

# EXHIBIT 1

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP  
Charles K. Verhoeven (Bar No. 170151)

2 [charlesverhoeven@quinnemanuel.com](mailto:charlesverhoeven@quinnemanuel.com)

3 50 California Street, 22<sup>nd</sup> Floor

4 San Francisco, California 94111

Telephone: (415) 875-6600

Facsimile: (415) 875-6700

5 Kevin P.B. Johnson (Bar No. 177129)

6 [kevinjohnson@quinnemanuel.com](mailto:kevinjohnson@quinnemanuel.com)

7 Victoria F. Maroulis (Bar No. 202603)

8 [victoriamaroulis@quinnemanuel.com](mailto:victoriamaroulis@quinnemanuel.com)

9 555 Twin Dolphin Drive, 5<sup>th</sup> Floor

10 Redwood Shores, California 94065-2139

11 Telephone: (650) 801-5000

12 Facsimile: (650) 801-5100

13 Michael T. Zeller (Bar No. 196417)

14 [michaelzeller@quinnemanuel.com](mailto:michaelzeller@quinnemanuel.com)

15 865 S. Figueroa St., 10th Floor

16 Los Angeles, California 90017

17 Telephone: (213) 443-3000

18 Facsimile: (213) 443-3100

19 Attorneys for SAMSUNG ELECTRONICS CO.,  
20 LTD., SAMSUNG ELECTRONICS AMERICA,  
21 INC. and SAMSUNG  
22 TELECOMMUNICATIONS AMERICA, LLC

23 UNITED STATES DISTRICT COURT

24 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

25 APPLE INC., a California corporation,

26 Plaintiff,

27 vs.

28 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,

Defendant.

CASE NO. 11-cv-01846-LHK

**SAMSUNG'S OBJECTIONS TO APPLE'S  
NOTICE OF RULE 30(B)(6) DEPOSITION  
OF SAMSUNG ELECTRONICS CO.,  
LTD. RELATING TO APPLE'S MOTION  
FOR A PRELIMINARY INJUNCTION**

1 In accordance with Federal Rule of Civil Procedure 30(b)(6), Samsung Electronics Co.,  
2 Ltd. (“Samsung”) hereby serves its objections to the Notice of Rule 30(b)(6) Deposition of  
3 Samsung Relating to Apple’s Motion for a Preliminary Injunction served by Apple Inc. (“Apple”)  
4 on August 26, 2011.

5  
6 **GENERAL OBJECTIONS**

7 Samsung makes the following general responses and objections (“General Objections”) to  
8 each deposition topic listed in Apple’s notice of deposition. These General Objections are hereby  
9 incorporated into each specific response. The assertion of the same, similar, or additional  
10 objections or partial responses to the individual deposition topics does not waive any of  
11 Samsung’s General Objections. Samsung reserves its right to object to any questions asked of any  
12 deponent during a deposition.

13 1. Samsung objects to the designation of Morrison & Foerster LLP’s San Francisco,  
14 California, offices as the location for the deposition and to the deposition as “continu[ing] day-to-  
15 day until completed.” Samsung will confer with Apple on mutually-agreeable date(s), location(s),  
16 and times for the deposition.

17 2. Samsung objects to the “Definitions” contained in Apple’s Notice of Rule 30(B)(6)  
18 Deposition of Samsung Electronics Co., Ltd. Relating to Apple’s Motion for a Preliminary  
19 Injunction to the extent they are inconsistent with the Federal Rules of Civil Procedure.

20 3. Samsung objects to Apple’s Definition of “Samsung,” “You,” “Your,” and  
21 “Defendants” as overly broad to the extent it requires Samsung to pursue information from  
22 individuals no longer employed by Samsung whose data is not currently in the possession of  
23 Samsung. Samsung further objects to Apple’s Definition of “Samsung,” “You,” “Your,” and  
24 “Defendants” as overly broad, vague, and ambiguous to the extent it does not define “affiliates,”  
25 and also to the extent that it requires Samsung to potentially seek information from thousands of  
26 people. Samsung will respond to interrogatories based on a reasonable inquiry of individuals  
27 expected to possess the requested information.

28 4. Samsung objects to Apple’s definition of “Products at Issue” as overly broad and

1 neither relevant nor reasonably calculated to lead to the discovery of admissible evidence, insofar  
2 as it seeks information about these products “as released anywhere in the world” and is not  
3 limited to products sold in the United States.

4 5. Samsung objects to Apple’s definition of “Hardware Design” as overly broad,  
5 vague, and ambiguous insofar as it includes “all hardware, insignia or ornamentation thereon.”

6 6. Samsung objects to Apple’s definition of “Relating,” and each and every  
7 interrogatory that uses the term “Relating,” as overly broad, vague and ambiguous.

8 7. Samsung further objects to this notice as improperly delayed. Apple has known  
9 about the Court’s discovery schedule relating to Apple’s motion for a preliminary injunction since  
10 July 18, 2011. While Apple had the opportunity to serve this notice at an earlier time, it waited  
11 until the last possible date under the Court’s Order to serve this deposition notice, along with  
12 interrogatories and over 60 additional document requests. This notice seeks information that  
13 Apple could have requested at a much earlier date. None of the topics below are dependent on  
14 any arguments raised in Samsung’s Opposition to Apple’s preliminary injunction. Therefore,  
15 Samsung objects to Apple’s bad faith in delaying service of this deposition notice.

16 Subject to the foregoing qualifications and General Objections and the specific objections  
17 made below, Samsung objects and responds to Apple’s Notice of Rule 30(b)(6) Deposition of  
18 Samsung Relating to Apple’s Motion for a Preliminary Injunction as follows:

19 **TOPICS**

20 **TOPIC NO. 1:**

21 Samsung’s imitation, copying, or emulation of any Apple product in developing, creating,  
22 or designing any of the Products at Issue.

23 **RESPONSE TO TOPIC NO. 1:**

24 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
25 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
26 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
27 common interest doctrine, and/or any other applicable privilege or immunity. Samsung further  
28 objects to the topic as vague and ambiguous; for example, the terms “imitation, copying or

1 emulation” are vague and ambiguous. Samsung further objects to the topic to the extent it seeks  
2 information that is not relevant to the claims or defenses of any party and/or not reasonably  
3 calculated to lead to the discovery of admissible evidence. Samsung further objects to the topic as  
4 overbroad in that it seeks information pertaining to products not at issue in Apple’s motion for a  
5 preliminary injunction and/or this litigation. Samsung further objects to this topic as oppressive  
6 and harassing inasmuch as it improperly and without basis implies Samsung engaged in copying  
7 and other such activity. Samsung further objects to the topic as overbroad in that it is not limited  
8 to any reasonable time period and seeks information from time periods not at issue in Apple’s  
9 motion for a preliminary injunction and/or this litigation.

10 Subject to and without waiving the foregoing objections, and without representing that any  
11 information responsive to the topic exists, Samsung will designate one or more witnesses on this  
12 topic, limited to the features in the Products at Issue that Apple has accused of infringement in its  
13 preliminary injunction motion and relating only to the following “Apple product(s)”: the Apple  
14 iPhone or iPad products.

15 **TOPIC NO. 2:**

16 The development and/or design of the Hardware Design of the Products at Issue.

17 **RESPONSE TO TOPIC NO. 2:**

18 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
19 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
20 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
21 common interest doctrine, and/or any other applicable privilege or immunity. Samsung further  
22 objects to the topic as vague and ambiguous; for example, the terms “Hardware Design” is vague  
23 and ambiguous. Samsung further objects to the topic to the extent it seeks information that is not  
24 relevant to the claims or defenses of any party and/or not reasonably calculated to lead to the  
25 discovery of admissible evidence. Samsung further objects to the topic as overbroad in that it  
26 seeks information pertaining to products released outside the U.S., which are not at issue in  
27 Apple’s motion for a preliminary injunction.

28

1 Subject to and without waiving the foregoing objections, and without representing that any  
2 information responsive to the topic exists, Samsung will designate one or more witnesses on this  
3 topic, limited to development or design activities relating to the features in the Products at Issue  
4 that Apple has accused of infringement in its preliminary injunction motion .

5 **TOPIC NO. 3:**

6 The identity of the individuals involved in the development and/or design of the Hardware  
7 Design of the Products at Issue and the roles and responsibilities of each.

8 **RESPONSE TO TOPIC NO. 3:**

9 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
10 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
11 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
12 common interest doctrine, and/or any other applicable privilege or immunity. Samsung further  
13 objects to the topic as vague and ambiguous; for example, the term “Hardware Design” is vague  
14 and ambiguous. Samsung further objects to the topic to the extent it seeks information that is not  
15 relevant to the claims or defenses of any party and/or not reasonably calculated to lead to the  
16 discovery of admissible evidence. Samsung further objects to the topic as overbroad in that it  
17 seeks information pertaining to products released outside the U.S., which are not at issue in  
18 Apple’s motion for a preliminary injunction.

19 Subject to and without waiving the foregoing objections, and without representing that any  
20 information responsive to the topic exists, Samsung will designate one or more witnesses on this  
21 topic, limited to activities relating to the features in the Products at Issue that Apple has accused of  
22 infringement in its preliminary injunction motion.

23 **TOPIC NO. 4:**

24 The identity of the individuals involved in marketing the Products at Issue and the roles  
25 and responsibilities of each.

26 **RESPONSE TO TOPIC NO. 4:**

27 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
28 objects to this topic to the extent that it seeks to elicit information subject to and protected by the

1 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
2 common interest doctrine, and/or any other applicable privilege or immunity. Samsung further  
3 objects to the topic as vague and ambiguous; for example, the term “marketing” is vague and  
4 ambiguous. Samsung further objects to the topic to the extent it seeks information that is not  
5 relevant to the claims or defenses of any party and/or not reasonably calculated to lead to the  
6 discovery of admissible evidence. Samsung further objects to the topic as overbroad in that it  
7 seeks information pertaining to products released outside the U.S., which are not at issue in  
8 Apple’s motion for a preliminary injunction.

9           Subject to and without waiving the foregoing objections, and without representing that any  
10 information responsive to the topic exists, Samsung will designate one or more witnesses on this  
11 topic, limited to identifying the primary individuals responsible for activities relating to the  
12 Products at Issue.

13 **TOPIC NO. 5:**

14           The development and/or design of features in the Products at Issue relating to (1) the  
15 functionality that allows for a list to be scrolled beyond its terminus or a document to be translated  
16 beyond its edge until the list or document is partially displayed; and (2) functionality that allows  
17 for a list that is scrolled beyond its terminus to scroll back or bounce back into place or for a  
18 document that is translated beyond its edge to translate back or bounce back so that the list or  
19 document returns to fill the screen.

20 **RESPONSE TO TOPIC NO. 5:**

21           In addition to its General Objections, which it hereby incorporates by reference, Samsung  
22 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
23 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
24 common interest doctrine, and/or any other applicable privilege or immunity. Samsung objects to  
25 this Request on the grounds that it is vague, ambiguous, or overly broad with regard to the terms  
26 “scrolled beyond its terminus” or “translated beyond its edge” or “translate back” or  
27 “functionality.” Samsung further objects to the topic to the extent it seeks information that is not  
28 relevant to the claims or defenses of any party and/or not reasonably calculated to lead to the

1 discovery of admissible evidence. Samsung further objects to the topic as overbroad in that it  
2 seeks information pertaining to products released outside the U.S., which are not at issue in  
3 Apple's motion for a preliminary injunction.

4 Subject to and without waiving the foregoing objections, and without representing that any  
5 information responsive to the topic exists, Samsung will designate one or more witnesses on this  
6 topic, limited to activities relating to the Products at Issue.

7 **TOPIC NO. 6:**

8 Aesthetic, functional, and cost considerations that affected, constrained, or altered the  
9 Hardware Design of the Galaxy S 4G, Infuse 4G, and Galaxy Tab 10.1.

10 **RESPONSE TO TOPIC NO. 6:**

11 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
12 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
13 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
14 common interest doctrine, and/or any other applicable privilege or immunity. Samsung objects to  
15 this Request on the grounds that it is vague and ambiguous with regard to the terms "aesthetic,  
16 functional, and cost considerations" or "affected, constrained, or altered" or "Hardware Design."  
17 Samsung further objects to the topic to the extent it seeks information that is not relevant to the  
18 claims or defenses of any party and/or not reasonably calculated to lead to the discovery of  
19 admissible evidence. Samsung further objects to the topic as overbroad in that it seeks  
20 information pertaining to products released outside the U.S., which are not at issue in Apple's  
21 motion for a preliminary injunction.

22 Subject to and without waiving the foregoing objections, and without representing that any  
23 information responsive to the topic exists, Samsung will designate one or more witnesses on this  
24 topic, limited to activities relating to the features in the Products at Issue that Apple has accused of  
25 infringement in its preliminary injunction motion.

26 **TOPIC NO. 7:**

27 Alternative Hardware Designs considered by Samsung during the development of the  
28 Galaxy S 4G, Infuse 4G, and Galaxy Tab 10.1.



1 **RESPONSE TO TOPIC NO. 7:**

2 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
3 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
4 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
5 common interest doctrine, and/or any other applicable privilege or immunity. Samsung objects to  
6 this Request on the grounds that it is vague and ambiguous with regard to the term “Hardware  
7 Designs.” Samsung further objects to the topic to the extent it seeks information that is not  
8 relevant to the claims or defenses of any party and/or not reasonably calculated to lead to the  
9 discovery of admissible evidence. Samsung further objects to the topic as overbroad in that it  
10 seeks information pertaining to products released outside the U.S., which are not at issue in  
11 Apple’s motion for a preliminary injunction.

12 Subject to and without waiving the foregoing objections, and without representing that any  
13 information responsive to the topic exists, Samsung will designate one or more witnesses on this  
14 topic, limited to the features in the Products at Issue that Apple has accused of infringement in its  
15 preliminary injunction motion.

16 **TOPIC NO. 8:**

17 Alternative user interfaces considered by Samsung during the development of the Galaxy S  
18 4G, Infuse 4G, Droid Charge, and Galaxy Tab 10.1.

19 **RESPONSE TO TOPIC NO. 8:**

20 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
21 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
22 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
23 common interest doctrine, and/or any other applicable privilege or immunity. Samsung objects to  
24 this Request on the grounds that it is vague and ambiguous with regard to the term “user  
25 interfaces.” Samsung further objects to the topic to the extent it seeks information that is not  
26 relevant to the claims or defenses of any party and/or not reasonably calculated to lead to the  
27 discovery of admissible evidence. Samsung further objects to the topic as overbroad in that it  
28

1 seeks information pertaining to products released outside the U.S., which are not at issue in  
2 Apple's motion for a preliminary injunction.

3           Subject to and without waiving the foregoing objections, and without representing that any  
4 information responsive to the topic exists, Samsung will designate one or more witnesses on this  
5 topic, limited to the features in the Products at Issue that Apple has accused of infringement in its  
6 preliminary injunction motion.

7 **TOPIC NO. 9:**

8           Any reference to or consideration of an Apple product during the design of the Products at  
9 Issue.

10 **RESPONSE TO TOPIC NO. 9:**

11           In addition to its General Objections, which it hereby incorporates by reference, Samsung  
12 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
13 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
14 common interest doctrine, and/or any other applicable privilege or immunity. Samsung objects to  
15 this Request on the grounds that it is vague, ambiguous or overly broad with regard to the terms  
16 "reference to" or "consideration." Samsung further objects to the topic to the extent it seeks  
17 information that is not relevant to the claims or defenses of any party and/or not reasonably  
18 calculated to lead to the discovery of admissible evidence. Samsung further objects to the topic as  
19 overbroad in that it seeks information pertaining to products not at issue in Apple's motion for a  
20 preliminary injunction and/or this litigation. Samsung further objects to the topic as overbroad in  
21 that it is not limited to any reasonable time period and seeks documents and things from time  
22 periods not at issue in Apple's motion for a preliminary injunction and/or this litigation. Samsung  
23 further objects to the topic as overbroad in that it seeks information pertaining to products released  
24 outside the U.S., which are not at issue in Apple's motion for a preliminary injunction.

25           Subject to and without waiving the foregoing objections, and without representing that any  
26 information responsive to the topic exists, Samsung will designate one or more witnesses on this  
27 topic, limited to the features in the Products at Issue that Apple has accused of infringement in its  
28

1 preliminary injunction motion and relating only to the following “Apple product(s)”: the Apple  
2 iPhone or iPad products.

3 **TOPIC NO. 10:**

4 Your awareness of any of the Patents at Issue.

5 **RESPONSE TO TOPIC NO. 10:**

6 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
7 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
8 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
9 common interest doctrine, and/or any other applicable privilege or immunity. Samsung objects to  
10 this Request on the grounds that it is vague, ambiguous or overly broad with regard to the term  
11 “awareness.” Samsung further objects to the topic to the extent it seeks information that is not  
12 relevant to the claims or defenses of any party and/or not reasonably calculated to lead to the  
13 discovery of admissible evidence. Samsung further objects to the topic as overbroad in that it is  
14 not limited to any reasonable time period and seeks documents and things from time periods not at  
15 issue in Apple’s motion for a preliminary injunction and/or this litigation.

16 Subject to and without waiving the foregoing objections, and without representing that any  
17 information responsive to the topic exists, Samsung will meet and confer with Apple regarding  
18 what testimony Apple seeks with this topic, and how that testimony is relevant to Apple’s motion  
19 for a preliminary injunction.

20 **TOPIC NO. 11:**

21 Your analysis, review, consideration, or copying of, or comparison against, any Apple  
22 product or product feature with respect to any features of the Products at Issue, including (1) their  
23 Hardware Design; (2) the functionality that allows for a list to be scrolled beyond its terminus or a  
24 document to be translated beyond its edge until the list or document is partially displayed; and (3)  
25 functionality that allows for a list that is scrolled beyond its terminus to scroll back or bounce back  
26 into place or for a document that is translated beyond its edge to translate back or bounce back so  
27 that the list or document returns to fill the screen.

28

1 **RESPONSE TO TOPIC NO. 11:**

2 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
3 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
4 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
5 common interest doctrine, and/or any other applicable privilege or immunity. Samsung objects to  
6 this Request on the grounds that it is vague, ambiguous or overly broad with regard to the terms  
7 “analysis, review, consideration,” “Hardware Design,” “scrolled beyond its terminus,” “translated  
8 beyond its edge,” or “functionality.” Samsung further objects to the topic to the extent it seeks  
9 information that is not relevant to the claims or defenses of any party and/or not reasonably  
10 calculated to lead to the discovery of admissible evidence. Samsung further objects to the topic as  
11 overbroad in that it seeks information pertaining to products not at issue in Apple’s motion for a  
12 preliminary injunction and/or this litigation. Samsung further objects to this topic as oppressive  
13 and harassing inasmuch as it implies Samsung engaged in copying and other such activity.  
14 Samsung further objects to the topic as overbroad in that it is not limited to any reasonable time  
15 period and seeks documents and things from time periods not at issue in Apple’s motion for a  
16 preliminary injunction and/or this litigation. Samsung further objects to the topic as overbroad in  
17 that it seeks information pertaining to products released outside the U.S., which are not at issue in  
18 Apple’s motion for a preliminary injunction.

19 Subject to and without waiving the foregoing objections, and without representing that any  
20 information responsive to the topic exists, Samsung will designate one or more witnesses on this  
21 topic, limited to the features in the Products at Issue that Apple has accused of infringement in its  
22 preliminary injunction motion and relating only to the following “Apple product(s)”: the Apple  
23 iPhone or iPad products.

24 **TOPIC NO. 12:**

25 Your communications with Apple relating to the Patents at Issue.

26 **RESPONSE TO TOPIC NO. 12:**

27 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
28 objects to this topic to the extent that it seeks information that are not relevant to the claims or

1 defenses of any party and/or not reasonably calculated to lead to the discovery of admissible  
2 evidence. Samsung further objects to the topic to the extent it seeks communications equally or  
3 more readily available to Apple than to Samsung. Samsung further objects to the topic as  
4 overbroad in that it is not limited to any reasonable time period and seeks information from time  
5 periods not at issue in Apple's motion for a preliminary injunction and/or this litigation. Samsung  
6 further objects to the topic as overbroad in that it seeks information pertaining to products released  
7 outside the U.S., which are not at issue in Apple's motion for a preliminary injunction.

8 Subject to and without waiving the foregoing objections, and without representing that any  
9 information responsive to the topic exists, Samsung will designate one or more witnesses on this  
10 topic.

11 **TOPIC NO. 13:**

12 Your communications with Apple relating to the Products at Issue.

13 **RESPONSE TO TOPIC NO. 13:**

14 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
15 objects to this topic to the extent that it seeks information that are not relevant to the claims or  
16 defenses of any party and/or not reasonably calculated to lead to the discovery of admissible  
17 evidence. Samsung further objects to the topic as overbroad in that it seeks information regarding  
18 products not at issue in Apple's motion for a preliminary injunction. Samsung further objects to  
19 the topic to the extent it seeks communications equally or more readily available to Apple than to  
20 Samsung. Samsung further objects to the topic as overbroad in that it is not limited to any  
21 reasonable time period and seeks information from time periods not at issue in Apple's motion for  
22 a preliminary injunction and/or this litigation. Samsung further objects to the topic as overbroad  
23 in that it seeks information pertaining to products released outside the U.S., which are not at issue  
24 in Apple's motion for a preliminary injunction.

25 Subject to and without waiving the foregoing objections, and without representing that any  
26 information responsive to the topic exists, Samsung will designate one or more witnesses on this  
27 topic, limited to the features in the Products at Issue that Apple has accused of infringement in its  
28 preliminary injunction motion.

1 **TOPIC NO. 14:**

2 Any customer surveys, market studies, market analyses, or other investigations conducted  
3 by Samsung or on behalf of Samsung relating to the Products at Issue.

4 **RESPONSE TO TOPIC NO. 14:**

5 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
6 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
7 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
8 common interest doctrine, and/or any other applicable privilege or immunity. Samsung objects to  
9 this Request on the grounds that it is vague, ambiguous or overly broad with regard to the terms  
10 “market studies” or “market analyses” or “investigations.” Samsung further objects to the topic to  
11 the extent it seeks information that is not relevant to the claims or defenses of any party and/or not  
12 reasonably calculated to lead to the discovery of admissible evidence. Samsung further objects to  
13 the topic as overbroad in that it seeks information pertaining to products not at issue in Apple’s  
14 motion for a preliminary injunction and/or this litigation. Samsung further objects to the topic as  
15 overbroad in that it is not limited to any reasonable time period and seeks documents and things  
16 from time periods not at issue in Apple’s motion for a preliminary injunction and/or this litigation.  
17 Samsung further objects to the topic as overbroad in that it seeks information pertaining to  
18 products released outside the U.S., which are not at issue in Apple’s motion for a preliminary  
19 injunction.

20 Subject to and without waiving the foregoing objections, and without representing that any  
21 information responsive to the topic exists, Samsung will meet and confer with Apple regarding  
22 what testimony Apple seeks with this topic, and how that testimony is relevant to Apple’s motion  
23 for a preliminary injunction.

24 **TOPIC NO. 15:**

25 Any reference to Apple or Apple products in advertising of the Products at Issue.

26 **RESPONSE TO TOPIC NO. 15:**

27 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
28 objects to this topic to the extent that it seeks information that is not relevant to the claims or

1 defenses of any party and/or not reasonably calculated to lead to the discovery of admissible  
2 evidence. Samsung further objects to the topic as overbroad in that it seeks information pertaining  
3 to products not at issue in Apple's motion for a preliminary injunction and/or this litigation.  
4 Samsung further objects to the topic as overbroad in that it is not limited to any reasonable time  
5 period and seeks documents and things from time periods not at issue in Apple's motion for a  
6 preliminary injunction and/or this litigation. Samsung further objects to the topic to the extent it  
7 seeks publicly available information equally or more readily available to Apple than to Samsung.  
8 Samsung further objects to the topic as overbroad in that it seeks information pertaining to  
9 products released outside the U.S., which are not at issue in Apple's motion for a preliminary  
10 injunction.

11           Subject to and without waiving the foregoing objections, and without representing that any  
12 information responsive to the topic exists, Samsung will meet and confer with Apple regarding  
13 what testimony Apple seeks with this topic, and how that testimony is relevant to Apple's motion  
14 for a preliminary injunction.

15 **TOPIC NO. 16:**

16           Your identification or analysis of the market or markets to which Samsung intends to sell  
17 the Products at Issue.

18 **RESPONSE TO TOPIC NO. 16:**

19           In addition to its General Objections, which it hereby incorporates by reference, Samsung  
20 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
21 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
22 common interest doctrine, and/or any other applicable privilege or immunity. Samsung objects to  
23 this Request on the grounds that it is vague, ambiguous or overly broad with regard to the terms  
24 "analysis" or "market or markets." Samsung further objects to the topic to the extent it seeks  
25 information that is not relevant to the claims or defenses of any party and/or not reasonably  
26 calculated to lead to the discovery of admissible evidence. Samsung further objects to the topic as  
27 overbroad in that it seeks information pertaining to products not at issue in Apple's motion for a  
28 preliminary injunction and/or this litigation. Samsung further objects to the topic as overbroad in

1 that it is not limited to any reasonable time period and seeks documents and things from time  
2 periods not at issue in Apple's motion for a preliminary injunction and/or this litigation. Samsung  
3 further objects to the topic as overbroad in that it seeks information pertaining to products released  
4 outside the U.S., which are not at issue in Apple's motion for a preliminary injunction.

5 Subject to and without waiving the foregoing objections, and without representing that any  
6 information responsive to the topic exists, Samsung will designate one or more witnesses on this  
7 topic.

8 **TOPIC NO. 17:**

9 Samsung's smartphones [*sic*] and tablet computer market share.

10 **RESPONSE TO TOPIC NO. 17:**

11 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
12 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
13 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
14 common interest doctrine, and/or any other applicable privilege or immunity. Samsung further  
15 objects to the topic to the extent it seeks information that is not relevant to the claims or defenses  
16 of any party and/or not reasonably calculated to lead to the discovery of admissible evidence.  
17 Samsung further objects to the topic as overbroad in that it seeks information pertaining to  
18 products not at issue in Apple's motion for a preliminary injunction and/or this litigation.  
19 Samsung further objects to the topic as overbroad in that it is not limited to any reasonable time  
20 period and seeks documents and things from time periods not at issue in Apple's motion for a  
21 preliminary injunction and/or this litigation. Samsung further objects to the topic as overbroad in  
22 that it seeks information pertaining to products released outside the U.S., which are not at issue in  
23 Apple's motion for a preliminary injunction.

24 Subject to and without waiving the foregoing objections, and without representing that any  
25 information responsive to the topic exists, Samsung will designate one or more witnesses on this  
26 topic, limited to the Products at Issue.

27  
28



1 **TOPIC NO. 18:**

2 Any instances of consumer confusion in which Samsung was made aware that a person  
3 confused an Apple product for a Product at Issue, or a Product at Issue for an Apple product.

4 **RESPONSE TO TOPIC NO. 18:**

5 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
6 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
7 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the  
8 common interest doctrine, and/or any other applicable privilege or immunity. Samsung objects to  
9 this Request on the grounds that it is vague, ambiguous or overly broad with regard to the term  
10 “customer confusion.” Samsung further objects to this topic to the extent that it seeks information  
11 that is not relevant to the claims or defenses of any party and/or not reasonably calculated to lead  
12 to the discovery of admissible evidence. Samsung further objects to the topic as overbroad in that  
13 it seeks information pertaining to products not at issue in Apple’s motion for a preliminary  
14 injunction and/or this litigation. Samsung further objects to the topic as overbroad in that it is not  
15 limited to any reasonable time period and seeks documents and things from time periods not at  
16 issue in Apple’s motion for a preliminary injunction and/or this litigation. Samsung further  
17 objects to the topic as overbroad in that it seeks information pertaining to products released  
18 outside the U.S., which are not at issue in Apple’s motion for a preliminary injunction.

19 Subject to and without waiving the foregoing objections, and without representing that any  
20 information responsive to the topic exists, Samsung will meet and confer with Apple regarding  
21 what testimony Apple seeks with this topic, and how that testimony is relevant to Apple’s motion  
22 for a preliminary injunction.

23 **TOPIC NO. 19:**

24 Marketing and promotion of the Products at Issue.

25 **RESPONSE TO TOPIC NO. 19:**

26 In addition to its General Objections, which it hereby incorporates by reference, Samsung  
27 objects to this topic to the extent that it seeks to elicit information subject to and protected by the  
28 attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the



