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4	UNITED STATES DISTRICT COURT		
5	NORTHERN DISTRICT OF CALIFORNIA		
6	SAN JOSE DIVISION		
7	APPLE, INC., a California corporation,)	Case No.: 11-CV-01846-LHK	
8	Plaintiff and Counterdefendant,)	ORDER RE: SAMSUNG'S MOTION	
9) SAMSUNG ELECTRONICS CO., LTD., A	PURSUANT TO RULE 50; ORDER RE: APPLE'S MOTION TO STRIKE	
10	Korean corporation; SAMSUNG) ELECTRONICS AMERICA, INC., a New York) corporation; SAMSUNG)		
11	TELECOMMUNICATIONS AMERICA, LLC,) a Delaware limited liability company,)		
12	Defendants and Counterclaimants.		
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15	On August 16, 2012, at the close of Samsung's affirmative and defensive cases, Apple		
16	moved to strike certain theories based on Samsung's alleged failure to introduce evidence in		
17	support of the theories. The Court made the following rulings on the record with respect to		
18	Apple's motion to strike:		
19	• The Court DENIED Apple's motion to strike the Fidler tablet.		
20	• The Court DENIED Apple's motion to strike Itay Sherman's testimony.		
21	At the close of Apple's rebuttal and defensive cases, Samsung moved for judgment as a		
22	matter of law pursuant to Federal Rule of Civil Procedure 50(a). Rule 50 provides that the Court		
23	may grant a motion for judgment as a matter of law against a non-moving party if "the court finds		
24	that a reasonable jury would not have a legally sufficient evidentiary basis to find for the party on		
25	that issue."		
26	After considering all of the evidence presented by Apple, the Court made the following		
27	rulings on the record with respect to the parties' claim	ms:	
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	Case No.: 11-CV-01846-LHK ORDER REGARDING SAMSUNG'S RULE 50 MOTION AND APPLE'S MOTION TO STRIKE		
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٠	The Court DENIED Samsung's renewed Rule 50 motion raising all of the same
	arguments Samsung made in its prior Rule 50 motions.

- The Court GRANTED Samsung's Rule 50 motion as to anticipation of the '460, '711, and '516 Patents. Apple conceded that it had introduced no evidence of anticipation of these three Samsung patents.
- The Court DENIED Samsung's Rule 50 motion as to anticipation as to the '893 and '941 Patents.
- The Court DENIED Samsung's Rule 50 motion as to obviousness of the '460, '893, '711, '516, and '941 Patents.
- The Court DENIED Samsung's Rule 50 motion as to Apple's claims of patent exhaustion, antitrust violation, waiver, unclean hands, breach of contract, and equitable estoppel.
- The Court DENIED Samsung's Rule 50 motion as to rebuttal damages.

IT IS SO ORDERED.

Dated: August 17, 2012

ucy H. Koh

United States District Judge