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13 Attorneys for SAMSUNG ELECTRONICS CO.,  
 LTD., SAMSUNG ELECTRONICS AMERICA,  
 14 INC. and SAMSUNG  
 TELECOMMUNICATIONS AMERICA, LLC  
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16 UNITED STATES DISTRICT COURT  
 17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION  
 18

19 APPLE INC., a California corporation,  
 20 Plaintiff,  
 21 vs.  
 22 SAMSUNG ELECTRONICS CO., LTD., a  
 Korean business entity; SAMSUNG  
 23 ELECTRONICS AMERICA, INC., a New  
 York corporation; SAMSUNG  
 24 TELECOMMUNICATIONS AMERICA,  
 LLC, a Delaware limited liability company,  
 25 Defendants.  
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CASE NO. 11-cv-01846-LHK

**DECLARATION OF KETAN V. PATEL  
 IN SUPPORT OF SAMSUNG'S  
 OBJECTIONS AND RESPONSES  
 REGARDING EXHIBITS TO BE USED  
 WITH WITNESSES WINER, VAN LIERE,  
 PORET AND BALAKRISHNAN**

1 **DECLARATION OF KETAN V. PATEL**

2 I, KETAN V. 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 Samsung's Objections Regarding Balakrishnan Exhibits. I have personal knowledge of  
7 the facts set forth in this declaration and, if called as a witness, could and would competently  
8 testify to them under oath.

9 2. Attached as Exhibit A is a true and correct copy of the Expert Report of Ravin  
10 Balakrishnan, Ph.D. Regarding Infringement of U.S. Patent No. 7,469,381 and Exhibit 3 from the  
11 same.

12 3. Attached as Exhibit B is a true and correct copy of *Allen Engineering Corp. v.*  
13 *Bartell Industries, Inc.*, 299 F.3d 1336 (Fed. Cir. 2002).

14 4. Attached as Exhibit C is a true and correct copy of *Abaxis, Inc. v. Cepheid*, Case  
15 No. 10-cv-02840-LHK 2012 U.S. Dist. LEXIS 100530 (N.D. Cal. July 19, 2012)

16 5. Attached as Exhibit D is a true and correct copy of pages 21 and 22 from the  
17 deposition of Russell Winer dated April 27, 2012.

18 6. Attached as Exhibit E is a true and correct copy of Apple's Responses to  
19 Samsung's Interrogatory No. 70.

20 7. Attached as Exhibit F is a true and correct copy of Apple's Responses to  
21 Samsung's Interrogatory 71.

22 8. Attached as Exhibit G is a true and correct copy of PDX 14.38.

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

25 Executed this 6<sup>th</sup> day of August, 2012, in San Jose, CA.  
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*/s/ Ketan V. Patel*  
KETAN V. PATEL

1 **General Order 45 Attestation**

2 I, Victoria F. Maroulis, am the ECF 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 V. PATEL  
4 has concurred in this filing.

5  
6 DATE: August 6, 2012

*/s/ Victoria Maroulis*

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Victoria Maroulis

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