     Attached as **Exhibits 28 and 29** are true and correct copies of information from  
22 Samsung's website regarding the Galaxy S II (Epic 4G Touch) with Android 2.3.4, available at  
23 <http://www.samsung.com/us/mobile/cell-phones/SPH-D710ZKASPR-features> &  
24 <http://www.samsung.com/us/mobile/cell-phones/SPH-D710ZKASPR-buy> and accessed on  
25 July 9, 2012.

26          26.     Attached as **Exhibits 30 and 31** are true and correct copies of information from  
27 Samsung's website regarding the Gravity Smart with Android 2.2, available at  
28 <http://www.samsung.com/us/mobile/cell-phones/SGH-T589HBBTMB> &

1 <http://www.samsung.com/us/mobile/cell-phones/SGH-T589HBBTMB>-buy and accessed on  
2 July 9, 2012.

3 27. Attached as **Exhibits 32 and 33** are true and correct copies of information from  
4 Samsung's website regarding the Mesmerize with Android 2.1, available at  
5 <http://www.samsung.com/us/mobile/cell-phones/SCH-I500RKAUSC> &  
6 <http://www.samsung.com/us/mobile/cell-phones/SCH-I500RKAUSC-buy> and accessed on July 9,  
7 2012.

8 28. Attached as **Exhibits 34 and 35** are true and correct copies of information from  
9 Samsung's website regarding the Nexus S with Android 2.3, available at  
10 <http://www.samsung.com/us/mobile/cell-phones/GT-I9020PWAATT> &  
11 <http://www.samsung.com/us/mobile/cell-phones/GT-I9020PWAATT-buy> and accessed on July 9,  
12 2012.

13 29. Attached as **Exhibits 36 and 37** are true and correct copies of information from  
14 Samsung's website regarding the Replenish with Android 2.3, available at  
15 <http://www.samsung.com/us/mobile/cell-phones/SPH-M580ZKASPR> &  
16 <http://www.samsung.com/us/mobile/cell-phones/SPH-M580ZKASPR-buy> and accessed on  
17 July 9, 2012.

18 30. Attached as **Exhibit 38** is a true and correct copy of information from Amazon's  
19 website regarding the Tab 8.9 LTE, available at  
20 [http://www.amazon.com/dp/B006O13O1Q/ref=asc\\_df\\_B006O13O1Q2088406?smid=A3H89AD](http://www.amazon.com/dp/B006O13O1Q/ref=asc_df_B006O13O1Q2088406?smid=A3H89AD)  
21 [JHTH9SN&tag=cnet-pc-20](http://www.amazon.com/dp/B006O13O1Q/ref=asc_df_B006O13O1Q2088406?smid=A3H89AD).

22 31. Attached hereto as **Exhibit 39** is a true and correct copy of an excerpt from the  
23 expert report of Ravin Balakrishnan, Ph.D., dated March 22, 2012.

24 32. Attached hereto as **Exhibit 40** is a true and correct copy of an excerpt from the  
25 expert report of Karan Singh, Ph.D., dated March 22, 2012.

26 33. Attached hereto as **Exhibit 41** is a true and correct copy of an excerpt of the  
27 transcript of the March 5, 2012 deposition of Jun Won Lee.



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**ATTESTATION OF E-FILED SIGNATURE**

I, Michael A. Jacobs, am the ECF User whose ID and password are being used to file this Declaration. In compliance with General Order 45, X.B., I hereby attest that Joseph Kanada has concurred in this filing.

Dated: July 10, 2012

/s/Michael A. Jacobs  
Michael A. Jacobs