

Exhibit 40

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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

**EXPERT REPORT OF KARAN
SINGH, PH.D. REGARDING
INFRINGEMENT OF U.S.
PATENTS NOS. 7,864,163,
7,844,915 AND 7,853,891**

****CONFIDENTIAL – CONTAINS MATERIAL DESIGNATED AS HIGHLY
CONFIDENTIAL – ATTORNEYS’ EYES ONLY PURSUANT
TO A PROTECTIVE ORDER****

1 various companies in the computer graphics and design industries. Since 2002, I have also been
2 the Chief Scientist at Geometry Systems, which is a company which designs software for the
3 reverse engineering of physical objects into usable digital models. I also co-founded Arcestra,
4 Inc. in 2006, which is a software service for conceptualizing and visualizing architectural
5 interiors.

6 12. My current research focus is on interaction techniques for pen and touch based
7 devices inspired by a sketching metaphor.

8 13. I have previously testified by deposition as an expert in proceedings before the
9 International Trade Commission in the ITC Investigation In re Certain Electronic Digital Media
10 Devices and Components Thereof, Inv. No. 337-TA-796 on behalf of complainant Apple.

11 **III. MATERIALS CONSIDERED**

12 14. In forming my opinions and views expressed in this Report, I reviewed the ’163
13 patent and its file history, the ’915 patent and its file history, and the ’891 patent and its file
14 history.

15 15. I have also examined all of the following Samsung products, which are sometimes
16 referred to in this Report as the “Samsung Accused Products”: Acclaim, Captivate, Continuum,
17 Droid Charge, Epic 4G, Exhibit 4G, Fascinate, Galaxy Ace, Galaxy Prevail, Galaxy S (i9000),
18 Galaxy S 4G, Galaxy S II (including the i9100, T-Mobile, AT&T, Epic 4G Touch and Skyrocket
19 variants), Galaxy S Showcase (i500), Galaxy Tab 7.0, Galaxy Tab 10.1,¹ Gem, Gravity Smart,
20 Indulge, Infuse 4G, Intercept, Mesmerize, Nexus S, Nexus S 4G, Replenish, Sidekick, Transform,
21 and Vibrant.

22 16. In addition, I have reviewed portions of Samsung’s website regarding most of
23 these products. I have also reviewed portions of the user manuals for these products. Attached as
24 Exhibit 2 is a chart that lists the Bates numbers where true and correct copies of printouts from
25 www.samsung.com of user guides and technical specifications for various Samsung Accused
26 Products have been produced.

27 ¹ Galaxy Tab 10.1 refers to both the WiFi and LTE versions.
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1 equivalent to the corresponding structures described in the '891 patent for performing the
2 functions in claim 74. Accordingly, these three Samsung Accused Products infringe claim 74.

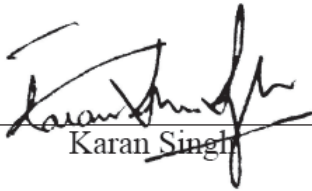
3 **VIII. CONCLUSION**

4 593. My opinions are subject to change based on additional opinions that Samsung's
5 experts may present and information I may receive in the future or additional work I may
6 perform. I reserve the right to supplement this Report with new information and/or documents
7 that may be discovered or produced in this case, or to address any new claim constructions
8 offered by Samsung or ordered by the court. With this in mind, based on the analysis I have
9 conducted and for the reasons set forth above, I have preliminarily reached the conclusions and
10 opinions in this Report.

11 594. In connection with my anticipated testimony in this action, I may use as exhibits
12 various documents produced in this Action that refer or relate to the matters discussed in this
13 Report. I have not yet selected the particular exhibits that might be used. In addition, I may
14 create or assist in the creation of certain demonstrative exhibits to assist in the presentation of my
15 testimony and opinions as described herein or to summarize the same or information cited in this
16 Report. Again, those exhibits have not yet been created.

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18 Dated: March 22, 2012

/s/


Karan Singh