

EXHIBIT B

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22 CO., LTD., SAMSUNG ELECTRONICS
23 AMERICA, INC. and SAMSUNG
24 TELECOMMUNICATIONS AMERICA, LLC

25 UNITED STATES DISTRICT COURT

26 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

27 APPLE INC., a California corporation,

28 Plaintiff,

29 vs.

30 SAMSUNG ELECTRONICS CO., LTD., a
31 Korean business entity; SAMSUNG
32 ELECTRONICS AMERICA, INC., a New
33 York corporation; SAMSUNG
34 TELECOMMUNICATIONS AMERICA,
35 LLC, a Delaware limited liability company,

36 Defendants.

CASE NO. 11-cv-01846-LHK

**SAMSUNG'S INTERROGATORIES TO
APPLE RELATING TO APPLE INC.'S
MOTION FOR A PRELIMINARY
INJUNCTION**

1 Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, Defendants and
2 Counterclaimants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and
3 Samsung Telecommunications America, LLC (collectively “Samsung”) hereby serve the
4 following interrogatories on Apple Inc. (“Apple”). Apple shall answer each interrogatory below,
5 in accordance with the definitions below, and serve them on Defendants’ counsel, Quinn Emanuel
6 Urquhart & Sullivan, LLP, 50 California Street, 22nd Floor, San Francisco, California 94111,
7 within 30 days, or such other time as the parties agree or the Court orders. These interrogatories
8 are continuing in nature and Plaintiff must timely supplement the answers to them under Fed. R.
9 Civ. P. 26(e) whenever an answer is in some material respect incomplete or incorrect.

10 **DEFINITIONS**

11 1. The terms “APPLE,” “PLAINTIFF,” “YOU,” and “YOUR” shall refer to Apple,
12 Inc., any predecessor or successor of Apple, Inc., and any past or present parent, division,
13 subsidiary, affiliate, joint venture, associated organization, director, officer, agent, employee,
14 consultant, staff member, or other representative of Apple, Inc., including counsel and patent
15 agents, in any country.

16 2. The term “DEFENDANTS” means Samsung Electronics Co., Ltd., Samsung
17 Electronics America, Inc., and Samsung Telecommunications America, LLC.

18 3. The terms “DOCUMENT” and “DOCUMENTS” shall have the broadest meaning
19 ascribed to it by Federal Rule of Civil Procedure 34 and Federal Rule of Evidence 1001. This
20 includes copies which differ from the original in any way, including handwritten notations or other
21 written or printed matter. It also includes information stored electronically, whether in a
22 computer database or otherwise, regardless of whether such documents are presently also in non-
23 electronic form.

24 4. The term “RELATING” shall mean regarding, referring to, concerning,
25 mentioning, reflecting, pertaining to, evidencing, identifying, involving, describing, discussing,
26 commenting on, embodying, responding to, supporting, contradicting, containing, or constituting
27 (in whole or in part).

1 5. The term “DESIGN PATENTS” shall mean U.S. Design Patent Nos. D618,677,
2 D593,087 and D504,889 and all parents, progeny, continuations, applications, divisional
3 applications, reexaminations, or reissues thereof and all foreign counterpart applications and
4 patents which claim the same subject matter.

5 6. The term “381 PATENT” shall mean U.S. Patent No. 7,469,381 and all parents,
6 progeny, continuations, applications, divisional applications, reexaminations, or reissues thereof
7 and all foreign counterpart applications and patents which claim the same subject matter.

8 7. “PRIOR ART” shall mean any reference, publication, patent, physical specimen,
9 use, invention by another, sale, offer for sale, or other activities that are relevant to the validity of
10 the DESIGN PATENTS or the ‘381 PATENT, including anything that is relevant to the
11 patentability of any patent claim under 35 U.S.C. §§ 102 and 103. PRIOR ART is not limited to
12 references or other activities cited to the United States Patent and Trademark Office during
13 prosecution of any patent.

14 8. The term “IDENTIFY” means (1) when referring to a person, the person’s full
15 name, present or last known address, and the last known title and place of employment; (2) when
16 referring to a business, legal, or governmental entity or association, the name and address of the
17 entity or association; (3) when referring to a fact, the fact and the documentary or testimonial
18 support for that fact; (4) when referring to a product, the model name/number, the manufacturer,
19 the date it was first announced, the date it was first released, the date it was first sold and the entity
20 that first sold the product (*e.g.*, the carrier) and a general description of the product or thing; (5)
21 when referring to a written communication, identity of the DOCUMENT(s) in which the
22 communication was made; (6) when referring to an oral communication, the identity of persons
23 participating in the communication; (7) when referring to nonpatent DOCUMENTS, the
24 production number or type of DOCUMENT, its general nature and subject matter, date of
25 creation, and all author(s), addressee(s), and recipient(s); and (8) when referring to patent
26 DOCUMENTS, the country, patent and/or application number, dates of filing, publication, and
27 grant, and the names of patentees or applicants.

1 **INSTRUCTIONS**

2 The following instructions shall apply to each of the Interrogatories herein:

3 1. In answering the following Interrogatories, furnish all available information,
4 including information in the possession, custody, or control of any of PLAINTIFF's attorneys,
5 directors, officers, agents, employees, representatives, associates, investigators or division
6 affiliates, partnerships, parents or subsidiaries, and persons under PLAINTIFF's control, who have
7 the best knowledge, not merely information known to PLAINTIFF based on PLAINTIFF's own
8 personal knowledge. If YOU cannot fully respond to the following Interrogatories after
9 exercising due diligence to secure the information requested thereby, so state, and specify the
10 portion of each Interrogatory that cannot be responded to fully and completely. In the latter
11 event, state what efforts were made to obtain the requested information and the facts relied upon
12 that support the contention that the Interrogatory cannot be answered fully and completely; and
13 state what knowledge, information or belief PLAINTIFF has concerning the unanswered portion
14 of any such Interrogatory.

15 2. If any information requested is claimed to be privileged or otherwise, provide all
16 information falling within the scope of the Interrogatory which is not privileged, and for each item
17 of information contained in a document to which a claim of privilege is made, identify such
18 document with sufficient particularity for purposes of a motion to compel, such identification to
19 include at least the following:

- 20 a. the basis on which the privilege is claimed;
- 21 b. the names and positions of the author of the information and all other
22 persons participating in the preparation of the information;
- 23 c. the name and position of each individual or other person to whom the
24 information, or a copy thereof, was sent or otherwise disclosed;
- 25 d. the date of the information;
- 26 e. a description of any accompanying material transmitted with or attached to
27 such information;
- 28 f. the number of pages in such document or information;

1 g. the particular Interrogatory to which such document is responsive; and
2 whether any business or non-legal matter is contained or discussed in such
3 information.¹

4 3. In the event YOU contend that any of these Interrogatories is objectionable, in
5 whole or in part, YOU shall state with particularity each such objection and the bases therefore,
6 and shall respond to the remainder of the Interrogatory to the extent you are not objecting to it.

7 4. For any Interrogatory or portion thereof that YOU determine to be vague,
8 overbroad, or unclear, YOU shall adopt a reasonable meaning for that portion of the Interrogatory,
9 state the adopted meaning in YOUR response to the particular Interrogatory, and produce
10 responsive information accordingly.

11 5. The words “and” and “or” shall be construed as either conjunctive or disjunctive in
12 such manner as will broaden as widely as possible the scope of any request for production; the
13 word “including” means “including without limitation.”

14 6. The use of the singular form of any word includes the plural and vice versa.

15 7. PLAINTIFF’s obligation to respond to these Interrogatories is continuing and its
16 responses are to be supplemented to include subsequently acquired information in accordance with
17 the requirements of Rule 26(e) of the Federal Rules of Civil Procedure.

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20 **INTERROGATORIES**

21 **INTERROGATORY NO. 1:**

22 For each and every product manufactured, used, sold, offered for sale, or imported by
23 DEFENDANTS that YOU allege infringes one or more of the DESIGN PATENTS or the ‘381
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25

26 _____
27 ¹ Provided the parties reach an agreement that neither party needs to log documents and
28 information generated after the start of this Lawsuit on April 15, 2011, this Instruction applies
only to privileged information generated before the start of litigation.

1 PATENT, IDENTIFY the date YOU first became aware of any manufacture, use, sale, offer for
2 sale, or importation of such product, device, process, method, act, and/or instrumentality.

3 **INTERROGATORY NO. 2:**

4 For each of the DESIGN PATENTS and the '381 PATENT, IDENTIFY any and all
5 persons to whom YOU have ever licensed or offered to license, or persons who have requested to
6 license, or to whom YOU have granted or offered to grant any other rights under the patent,
7 including the status of those requests and offers, whether continuing, successful, or terminated,
8 and identify (by Bates number) all DOCUMENTS RELATED to any such license, offer, request,
9 or other grant of rights.

10 **INTERROGATORY NO. 3:**

11 For each of the DESIGN PATENTS and the '381 PATENT, IDENTIFY (by product name,
12 product manufacturer, telecommunications carrier (if applicable), date of product announcement,
13 date of product release, and appearance of product – including front, back, and side images) every
14 product manufactured, used, sold, offered for sale, or imported into the United States since 2006
15 that YOU allege uses any patented design or invention of the DESIGN PATENTS or the '381
16 PATENT.

17 **INTERROGATORY NO. 4:**

18 For each claim of the '381 PATENT, describe the circumstances surrounding the invention
19 of the claim, including the circumstances leading to the alleged invention of each such claim, the
20 precise date of conception, the date of actual and constructive reduction to practice, the persons
21 involved in the conception and reduction to practice, the steps constituting diligence from
22 conception to actual or constructive reduction to practice, and IDENTIFY all documents, things,
23 and persons that corroborate such conception, diligence, and reduction to practice for each claim.

24 **INTERROGATORY NO. 5:**

25 For each version of the iPhone and iPad, IDENTIFY each product that competes against it
26 in the market, and the market share of each product.

27 **INTERROGATORY NO. 6:**

28

1 For each of the DESIGN PATENTS and the '381 PATENT, IDENTIFY every product
2 currently available for purchase in the market that YOU believe uses or may use any patented
3 design or invention in that patent.

4 **INTERROGATORY NO. 7:**

5 For each of the DESIGN PATENTS and the '381 PATENT, IDENTIFY (by product name,
6 product manufacturer, telecommunications carrier (if applicable), date of product announcement,
7 date of product release, and appearance of product – including front, back, and side images) every
8 Apple product that embodies any patented design or invention of the DESIGN PATENTS or the
9 '381 PATENT and provide a chart identifying specifically where each limitation of each asserted
10 claim is found within each Apple product.

11 **INTERROGATORY NO. 8:**

12 For each of the DESIGN PATENTS and the '381 PATENT, IDENTIFY (by application
13 number, publication number(s), patent number (if applicable), date of filing, title, and inventor(s))
14 every foreign counterpart patent application and every item of PRIOR ART cited in the foreign
15 counterpart patent application.

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17 DATED: July 6, 2011

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

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By /s/ Victoria F. Maroulis

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Charles K. Verhoeven

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Kevin P.B. Johnson

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Victoria F. Maroulis

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Michael T. Zeller

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Attorneys for SAMSUNG ELECTRONICS CO.,
LTD., SAMSUNG ELECTRONICS AMERICA,
INC., and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC

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1 **CERTIFICATE OF SERVICE**

2 I hereby certify that on July 6, 2011, I caused **SAMSUNG'S INTERROGATORIES TO**
3 **APPLE RELATING TO APPLE INC.'S MOTION FOR A PRELIMINARY INJUNCTION**

4 to be electronically served on the following via email:

5 **ATTORNEYS FOR APPLE INC.**

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14 Facsimile: (415) 268-7522

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16 I declare under penalty of perjury that the foregoing is true and correct. Executed in San
17 Francisco, California on July 6, 2011.

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/s/ Erik Olson
Erik Olson

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