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**UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

APPLE, INC., a California corporation,  
  
Plaintiff,  
  
v.  
  
SAMSUNG ELECTRONICS CO., LTD., a  
Korean business entity; SAMSUNG  
ELECTRONICS AMERICA, INC., a New York  
corporation; SAMSUNG  
TELECOMMUNICATIONS AMIERCA, LLC,  
a Delaware limited liability company,  
  
Defendants.

Case No.: 11-cv-01846 LHK  
  
**DECLARATION OF JULIE P.  
SAMUELS OF ELECTRONIC  
FRONTIER FOUNDATION**

Courtroom 8, 4<sup>th</sup> Floor  
Hon. Lucy H. Koh

1 I, Julie P. Samuels, declare and state:

2 1. I am an attorney licensed to practice law in the State of Illinois and am a Staff  
3 Attorney at the Electronic Frontier Foundation (“EFF”). EFF is a nonprofit, membership-supported  
4 civil liberties organization working to protect consumer interests, innovation and free expression in  
5 the digital world. EFF and its nearly 20,000 dues-paying members have a strong interest in  
6 assisting the courts and policy makers in striking the appropriate balance between intellectual  
7 property and the public interest.

8 2. I have knowledge of the facts set forth herein, and if called upon as a witness, I  
9 could testify to them competently under oath. However, other than from certain public documents  
10 and a limited review of the parties’ briefs, I do not have knowledge of the all of the facts of the  
11 instant matter and my comments are based on a basic understanding of the types of materials at  
12 issue here, rather than the specifics.

13 3. At EFF, we work to promote patent policies that foster innovation and engender a  
14 safe environment for creators to thrive. Consequently, we closely monitor patent litigation and  
15 other legal developments in the field. As attorneys, we rely on publicly available data to understand  
16 the current legal environment in which we work. As activists, we rely on publicly available data to  
17 educate the public, our members, policy makers, and others about the problems and strengths of the  
18 current patent system with an eye toward what changes may be needed (or resisted) in order to  
19 have that system better serve the interests of consumers and innovators.

20 4. Through this work, we have found that courts and parties to private actions often  
21 overlook the important public interests at issue in intellectual property litigation. In patent cases,  
22 those interests include: ensuring that innovators have robust access to technology, recognizing the  
23 connection between the patent system and the tools and other technologies that ordinary people are  
24 able to access and use and working to protect individuals from the overbroad application of  
25 intellectual property laws. One crucial way to protect those interests is oversight of the litigation  
26 process: monitoring how parties actually wield intellectual property law in court cases as a sword  
27 to stave off competition.



1 **SIGNATURE ATTESTATION**

2 I hereby attest that I have on file all holograph signatures for any signatures indicated by a  
3 “conformed” signature (/s/) within this e-filed document.

4 Dated: August 2, 2012

5 By: /s/ **Karl Olson**  
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