

EXHIBIT A

1 HAROLD J. MCELHINNY (CA SBN 66781)
2 hmcelhinny@mofo.com
3 MICHAEL A. JACOBS (CA SBN 111664)
4 mjacobs@mofo.com
5 RICHARD S.J. HUNG (CA SBN 197425)
6 rhung@mofo.com
7 MORRISON & FOERSTER LLP
8 425 Market Street
9 San Francisco, California 94105-2482
10 Telephone: (415) 268-7000
11 Facsimile: (415) 268-7522

12 MARK D. SELWYN (SBN 244180)
13 mark.selwyn@wilmerhale.com
14 WILMER CUTLER PICKERING
15 HALE AND DORR LLP
16 950 Page Mill Road
17 Palo Alto, California 94304
18 Telephone: (650) 858-6000
19 Facsimile: (650) 858-6100

20 WILLIAM F. LEE (*pro hac vice*)
21 william.lee@wilmerhale.com
22 WILMER CUTLER PICKERING
23 HALE AND DORR LLP
24 60 State Street
25 Boston, Massachusetts 02109
26 Telephone: (617) 526-6000
27 Facsimile: (617) 526-5000

28
10 Attorneys for Plaintiff
11 APPLE INC.

12
13 UNITED STATES DISTRICT COURT
14
15 NORTHERN DISTRICT OF CALIFORNIA
16
17 SAN JOSE DIVISION

18
19 APPLE INC., a California corporation,
20
21 Plaintiff,

22 Case No. 11-cv-01846-LHK

23
24
25
26
27
28 **APPLE INC.'S INITIAL
DISCLOSURES PURSUANT TO
RULE 26(A)(1)**

SAMSUNG ELECTRONICS CO., LTD., a
Korean corporation; SAMSUNG
ELECTRONICS AMERICA, INC., a New
York corporation; and SAMSUNG
TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,

Defendants.

1 Pursuant to Federal Rule of Civil Procedure 26(a)(1), Plaintiff Apple Inc. (“Apple”)
2 makes the following initial disclosures to Defendants Samsung Electronics Co., Ltd, Samsung
3 Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively,
4 “Samsung”).

5 Apple provides these disclosures subject to and without waiving any applicable privilege,
6 doctrine, or right, including without limitation the attorney-client privilege, the work product
7 doctrine, and all other rights and privileges recognized under the laws of the United States, the
8 State of California and all relevant jurisdictions. By these disclosures, Apple does not concede
9 the relevance or admissibility of any particular information. Apple makes these disclosures based
10 on information currently available to it. Apple reserves the right to amend or supplement these
11 disclosures and to present additional evidence to support its claims and defenses with any filing or
12 during any proceeding in this action, including trial.

13 **I. INDIVIDUALS LIKELY TO HAVE DISCOVERABLE INFORMATION**
14 **[Fed R. Civ. P. 26(a)(1)(A)(i)]**

15 Apple identifies the following individuals who may have discoverable information that
16 Apple may use to support its claims, defenses, or counterclaims in this action (unless solely for
17 impeachment). Samsung should contact any current or former Apple employee, agent, or other
18 representative only through Apple’s counsel of record.

Name	Contact	Potential area(s) of knowledge (at least)
Inventors of the Apple design patents-in-suit, including:	Apple Inc. 1 Infinite Loop Cupertino, CA 95014 [contact through counsel]	The Apple patents-in-suit, including, conception, reduction to practice, and inventorship; Apple products embodying the inventions claimed by the pertinent Apple patents-in-suit; other Apple products; functionality of the asserted trade dress; selection of the asserted trade dress
Imran Chaudhri (7,853,891; 7,864,163; D627,790; D617,334; D604,305)		
Bartley Andre (D504,889; D622,270; D618,677; D593,087)		

1 2	Name	Contact	Potential area(s) of knowledge (at least)
3	Freddy Anzures (D604,305)		
4 5 6 7 8	Daniel Coster (D504,889; D622,270; D618,677; D593,087)		
9 10 11 12	Daniele De Iuliis (D504,889; D622,270; D618,677; D593,087)		
13 14 15 16 17	Richard Howarth (D504,889; D622,270; D618,677; D593,087)		
18 19 20 21 22	Jonathan Ive (D504,889; D622,270; D618,677; D593,087)		
23 24 25 26 27	Duncan Kerr (D504,889; D622,270; D618,677; D593,087)		
28	Shin Nishibori (D504,889; D622,270; D618,677; D593,087)		
28	Matthew Rohrbach (D504,889; D622,270; D618,677; D593,087)		
28	Peter Russell-Clark (D622,270)		
28	Douglas Satzger (D504,889; D622,270; D618,677; D593,087)		
28	Calvin Seid (D504,889; D622,270; D618,677; D593,087)		
28	Christopher Stringer (D504,889; D622,270; D618,677; D593,087)		

1 2	Name	Contact	Potential area(s) of knowledge (at least)
3 4	Eugene Whang (D504,889; D622,270; D618,677; D593,087)		
5 6	Rico Zörkendörfer (D504,889; D622,270; D618,677; D593,087)		
7 8 9	Inventors of the Apple utility patents-in-suit, including:	Apple Inc. 1 Infinite Loop Cupertino, CA 95014 [contact through counsel]	The pertinent Apple patents-in-suit, including, conception, reduction to practice, and inventorship; Apple products embodying the inventions claimed by the pertinent Apple patents-in-suit; other Apple products
10	Chris Blumenberg (7,864,163)		
11 12	Steven W. Christensen (6,493,002)		
13	Greg Christie (7,864,163)		
14	John Elias (7,812,828)		
15	Scott Forstall (7,864,163)		
16 17	Steve Hotelling (7,663,607; 7,920,129)		
18	Scott Herz (7,844,915)		
19	Brian Huppi (7,663,607)		
20	Brian Land (7,920,129)		
21	Stephen Lemay (7,864,163)		
22 23	Bas Ording (7,469,381; 7,853,891; 7,864,163)		
24	Andrew Platzer (7,844,915)		
25	Joshua Strickon (7,663,607)		
26	Marcel Van Os (7,864,163)		
27 28	Wayne Westerman (7,812,828)		

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

1 2	Name	Contact	Potential area(s) of knowledge (at least)
3 4 5	Michael Tchao	Apple Inc. 1 Infinite Loop Cupertino, CA 95014 [contact through counsel]	iPad Marketing
6 7 8 9	Mark Buckley	Apple Inc. 1 Infinite Loop Cupertino, CA 95014 [contact through counsel]	Damages and irreparable harm to Apple
10 11 12	Richard Lutton	Apple Inc. 1 Infinite Loop Cupertino, CA 95014 [contact through counsel]	Prosecution and licensing of Apple's patents-in-suit; license negotiations between Apple and Samsung
13 14 15	Boris Teksler	Apple Inc. 1 Infinite Loop Cupertino, CA 95014 [contact through counsel]	License negotiations between Apple and Samsung
16 17 18 19	Jason Shi	Apple Inc. 1 Infinite Loop Cupertino, CA 95014 [contact through counsel]	UMTS implementation in Apple products
20 21 22	Morgan Grainger	Apple Inc. 1 Infinite Loop Cupertino, CA 95014 [contact through counsel]	Design and operation of accused functionality in accused Apple products
23 24 25 26	George Dicker	Apple Inc. 1 Infinite Loop Cupertino, CA 95014 [contact through counsel]	Design and operation of accused functionality in accused Apple products
27 28	Justin Santamaria	Apple Inc. 1 Infinite Loop Cupertino, CA 95014	Design and operation of accused functionality in accused Apple products

1 2	Name	Contact	Potential area(s) of knowledge (at least)
3 4		[contact through counsel]	
5 6 7	Thomas Alsina	Apple Inc. 1 Infinite Loop Cupertino, CA 95014 [contact through counsel]	Design and operation of accused functionality in accused Apple products
8 9 10	Michael Mallie	Blakely, Sokoloff, Taylor & Zafman LLP 1279 Oakmead Parkway Sunnyvale, CA 94085	Prosecution of Apple's utility patents-in-suit, including at least U.S. Patent No. 6,493,002
11 12 13 14	Robert Beyers	Morgan, Lewis & Bockius LLP 2 Palo Alto Square 3000 El Camino Real, Suite 700 Palo Alto, CA 94306	Prosecution of Apple's utility patents-in-suit, including at least U.S. Patent Nos. 7,469,381 & U.S. 7,684,163
15 16 17	Glenn Kubota	Morrison & Foerster LLP 555 West Fifth Street Suite 3500 Los Angeles, CA 90013	Prosecution of Apple's utility patents-in-suit, including at least U.S. Patent Nos. 7,663,607, 7,812,828 & 7,920,129
18 19 20	James Scheller	Blakely, Sokoloff, Taylor & Zafman LLP 1279 Oakmead Parkway Sunnyvale, CA 94085	Prosecution of Apple's utility patents-in-suit, including at least U.S. Patent Nos. 7,844,915 & 7,853,891
21 22 23	Tracy-Gene Durkin	Sterne, Kessler, Goldstein, & Fox PLLC 1100 New York Avenue Washington, DC 20005	Prosecution of Apple's design patents-in-suit
24 25	Inventors of the Samsung Patents-in-Suit, including:	Unknown	Upon information and belief, the Samsung Patents-in-Suit, including, conception, reduction to practice, and inventorship
26 27	Joon-Young Cho (7,447,516)		
28	Gin-Kyu Choi (7,200,792)		

1 2	Name	Contact	Potential area(s) of knowledge (at least)
3 4	Soon-Jae Choi (7,050,410; 7,386,001)		
5	Sung-ho Eun (7,577,460)		
6 7	Youn-Hyoung Heo (7,447,516)		
8 9	Joong-Ho Jeong (6,928,604)		
10 11	Moon-Sang Jeong (7,698,711)		
12 13	Beong-Jo Kim (7,050,410; 7,386,001)		
14 15	Hee-Won Kang (7,362,867)		
16 17	Hun-Kee Kim (7,200,792)		
18 19	Jae-Yoel Kim (7,362,867)		
20 21	Min-Goo Kim (7,050,410; 7,386,001)		
22 23	Noh-Sun Kim (7,200,792)		
24 25	Pyung-soo Kim (7,079,871)		
26 27	Se-Hyoung Kim (7,050,410; 7,386,001)		
28	Soeng-Hun Kim (7,675,941)		
29 30	Yong-Jun Kwak (7,447,516)		
31 32	Young-Bum Kim (7,447,516)		
33 34	Hye-Young Lee (7,069,055)		
35 36	Hyeon-Woo Lee (7,069,055)		
37 38	Ju-Ho Lee (7,447,516)		

1 2	Name	Contact	Potential area(s) of knowledge (at least)
3	Jun-Sung Lee (7,200,792)		
4	Young-Hwan Lee (7,386,001)		
5	Yong-Suk Moon (7,200,792)		
6	Chang-Soo Park (6,928,604)		
7	Hyuk-soo Son (7,456,893)		
8	Himke Van Der Velde (7,675,941)		
9	Gert-Jan Van Lieshout (7,675,941)		
10	Jae-Seung Yoon (7,200,792)		
11	Rocco S. Barrese	Upon information and belief: Dilworth & Barrese, LLP 1000 Woodbury Road Suite 405 Woodbury, NY 11797	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,577,460
12	Michael A. Bush	Unknown	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,079,871
13	Simon G. Booth	Upon information and belief: Roylance, Abrams, Berdo & Goodman LLP 1300 19th Street, NW Suite 600 Washington D.C. 20036	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,675,941
14	Frank Chau	Unknown	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,675,941

1	Name	Contact	Potential area(s) of knowledge (at least)
2			in-Suit, including at least U.S. Patent No. 7,069,055
3	Peter G. Dilworth	Upon information and belief: Dilworth & Barrese, LLP 1000 Woodbury Road Suite 405 Woodbury, NY 11797	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent Nos. 7,069,055 and 7,577,460
4	George C. Eckert	Unknown	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. 7,698,711
5	Paul J. Farrell	Upon information and belief: The Farrell Law Firm, P.C. 290 Broadhollow Road, Suite 210E Melville, New York 11747	Upon information and belief, the prosecution of Samsung Patents-in-Suit, including at least U.S. Patent Nos. 7,050,410, 6,928,604, 7,200,792, 7,362,867, 7,386,001, 7,069,055, & 7,577,460
6	John E. Holmes	Upon information and belief: Roylance, Abrams, Berdo & Goodman LLP 1300 19th Street, NW Suite 600 Washington D.C. 20036	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent Nos. 7,675,941, 7,698,711, and 7,447,516
7	Blandon S. Bludau	Upon information and belief: Roylance, Abrams, Berdo & Goodman LLP 1300 19th Street, NW Suite 600 Washington D.C. 20036	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. 7,698,711
8			

1	Name	Contact	Potential area(s) of knowledge (at least)
2			
3	Dana D. Ivey	Unknown	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,675,941
4	Peter L. Kendall	Unknown	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,447,516
5	Stacy J. Longanecker	Upon information and belief:	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,675,941
6			
7	Roylance, Abrams, Berdo & Goodman LLP 1300 19th Street, NW Suite 600 Washington D.C. 20036		
8			
9			
10	Jundong Ma	Upon information and belief:	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,447,516
11			
12	Roylance, Abrams, Berdo & Goodman LLP 1300 19th Street, NW Suite 600 Washington D.C. 20036		
13			
14	Christian C. Michel	Upon information and belief:	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,675,941
15			
16	Roylance, Abrams, Berdo & Goodman LLP 1300 19th Street, NW Suite 600 Washington D.C. 20036		
17			
18	David R. Morris	Unknown	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,456,893
19			
20	Michael J. Musella	Upon information and belief:	Upon information and belief, the
21			
22			
23			
24			
25			
26			
27			
28			

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	Name	Contact	Potential area(s) of knowledge (at least)
		belief: Dilworth & Barrese, LLP 1000 Woodbury Road Suite 405 Woodbury, NY 11797	prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent Nos. 7,200,792, 6,928,604, 7,362,867, 7,386,001, and 7,577,460
	Raymond B. Persino	Unknown	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,447,516
	Brian C. Rupp	Upon information and belief: Drinker Biddle & Reath LLP 191 N. Wacker Dr., Ste. 3700 Chicago, IL 60606-1698	The prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,456,893
	Maeng-Ho Shin	Unknown	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,447,516
	Michael D. Stein	Unknown	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,079,871
	Daniel E. Tierney	Unknown	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,200,792, 6,928,604, and 7,069,055
	Stanislav Torgovitsky	Upon information and belief: Roylance, Abrams, Berdo & Goodman LLP 1300 19th Street, NW	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,675,941

1	2	3	4
5	6	7	8
		Suite 600 Washington D.C. 20036	
9	Richard A. Wulff	Unknown	Upon information and belief, the prosecution of the Samsung Patents-in-Suit, including at least U.S. Patent No. 7,456,893
10	Seung Ho Ahn	Believed to be a current Samsung employee	License negotiations between Apple and Samsung
11	JY Lee	Believed to be a current Samsung employee	License negotiations between Apple and Samsung
12	Kwang Jun Kim	Believed to be a current Samsung employee	License negotiations between Apple and Samsung
13	Employees of Infineon Technologies AG and/or Intel Corporation	Infineon Technologies AG	UMTS implementation in chips supplied to Apple; any licensing of the Samsung Patents-in-Suit
14		Am Campeon 1-12 85579 Neubiberg Germany	
15		Intel Corporation 2200 Mission College Blvd.	
16		Santa Clara, CA 95054	
17			
18			

In addition to the individuals identified above, the following individuals may have discoverable information: (i) persons deposed during this litigation and persons identified during such depositions; (ii) persons identified in Samsung's Initial Disclosures; and (iii) other individuals at Samsung.

Apple will identify any testifying expert witnesses as required by Rule 26(a)(2) and any applicable Local Rule or order of the Court.

II. DESCRIPTION OF DOCUMENTS [Fed. R. Civ. P. 26(a)(1)(A)(ii)]

Apple identifies the following documents, electronically stored information, and tangible things in its possession, custody, or control that it may use to support its claims and defenses

1 (unless solely for impeachment). Concurrently with service of these Initial Disclosures, Apple is
2 producing to Samsung documents in its possession relating to one or more of these categories.

- 3 • File histories and prior art references cited by the U.S. Patent and Trademark
4 Office during prosecution of the Apple patents asserted in the Amended Complaint
- 5 • Documents, prototypes, and source code reflecting the conception and reduction to
6 practice of the inventions claimed in the Apple patents asserted in the Amended
7 Complaint
- 8 • Documents reflecting Samsung's willful infringement of the Apple patents
9 asserted in the Amended Complaint
- 10 • Documents reflecting the damages and irreparable harm resulting from Samsung's
11 willful infringement of the Apple patents asserted in the Amended Complaint
- 12 • File histories for the trade dress and trademark registrations asserted in the
13 Amended Complaint
- 14 • Documents reflecting the selection of the trademarks asserted in the Amended
15 Complaint
- 16 • Prior art to the Samsung Patents-in-Suit
- 17 • File histories of the Samsung Patents-in-Suit
- 18 • Documents depicting the design, structure, and operation of accused functionality
19 or components of the Apple products accused of infringing the Samsung Patents-
20 in-Suit ("accused Apple products")
- 21 • Documents sufficient to show various financial information for the accused Apple
22 products
- 23 • Documents reflecting license negotiations between Apple and Samsung

24 Apple reserves the right to object to the production of documents on any basis, including
25 that the information sought: (i) is not relevant; (ii) is protected from disclosure by an applicable
26 privilege, doctrine, or immunity; (iii) would be unduly burdensome or expensive to produce; (iv)
27 contains third party confidential information and cannot be produced without that party's
28

1 notification and consent; or (v) constitutes proprietary or trade secret information that should not
2 be produced before an appropriate protective order has been entered.

3 Apple' investigation for discoverable information that it may use to support its claims or
4 defenses in this litigation is ongoing. Apple also may rely on documents that are produced by any
5 party to this litigation, including Apple itself and Samsung.

6 **III. COMPUTATION OF DAMAGES [Fed. R. Civ. P. 26(a)(1)(A)(iii)]**

7 Pursuant to Rule 26(a)(1)(A)(iii), Apple intends to seek an accounting for damages,
8 enhanced or treble damages for Samsung's deliberate and willful infringement, and pre- and post-
9 judgment interest, in addition to a preliminary and permanent injunction. However, the amount
10 of damages arising from Samsung's willful infringement is not ascertainable at this time, some or
11 all of the injuries are ongoing, and the computation of damages may require discovery and expert
12 testimony. Apple also claims damages as a result of Samsung's anticompetitive conduct and
13 unlawful business acts and practices, including its failure to offer Apple a license on fair,
14 reasonable and non-discriminatory (FRAND) terms to Samsung's claimed standards-essential
15 patents. In addition, pursuant to Section 4 of the Clayton Act and/or Section 16750 of the
16 California Business and Professions Code, Apple is entitled to treble the amount of its actual
17 damages suffered as a result of Samsung's conduct and all reasonable attorneys fees and costs.

18 Apple does not believe that Samsung has suffered any damages as a result of any conduct
19 by Apple. Apple intends to seek its attorneys fees and costs and other relief as is deemed
20 appropriate. These fees and costs and amount of any other relief that may be deemed appropriate
21 are not susceptible to calculation at this time.

22 **IV. INSURANCE AGREEMENTS [Fed. R. Civ. P. 26(a)(1)(A)(iv)]**

23 Apple is currently unaware of any insurance agreement under which an insurance business
24 may be liable to satisfy all or part of a possible judgment in this action or to indemnify or
25 reimburse Apple for payments made to satisfy such a judgment.

Dated: August 26, 2011

MORRISON & FOERSTER LLP

By: /s/ Michael A. Jacobs
Michael A. Jacobs

Attorneys for Plaintiff
APPLE INC.

Dated: August 26, 2011

**WILMER CUTLER PICKERING
HALE AND DORR LLP**

By: /s/ Mark D. Selwyn
Mark D. Selwyn

Attorneys for Plaintiff
APPLE INC.