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

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

vs.

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

**DECLARATION OF KETAN PATEL IN  
SUPPORT OF JOINT STATEMENT  
REGARDING USE OF  
REPRESENTATIVE PRODUCTS AT  
TRIAL**

1 **DECLARATION OF KETAN PATEL**

2 I, Ketan Patel, do hereby declare as follows:

3 1. I am an associate with Quinn Emanuel Urquhart & Sullivan, LLP, counsel for  
4 Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung  
5 Telecommunications America, LLC (collectively, "Samsung"). I submit this declaration in  
6 support of the Joint Statement Regarding Use of Representative Products at Trial. I have personal  
7 knowledge of the facts set forth in this declaration and, if called as a witness, could and would  
8 competently testify to them under oath.

9 2. Attached as Exhibit 1 to this declaration is a true and correct excerpt from the  
10 Expert Report of Jeffrey Johnson, Ph.D. Regarding Non-Infringement of U.S. Patent No.  
11 7,469,381.

12 3. Attached as Exhibit 2 to this declaration is a true and correct excerpt from the April  
13 20, 2012 Deposition Transcript of Ravin Balakrishnan, Ph.D. admitting that certain functionality  
14 in the accused products were different than what is claimed in the '381 patent.

15 4. Attached as Exhibit 3 to this declaration is a true and correct excerpt from the July  
16 12, 2012 Deposition Transcript of Ravin Balakrishnan, Ph.D. limiting his infringement opinion to  
17 the specific code running on the specific devices he inspected.

18 5. Attached as Exhibit 4 to this declaration are true and correct copies of Exhibits 11  
19 and 13 from the Expert Report of Karan Singh, Ph.D. Regarding Infringement of U.S. Patent Nos.  
20 7,864,163, 7,844,915 and 7,853,891 depicting the allegedly infringing functionality of a Samsung  
21 Galaxy SII variant and a Samsung Vibrant device.

22 6. Attached as Exhibit 5 to this declaration is a true and correct excerpt from the  
23 October 28, 2011 Deposition Transcript of Richard Williamson testifying that Apple's own  
24 implementation of the patented software was refined over a period of time.

25 7. Attached as Exhibit 6 to this declaration is a true and correct copy of a draft  
26 Stipulation and [Proposed] Order Regarding Use of Representative Products at Trial sent by Apple  
27 and received by Samsung on July 21, 2012.

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I declare under penalty of perjury that the forgoing is true and correct to the best of my knowledge.

Executed this 23<sup>rd</sup> day of July, 2012, in San Jose, CA.

*/s/ Ketan Patel*  
\_\_\_\_\_

Ketan Patel

1 **General Order 45 Attestation**

2 I, Victoria F. Maroulis, am the EF user whose ID and password are being used to file this  
3 Declaration. In compliance with General Order 45(X)(B), I hereby attest that Ketan Patel has  
4 concurred in this filing.

5  
6 DATE: July 23, 2012

/s/ Victoria Maroulis

Victoria Maroulis

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