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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION

11 APPLE INC., a California corporation,  
12

13 Plaintiff,

14 v.

15 SAMSUNG ELECTRONICS CO., LTD., a  
16 Korean business entity; SAMSUNG  
17 ELECTRONICS AMERICA, INC., a New York  
18 corporation; SAMSUNG  
19 TELECOMMUNICATIONS AMERICA, LLC, a  
20 Delaware limited liability company,

21 Defendants.  
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Case No. 11-cv-01846-LHK

**DECLARATION OF RICHARD J.  
LUTTON, JR. IN SUPPORT OF  
APPLE'S MOTION FOR A  
PRELIMINARY INJUNCTION**

1 I, Richard J. Lutton, Jr., do hereby declare as follows:

2 1. I am a Senior Director and the Chief Patent Counsel at Apple Inc. ("Apple"). I  
3 submit this declaration in support of Apple's Motion for Preliminary Injunction. If called as a  
4 witness, I could and would testify competently as follows.

5 2. Apple's negotiations with Samsung over Samsung's copying of Apple's designs  
6 began in July 2010, when Samsung first launched its Galaxy line of smartphones bearing a  
7 striking resemblance to Apple's own iPhone products.

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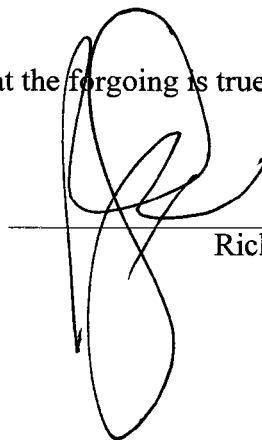
1           8.       My hopes, however, were not realized. In February 2011, Samsung announced  
2 that it would be introducing a new tablet-style device called the Galaxy Tab 10.1. The Tab 10.1,  
3 in size, shape, and styling, is a close copy of Apple's iPad. That same month, the press also  
4 released images of Samsung's new Galaxy S 2 smartphone, which bore a remarkable similarity to  
5 Apple's own iPhone.

6           9.       As of late March 2011, with the emergence of additional Samsung products  
7 copying the iPhone's distinctive features arriving on the market such as the Galaxy S 4G, it  
8 became clear that Samsung had no intention of ceasing its infringement.

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I declare under penalty of perjury that the forgoing is true and correct.

Dated: June 30, 2011



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Richard J. Lutton, Jr.