

1 HAROLD J. MCELHINNY (CA SBN 66781)
 hmcclhinny@mofo.com
 2 MICHAEL A. JACOBS (CA SBN 111664)
 mjacobs@mofo.com
 3 RACHEL KREVANS (CA SBN 116421)
 rkrevans@mofo.com
 4 JENNIFER LEE TAYLOR (CA SBN 161368)
 jtaylor@mofo.com
 5 ALISON M. TUCHER (CA SBN 171363)
 atucher@mofo.com
 6 RICHARD S.J. HUNG (CA SBN 197425)
 rhung@mofo.com
 7 JASON R. BARTLETT (CA SBN 214530)
 jasonbartlett@mofo.com
 8 MORRISON & FOERSTER LLP
 425 Market Street
 9 San Francisco, California 94105-2482
 Telephone: (415) 268-7000
 10 Facsimile: (415) 268-7522

WILLIAM F. LEE
 william.lee@wilmerhale.com
 WILMER CUTLER PICKERING
 HALE AND DORR LLP
 60 State Street
 Boston, MA 02109
 Telephone: (617) 526-6000
 Facsimile: (617) 526-5000

MARK D. SELWYN (SBN 244180)
 mark.selwyn@wilmerhale.com
 WILMER CUTLER PICKERING
 HALE AND DORR LLP
 950 Page Mill Road
 Palo Alto, California 94304
 Telephone: (650) 858-6000
 Facsimile: (650) 858-6100

11
 12
 13
 14
 15
 16
 17
 18
 19
 20
 21
 22
 23
 24
 25
 26
 27
 28

Attorneys for Plaintiff and
 Counterclaim-Defendant APPLE INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

APPLE INC.,
 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

**DECLARATION OF
 NATHAN SABRI IN SUPPORT OF
 APPLE'S CORRECTED
 RENEWED MOTION TO SEAL**

1 I, NATHAN SABRI, declare as follows:

2 1. I am an attorney with the law firm of Morrison & Foerster LLP, counsel for Apple
3 Inc. (“Apple”). I am licensed to practice law in the State of California. I have personal
4 knowledge of the matters stated herein or understand them to be true. I make this declaration in
5 support of Apple’s Corrected Renewed Motion to Seal.

6 2. Through its Corrected Renewed Motion to Seal, Apple seeks to seal data created
7 by third-party market research companies where such data is extensive and risks supplanting the
8 third party’s market for its report. Apple does not seek to seal passing references or data that
9 focuses on Apple and Samsung.

10 3. I understand that Apple is contractually obligated to defend the interests of third
11 parties who sell Apple their proprietary consumer and market studies, and disclosure of this
12 material would severely harm such third parties competitively and damage Apple’s relationship
13 with them. The market research companies with which Apple does business operate by selling
14 their reports, which typically cost many thousands of dollars each.

15 4. Public disclosure of a substantial portion or the entirety one of these reports would
16 completely supplant the market for that report. If Apple is forced to disclose this information,
17 which Apple acquired under an agreement to keep the information private and confidential, the
18 affected third party companies could be reluctant to do business with Apple again in the future,
19 potentially permanently harming Apple’s relationships and preventing Apple from obtaining this
20 critical consumer data.

21 I declare under penalty of perjury that the foregoing is true and correct. Executed this
22 27th day of July, 2012 at San Jose, California.

23
24
25
26
27
28

/s/ Nathan Sabri
Nathan Sabri

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 Nathan Sabri has concurred in this filing.

Dated: July 27, 2012

/s/ Michael A. Jacobs
Michael A. Jacobs