

EXHIBIT C

1 HAROLD J. MCELHINNY (CA SBN 66781)
hmcclhinny@mofo.com
2 MICHAEL A. JACOBS (CA SBN 111664)
mjacobs@mofo.com
3 RICHARD S.J. HUNG (CA SBN 197425)
rhung@mofo.com
4 MORRISON & FOERSTER LLP
425 Market Street
5 San Francisco, California 94105-2482
Telephone: (415) 268-7000
6 Facsimile: (415) 268-7522
7 KENNETH H. BRIDGES (CA SBN 243541)
kbridges@bridgesmav.com
8 MICHAEL T. PIEJA (CA SBN 250351)
mpieja@bridgesmav.com
9 BRIDGES & MAVRAKAKIS LLP
3000 El Camino Real
10 One Palo Alto Square, 2nd Floor
Palo Alto, CA 94306
11 Telephone: (650) 804-7800
Facsimile: (650) 852-9224
12
13
14
15
16

WILLIAM F. LEE (*pro hac vice* anticipated)
william.lee@wilmerhale.com
WILMER CUTLER PICKERING
HALE AND DORR LLP
60 State Street
Boston, MA 02109
Telephone: (617) 526-6000
Facsimile: (617) 526-5000

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

Attorneys for Plaintiff
APPLE INC.

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

17 APPLE INC., a California corporation,
18
19 Plaintiff,
20
21 v.
22 SAMSUNG ELECTRONICS CO., LTD., a
Korean corporation; SAMSUNG
23 ELECTRONICS AMERICA, INC., a New
York corporation; and SAMSUNG
TELECOMMUNICATIONS AMERICA,
24 LLC, a Delaware limited liability company,
25
26 Defendants.
27
28

Case No. 11-cv-01846-LHK

**APPLE INC.'S OBJECTIONS AND
RESPONSES TO SAMSUNG'S
REQUESTS FOR PRODUCTION OF
DOCUMENTS AND THINGS
RELATING TO APPLE INC.'S
MOTION FOR A PRELIMINARY
INJUNCTION**

1 In accordance with Rule 34 of the Federal Rules of Civil Procedure, Plaintiff Apple Inc.
2 (“Apple”) objects and responds to the Requests for Production of Documents and Things Relating
3 to Apple Inc.’s Motion for a Preliminary Injunction served by Defendants Samsung Electronics
4 Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC
5 (collectively “Samsung”) on July 6, 2011.

6 **GENERAL OBJECTIONS**

7 Apple makes the following general responses and objections (“General Objections”) to
8 each definition, instruction, and request propounded in Samsung’s Requests for Production of
9 Documents and Things Relating to Apple Inc.’s Motion for a Preliminary Injunction. These
10 General Objections are hereby incorporated into each specific response. The assertion of the
11 same, similar or additional objections or partial responses to the individual requests does not
12 waive any of Apple’s General Objections.

13 1. Apple objects to Samsung’s definitions of “APPLE,” “PLAINTIFF,” “YOU,” and
14 “YOUR” to the extent they purport to include persons or entities that are separate and distinct
15 from Apple and are not under Apple’s control. “Apple” refers only to Apple Inc.

16 2. Apple objects to Samsung’s definition of “PRIOR ART” as inaccurate, overly
17 broad, vague, ambiguous, and unduly burdensome. Samsung’s definition is particularly vague
18 and ambiguous in its use of the phrase “relevant to the validity,” and overly broad in attempting
19 to include information other than that cited to the Patent Office during the prosecutions of the
20 patents that are the subject of Apple’s Motion for a Preliminary Injunction.

21 3. Apple objects to these requests to the extent they incorporate Samsung’s definition
22 of “RELATING.” Samsung’s definition of this term renders each request incorporating the term
23 overly broad, vague, ambiguous, and unduly burdensome.

24 4. Apple objects to Samsung’s definitions of “DESIGN PATENTS” and the “’381
25 PATENT” because they are inaccurate, overly broad, vague, ambiguous, and unduly burdensome.
26 The phrase “design patents” means U.S. Design Patent Nos. D618,677, D593,087, and D504,889.
27 The “’381 patent” means U.S. Patent No. 7,469,381.

1 DOCUMENTS sufficient to identify the individuals, including but not limited to named
2 inventors, who contributed to the conception of the designs or alleged inventions of the DESIGN
3 PATENTS or the '381 PATENT.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 2:**

5 Apple incorporates its General Objections. Apple objects to this request to the extent it
6 seeks the production of documents that: (i) are protected from discovery by the attorney-client
7 privilege or the work product doctrine; (ii) would require Apple to draw a legal conclusion to
8 respond; or (iii) can be obtained as easily by Samsung, are already in Samsung's possession, or
9 are publicly available.

10 Subject to these objections, Apple will produce relevant, non-privileged documents within
11 its possession, custody, or control, if any, after conducting a reasonable search.

12 **REQUEST FOR PRODUCTION NO. 3:**

13 Samples of all products that Apple contends infringe the DESIGN PATENTS and the
14 '381 PATENT.

15 **RESPONSE TO REQUEST FOR PRODUCTION NO. 3:**

16 Apple incorporates its General Objections. Apple objects to this request as overly broad,
17 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
18 evidence, especially because it requests samples of "all products," including Samsung's own
19 products and non-party products. Apple objects that this request calls for information that is not
20 relevant to the claims or defenses at issue in Apple's Motion for a Preliminary Injunction. Apple
21 objects to this request to the extent it seeks the production of documents that: (i) are protected
22 from discovery by the attorney-client privilege or the work product doctrine; (ii) are outside of
23 Apple's possession, custody, or control; (iii) would require Apple to draw a legal conclusion to
24 respond; (iv) can be obtained as easily by Samsung, are already in Samsung's possession, or are
25 publicly available; or (v) are subject to a confidentiality or non-disclosure agreement or governed
26 by a protective order preventing its production.

27 **REQUEST FOR PRODUCTION NO. 4:**

1 Communications between YOU and any other person, including, but not limited to, the
2 inventors of the DESIGN PATENTS and of the '381 PATENT, concerning the DESIGN
3 PATENTS or the '381 PATENT, any products accused of infringing the DESIGN PATENTS or
4 the '381 PATENT, or This Lawsuit.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 4:**

6 Apple incorporates its General Objections. Apple objects to this request as overly broad,
7 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
8 evidence, especially as it seeks communications with parties other than Samsung or involving
9 Samsung products other than those at issue in Apple's Motion for a Preliminary Injunction.
10 Apple objects to this request as calling for information that is not relevant to the claims or
11 defenses at issue in Apple's Motion for a Preliminary Injunction. Apple objects to this request to
12 the extent it seeks the production of documents that: (i) are protected from discovery by the
13 attorney-client privilege or the work product doctrine; (ii) are outside of Apple's possession,
14 custody, or control; (iii) would require Apple to draw a legal conclusion to respond; (iv) can be
15 obtained as easily by Samsung, are already in Samsung's possession, or are publicly available; or
16 (v) are subject to a confidentiality or non-disclosure agreement or governed by a protective order
17 preventing its production.

18 Subject to these objections, Apple will produce relevant, non-privileged documents within
19 its possession, custody, or control, if any, after conducting a reasonable search.

20 **REQUEST FOR PRODUCTION NO. 5:**

21 DOCUMENTS RELATING to the functionality—including the ease of manufacturing,
22 cost savings, or any other benefit of any claimed feature, element or combination of elements in
23 any of the DESIGN PATENTS, including without limitation:

- 24 (a) a flat front screen,
- 25 (b) a clear front screen,
- 26 (c) a black-colored front surface,
- 27 (d) rectangular shape,
- 28 (e) four corners, rounded corners,

- 1 (g) symmetry,
- 2 (h) a rectangular screen,
- 3 (i) an inset screen, substantial borders on two sides of a screen,
- 4 (k) narrow borders on two sides of a screen,
- 5 (l) a horizontal speaker slot,
- 6 (m) a speaker slot on the front,
- 7 (n) a centered speaker,
- 8 (o) a speaker above a display screen,
- 9 (p) a speaker near the top of a phone handset,
- 10 (q) a bezel around the edge of product,
- 11 (r) a circular button on the front, or
- 12 (s) a button located at the center bottom.

13 **RESPONSE TO REQUEST FOR PRODUCTION NO. 5:**

14 Apple incorporates its General Objections. Apple objects to the phrase “any other
15 benefit” as vague and ambiguous. Apple objects to this request as overly broad, unduly
16 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence and as
17 calling for information that is not relevant to the claims or defenses at issue in Apple’s Motion for
18 a Preliminary Injunction. Apple objects to this request to the extent it seeks the production of
19 documents that: (i) are protected from discovery by the attorney-client privilege or the work
20 product doctrine; (ii) are outside of Apple’s possession, custody, or control; (iii) would require
21 Apple to draw a legal conclusion to respond; (iv) can be obtained as easily by Samsung, are
22 already in Samsung’s possession, or are publicly available; or (v) are subject to a confidentiality
23 or non-disclosure agreement or governed by a protective order preventing its production.

24 Subject to these objections, Apple will meet and confer with Samsung about reasonable
25 limitations in response to this request.

26 **REQUEST FOR PRODUCTION NO. 6:**

27 DOCUMENTS RELATING to the scope, construction, meaning or interpretation of the
28 DESIGN PATENTS or the ’381 PATENT.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 6:**

2 Apple incorporates its General Objections. Apple objects to this request as overly broad,
3 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
4 and as calling for information that is not relevant to the claims or defenses at issue in Apple's
5 Motion for a Preliminary Injunction. Apple objects to this request to the extent it seeks the
6 production of documents that: (i) are protected from discovery by the attorney-client privilege or
7 the work product doctrine; (ii) are outside of Apple's possession, custody, or control; (iii) would
8 require Apple to draw a legal conclusion to respond; (iv) can be obtained as easily by Samsung,
9 are already in Samsung's possession, or are publicly available; or (v) are subject to a
10 confidentiality or non-disclosure agreement or governed by a protective order preventing its
11 production.

12 Subject to these objections, Apple will produce relevant, non-privileged documents within
13 its possession, custody, or control, if any, after conducting a reasonable search.

14 **REQUEST FOR PRODUCTION NO. 7:**

15 DOCUMENTS RELATING to any re-examination proceedings before the United States
16 Patent and Trademark Office RELATING to the '381 PATENT.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 7:**

18 Apple incorporates its General Objections. Apple objects to this request to the extent it
19 seeks the production of documents that: (i) are protected from discovery by the attorney-client
20 privilege or the work product doctrine; (ii) are outside of Apple's possession, custody, or control;
21 or (iii) can be obtained as easily by Samsung, are already in Samsung's possession, or are
22 publicly available.

23 Subject to these objections, Apple will produce relevant, non-privileged documents within
24 its possession, custody, or control, if any, after conducting a reasonable search.

25 **REQUEST FOR PRODUCTION NO. 8:**

26 DOCUMENTS discussing, reflecting, supporting, undermining, or otherwise RELATING
27 to the scope, infringement, validity, and enforceability of any claim of the DESIGN PATENTS or
28 the '381 PATENT.

1 **RESPONSE TO REQUEST FOR PRODUCTION NO. 8:**

2 Apple incorporates its General Objections. Apple objects to this request as overly broad,
3 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
4 evidence. Apple also objects to this request as calling for information that is not relevant to the
5 claims or defenses at issue in Apple’s Motion for a Preliminary Injunction because, for example,
6 Samsung has not pleaded unenforceability in its Answer and Counterclaims. Apple objects to this
7 request to the extent it seeks the production of documents that: (i) are protected from discovery
8 by the attorney-client privilege or the work product doctrine; (ii) are outside of Apple’s
9 possession, custody, or control; (iii) would require Apple to draw a legal conclusion to respond;
10 (iv) can be obtained as easily by Samsung, are already in Samsung’s possession, or are publicly
11 available; or (v) are subject to a confidentiality or non-disclosure agreement or governed by a
12 protective order preventing its production.

13 Subject to these objections, Apple will produce relevant, non-privileged documents within
14 its possession, custody, or control, if any, after conducting a reasonable search.

15 **REQUEST FOR PRODUCTION NO. 9:**

16 Transcripts of testimony given at a deposition, hearing, trial, or other proceeding by the
17 named inventors of the DESIGN PATENTS or the ’381 PATENT RELATING to the DESIGN
18 PATENTS or the ’381 PATENT, including any testimony provided by Bas Ording RELATING
19 to the ’381 PATENT.

20 **RESPONSE TO REQUEST FOR PRODUCTION NO. 9:**

21 Apple incorporates its General Objections. Apple objects to the phrase “other
22 proceeding” as vague and ambiguous. Apple objects to this request to the extent it seeks the
23 production of documents that: (i) are outside of Apple’s possession, custody, or control; (ii) can
24 be obtained as easily by Samsung, are already in Samsung’s possession, or are publicly available;
25 or (iii) are subject to a confidentiality or non-disclosure agreement or governed by a protective
26 order preventing its production.

27 Subject to these objections, Apple will produce relevant, non-privileged documents within
28 its possession, custody, or control, if any, after conducting a reasonable search.

1 **REQUEST FOR PRODUCTION NO. 10:**

2 PRIOR ART relating to the DESIGN PATENTS or the '381 PATENT.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 10:**

4 Apple incorporates its General Objections. Apple objects to this request to the extent it
5 seeks the production of documents that: (i) are protected from discovery by the attorney-client
6 privilege or the work product doctrine; (ii) are outside of Apple's possession, custody, or control;
7 (iii) would require Apple to draw a legal conclusion to respond; (iv) can be obtained as easily by
8 Samsung, are already in Samsung's possession, or are publicly available; or (v) are subject to a
9 confidentiality or non-disclosure agreement or governed by a protective order preventing its
10 production.

11 Subject to these objections, Apple will produce relevant, non-privileged documents within
12 its possession, custody, or control, if any, after conducting a reasonable search.

13 **REQUEST FOR PRODUCTION NO. 11:**

14 Samples of all products that embody the claims of any of the DESIGN PATENTS or the
15 '381 PATENT and publications, product literature or publications relating to such products.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 11:**

17 Apple incorporates its General Objections. Apple objects to the phrase "publications,
18 product literature or publications relating to such products" as vague and ambiguous. Apple
19 objects to this request as overly broad, unduly burdensome, and not reasonably calculated to lead
20 to the discovery of admissible evidence and calling for information that is not relevant to the
21 claims or defenses at issue in Apple's Motion for a Preliminary Injunction. Apple objects to this
22 request to the extent it seeks the production of documents that: (i) are protected from discovery
23 by the attorney-client privilege or the work product doctrine; (ii) are outside of Apple's
24 possession, custody, or control; (iii) would require Apple to draw a legal conclusion to respond;
25 (iv) can be obtained as easily by Samsung, are already in Samsung's possession, or are publicly
26 available; or (v) are subject to a confidentiality or non-disclosure agreement or governed by a
27 protective order preventing its production.

1 Subject to these objections, Apple will make available for inspection released iPhone or
2 iPad products that are not already in Samsung's possession or publicly available.

3 **REQUEST FOR PRODUCTION NO. 12:**

4 DOCUMENTS sufficient to identify every foreign counterpart patent application to the
5 DESIGN PATENTS and the '381 PATENT.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 12:**

7 Apple incorporates its General Objections. Apple objects to this request as calling for
8 information that is not relevant to the claims or defenses at issue in Apple's Motion for a
9 Preliminary Injunction. Apple objects to this request to the extent it seeks the production of
10 documents that: (i) are protected from discovery by the attorney-client privilege or the work
11 product doctrine; (ii) are outside of Apple's possession, custody, or control; (iii) would require
12 Apple to draw a legal conclusion to respond; or (iv) can be obtained as easily by Samsung, are
13 already in Samsung's possession, or are publicly available.

14 Subject to these objections, Apple will produce relevant, non-privileged documents within
15 its possession, custody, or control, if any, after conducting a reasonable search.

16 **REQUEST FOR PRODUCTION NO. 13:**

17 The prosecution history for every foreign counterpart patent application to the DESIGN
18 PATENTS and the '381 PATENT, including any English translations.

19 **RESPONSE TO REQUEST FOR PRODUCTION NO. 13:**

20 Apple incorporates its General Objections. Apple objects to this request as calling for
21 information that is not relevant to the claims or defenses at issue in Apple's Motion for a
22 Preliminary Injunction. Apple objects to this request to the extent it seeks the production of
23 documents that: (i) are protected from discovery by the attorney-client privilege or the work
24 product doctrine; (ii) are outside of Apple's possession, custody, or control; (iii) would require
25 Apple to draw a legal conclusion to respond; or (iv) can be obtained as easily by Samsung, are
26 already in Samsung's possession, or are publicly available.

27 Subject to these objections, Apple will produce relevant, non-privileged documents within
28 its possession, custody, or control, if any, after conducting a reasonable search.

1 **REQUEST FOR PRODUCTION NO. 14:**

2 Each item of PRIOR ART cited in the prosecution history for every foreign counterpart
3 patent application to the DESIGN PATENTS and the '381 PATENT, including any English
4 translations.

5 **RESPONSE TO REQUEST FOR PRODUCTION NO. 14:**

6 Apple incorporates its General Objections. Apple objects to this request to the extent it
7 seeks the production of documents that: (i) are protected from discovery by the attorney-client
8 privilege or the work product doctrine; (ii) are outside of Apple's possession, custody, or control;
9 (iii) would require Apple to draw a legal conclusion to respond; or (iv) can be obtained as easily
10 by Samsung, are already in Samsung's possession, or are publicly available.

11 Subject to these objections, Apple will produce relevant, non-privileged documents within
12 its possession, custody, or control, if any, after conducting a reasonable search.

13 **REQUEST FOR PRODUCTION NO. 15:**

14 All DOCUMENTS relied on by Cooper Woodring in his declaration submitted in support
15 of YOUR Motion for Preliminary Injunction dated July 1, 2011.

16 **RESPONSE TO REQUEST FOR PRODUCTION NO. 15:**

17 Apple incorporates its General Objections. Apple objects to this request to the extent it
18 seeks the production of documents that: (i) are protected from discovery by the attorney-client
19 privilege or the work product doctrine; (ii) are outside of Apple's possession, custody, or control;
20 or (iii) can be obtained as easily by Samsung, are already in Samsung's possession, or are
21 publicly available.

22 Subject to these objections, Apple will produce relevant, non-privileged documents within
23 its possession, custody, or control, if any, after conducting a reasonable search.

24 **REQUEST FOR PRODUCTION NO. 16:**

25 All prior expert reports and declarations submitted by Cooper Woodring in other
26 litigations involving design patent infringement, industrial design, or electronic consumer goods.

27 **RESPONSE TO REQUEST FOR PRODUCTION NO. 16:**

1 Apple incorporates its General Objections. Apple objects to this request as overly broad,
2 unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence,
3 and not limited in time. Apple objects to this request as calling for information that is not
4 relevant to the claims or defenses at issue in Apple's Motion for a Preliminary Injunction,
5 including reports and declarations that do not relate to the design patents at issue in that motion.
6 Apple objects to this request to the extent it seeks the production of documents that: (i) are
7 protected from discovery by the attorney-client privilege or the work product doctrine; (ii) are
8 outside of Apple's possession, custody, or control; (iii) can be obtained as easily by Samsung, are
9 already in Samsung's possession, or are publicly available; or (iv) are subject to a confidentiality
10 or non-disclosure agreement or governed by a protective order preventing its production.

11 Subject to these objections, Apple will produce relevant, non-privileged documents
12 relating to Apple, if any, within its possession, custody, or control after conducting a reasonable
13 search.

14 **REQUEST FOR PRODUCTION NO. 17:**

15 All trial and deposition transcripts from other litigations in which Cooper Woodring
16 testified as an expert.

17 **RESPONSE TO REQUEST FOR PRODUCTION NO. 17:**

18 Apple incorporates its General Objections. Apple objects to this request as overly broad,
19 unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence,
20 and not limited in time. Apple objects to this request as calling for information that is not
21 relevant to the claims or defenses at issue in Apple's Motion for a Preliminary Injunction,
22 including transcripts that do not relate to the design patents at issue in that motion. Apple objects
23 to this request to the extent it seeks the production of documents that: (i) are protected from
24 discovery by the attorney-client privilege or the work product doctrine; (ii) are outside of Apple's
25 possession, custody, or control; (iii) can be obtained as easily by Samsung, are already in
26 Samsung's possession, or are publicly available; or (iv) are subject to a confidentiality or non-
27 disclosure agreement or governed by a protective order preventing its production.

1 Subject to these objections, Apple will produce relevant, non-privileged documents
2 relating to Apple, if any, within its possession, custody, or control after conducting a reasonable
3 search.

4 **REQUEST FOR PRODUCTION NO. 18:**

5 All DOCUMENTS relied on by Ravin Balakrishnan in his declaration submitted in
6 support of YOUR Motion for Preliminary Injunction dated July 1, 2011.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 18:**

8 Apple incorporates its General Objections. Apple objects to this request to the extent it
9 seeks the production of documents that: (i) are protected from discovery by the attorney-client
10 privilege or the work product doctrine; (ii) are outside of Apple's possession, custody, or control;
11 (iii) or can be obtained as easily by Samsung, are already in Samsung's possession, or are
12 publicly available.

13 Subject to these objections, Apple will produce relevant, non-privileged documents within
14 its possession, custody, or control, if any, after conducting a reasonable search.

15 **REQUEST FOR PRODUCTION NO. 19:**

16 All prior expert reports and declarations submitted by Ravin Balakrishnan in other
17 litigations involving utility patents.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 19:**

19 Apple incorporates its General Objections. Apple objects to this request as overly broad,
20 unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence,
21 and not limited in time. Apple objects to this request as calling for information that is not
22 relevant to the claims or defenses at issue in Apple's Motion for a Preliminary Injunction,
23 including reports and declarations that do not relate to the utility patent at issue in that motion.
24 Apple objects to this request to the extent it seeks the production of documents that: (i) are
25 protected from discovery by the attorney-client privilege or the work product doctrine; (ii) are
26 outside of Apple's possession, custody, or control; (iii) can be obtained as easily by Samsung, are
27 already in Samsung's possession, or are publicly available; (iv) are subject to a confidentiality or
28 non-disclosure agreement or governed by a protective order preventing its production.

1 Subject to these objections, Apple will produce relevant, non-privileged documents
2 relating to Apple, if any, within its possession, custody, or control after conducting a reasonable
3 search.

4 **REQUEST FOR PRODUCTION NO. 20:**

5 All trial and deposition transcripts from other litigations in which Ravin Balakrishnan
6 testified as an expert.

7 **RESPONSE TO REQUEST FOR PRODUCTION NO. 20:**

8 Apple incorporates its General Objections. Apple objects to this request as overly broad,
9 unduly burdensome, not reasonably calculated to lead to the discovery of admissible evidence,
10 and not limited in time. Apple objects to this request as calling for information that is not
11 relevant to the claims or defenses at issue in Apple's Motion for a Preliminary Injunction,
12 including transcripts that do not relate to the utility patent at issue in that motion. Apple objects
13 to this request to the extent it seeks the production of documents that: (i) are protected from
14 discovery by the attorney-client privilege or the work product doctrine; (ii) are outside of Apple's
15 possession, custody, or control; (iii) can be obtained as easily by Samsung, are already in
16 Samsung's possession, or are publicly available; or (iv) are subject to a confidentiality or non-
17 disclosure agreement or governed by a protective order preventing its production.

18 Subject to these objections, Apple will produce relevant, non-privileged documents
19 relating to Apple, if any, within its possession, custody, or control after conducting a reasonable
20 search.

21 **REQUEST FOR PRODUCTION NO. 21:**

22 DOCUMENTS from any prior or current litigation or dispute relating to infringement,
23 validity, enforceability, or ownership of the DESIGN PATENTS, including *Apple Inc. v. Brilliant*
24 *Store, Inc.*, Case No. 10-cv-2996-SBA.

25 **RESPONSE TO REQUEST FOR PRODUCTION NO. 21:**

26 Apple incorporates its General Objections. Apple objects to this request as overly broad,
27 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
28 and as calling for information that is not relevant to the claims or defenses at issue in Apple's

1 Motion for a Preliminary Injunction. Apple objects to this request to the extent it seeks the
2 production of documents that: (i) are protected from discovery by the attorney-client privilege or
3 the work product doctrine; (ii) are outside of Apple’s possession, custody, or control; (iii) can be
4 obtained as easily by Samsung, are already in Samsung’s possession, or are publicly available; or
5 (iv) are subject to a confidentiality or non-disclosure agreement or governed by a protective order
6 preventing its production.

7 Subject to these objections, Apple will produce relevant, non-privileged documents within
8 its possession, custody, or control, if any, after conducting a reasonable search.

9 **REQUEST FOR PRODUCTION NO. 22:**

10 DOCUMENTS from any prior or current litigation or dispute relating to infringement,
11 validity, enforceability, or ownership of the ’381 PATENT, including *Nokia Corp. v. Apple Inc.*,
12 Case No. 1:09-cv-00791 (D. Del.), and *Apple Inc. v. High Tech Computer Corp. (HTC)*, Case No.
13 1:10-cv-00167 (D. Del.)

14 **RESPONSE TO REQUEST FOR PRODUCTION NO. 22:**

15 Apple incorporates its General Objections. Apple objects to this request as overly broad,
16 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
17 evidence, especially as it generally seeks documents relating to prior litigations or “disputes.”
18 Apple objects to this request as calling for information that is not relevant to the claims or
19 defenses at issue in Apple’s Motion for a Preliminary Injunction. Apple objects to this request to
20 the extent it seeks the production of documents that: (i) are protected from discovery by the
21 attorney-client privilege or the work product doctrine; (ii) are outside of Apple’s possession,
22 custody, or control; (iii) can be obtained as easily by Samsung, are already in Samsung’s
23 possession, or are publicly available; or (iv) are subject to a confidentiality or non-disclosure
24 agreement or governed by a protective order preventing its production.

25 Subject to these objections, Apple will produce relevant, non-privileged documents within
26 its possession, custody, or control, if any, after conducting a reasonable search.

27 **REQUEST FOR PRODUCTION NO. 23:**

1 DOCUMENTS RELATING to all licenses and potential licenses for the DESIGN
2 PATENTS or the '381 PATENT, including all correspondence and DOCUMENTS RELATING
3 to licensing offers or negotiations.

4 **RESPONSE TO REQUEST FOR PRODUCTION NO. 23:**

5 Apple incorporates its General Objections. Apple objects to this request as overly broad,
6 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible
7 evidence, especially to the extent that it seeks “licenses,” “potential licenses,” and “licensing
8 offers or negotiations” not involving Samsung. Apple objects to this request as calling for
9 information that is not relevant to the claims or defenses at issue in Apple’s Motion for a
10 Preliminary Injunction. Apple objects to this request to the extent it seeks the production of
11 documents that: (i) are protected from discovery by the attorney-client privilege or the work
12 product doctrine; (ii) are outside of Apple’s possession, custody, or control; (iii) can be obtained
13 as easily by Samsung, are already in Samsung’s possession, or are publicly available; or (iv) are
14 subject to a confidentiality or non-disclosure agreement or governed by a protective order
15 preventing its production.

16 Subject to these objections, Apple will produce relevant, non-privileged documents within
17 its possession, custody, or control, if any, after conducting a reasonable search.

18 **REQUEST FOR PRODUCTION NO. 24:**

19 DOCUMENTS RELATING to competition between each version of the iPhone and any
20 product YOU accuse of infringing the DESIGN PATENTS or the '381 PATENT.

21 **RESPONSE TO REQUEST FOR PRODUCTION NO. 24:**

22 Apple incorporates its General Objections. Apple objects to the term “competition” as
23 vague and ambiguous. Apple objects to this request as overly broad, unduly burdensome, and not
24 reasonably calculated to lead to the discovery of admissible evidence, especially to the extent that
25 it seeks documents relating to “any product YOU accuse of infringing the DESIGN PATENTS or
26 the '381 PATENT” or any products other than the Samsung products at issue in Apple’s Motion
27 for a Preliminary Injunction. Apple also objects to this request as calling for information that is
28 not relevant to the claims or defenses at issue in Apple’s Motion for a Preliminary Injunction.

1 Apple objects to this request to the extent it seeks the production of documents that: (i) are
2 protected from discovery by the attorney-client privilege or the work product doctrine; (ii) are
3 outside of Apple's possession, custody, or control; (iii) would require Apple to draw a legal
4 conclusion to respond; (iv) can be obtained as easily by Samsung, are already in Samsung's
5 possession, or are publicly available; or (v) are subject to a confidentiality or non-disclosure
6 agreement or governed by a protective order preventing its production.

7 Subject to these objections, Apple will produce relevant, non-privileged documents within
8 its possession, custody, or control, if any, after conducting a reasonable search.

9 **REQUEST FOR PRODUCTION NO. 25:**

10 DOCUMENTS RELATING to competition between each version of the iPad and any
11 product YOU accuse of infringing the DESIGN PATENTS or the '381 PATENT.

12 **RESPONSE TO REQUEST FOR PRODUCTION NO. 25:**

13 Apple incorporates its General Objections. Apple objects to the term "competition" as
14 vague and ambiguous. Apple objects to this request as overly broad, unduly burdensome, and not
15 reasonably calculated to lead to the discovery of admissible evidence, especially to the extent that
16 it seeks documents relating to "any product YOU accuse of infringing the DESIGN PATENTS or
17 the '381 PATENT" or any products other than the Samsung products at issue in Apple's Motion
18 for a Preliminary Injunction. Apple also objects to this request as calling for information that is
19 not relevant to the claims or defenses at issue in Apple's Motion for a Preliminary Injunction.

20 Apple objects to this request to the extent it seeks the production of documents that: (i) are
21 protected from discovery by the attorney-client privilege or the work product doctrine; (ii) are
22 outside of Apple's possession, custody, or control; (iii) would require Apple to draw a legal
23 conclusion to respond; (iv) can be obtained as easily by Samsung, are already in Samsung's
24 possession, or are publicly available; or (v) are subject to a confidentiality or non-disclosure
25 agreement or governed by a protective order preventing its production.

26 Subject to these objections, Apple will produce relevant, non-privileged documents within
27 its possession, custody, or control, if any, after conducting a reasonable search.

28 **REQUEST FOR PRODUCTION NO. 26:**

1 DOCUMENTS sufficient to identify the respective markets of each version of the iPhone
2 and the iPad.

3 **RESPONSE TO REQUEST FOR PRODUCTION NO. 26:**

4 Apple incorporates its General Objections. Apple objects to this request as overly broad,
5 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
6 and as calling for information that is not relevant to the claims or defenses at issue in Apple's
7 Motion for a Preliminary Injunction. Apple objects to this request to the extent it seeks the
8 production of documents that: (i) are protected from discovery by the attorney-client privilege or
9 the work product doctrine; (ii) are outside of Apple's possession, custody, or control; (iii) can be
10 obtained as easily by Samsung, are already in Samsung's possession, or are publicly available; or
11 (iv) are subject to a confidentiality or non-disclosure agreement or governed by a protective order
12 preventing its production.

13 Subject to these objections, Apple will produce relevant, non-privileged documents within
14 its possession, custody, or control, if any, after conducting a reasonable search.

15 **REQUEST FOR PRODUCTION NO. 27:**

16 DOCUMENTS sufficient to identify the respective market shares of each version of the
17 iPhone and the iPad.

18 **RESPONSE TO REQUEST FOR PRODUCTION NO. 27:**

19 Apple incorporates its General Objections. Apple objects to this request as overly broad,
20 unduly burdensome, and not reasonably calculated to lead to the discovery of admissible evidence
21 and as calling for information that is not relevant to the claims or defenses at issue in Apple's
22 Motion for a Preliminary Injunction. Apple objects to this request to the extent it seeks the
23 production of documents that: (i) are protected from discovery by the attorney-client privilege or
24 the work product doctrine; (ii) are outside of Apple's possession, custody, or control; (iii) can be
25 obtained as easily by Samsung, are already in Samsung's possession, or are publicly available; or
26 (iv) are subject to a confidentiality or non-disclosure agreement or governed by a protective order
27 preventing its production.

1 Subject to these objections, Apple will produce relevant, non-privileged documents within
2 its possession, custody, or control, if any, after conducting a reasonable search.

3 **REQUEST FOR PRODUCTION NO. 28:**

4 DOCUMENTS sufficient to identify the respective market share of each product that
5 competes with the iPhone or the iPad.

6 **RESPONSE TO REQUEST FOR PRODUCTION NO. 28:**

7 Apple incorporates its General Objections. Apple objects to the term “competes” as
8 vague and ambiguous. Apple objects to this request as overly broad, unduly burdensome, and not
9 reasonably calculated to lead to the discovery of admissible evidence. Apple objects to this
10 request as calling for information that is not relevant to the claims or defenses at issue in Apple’s
11 Motion for a Preliminary Injunction, especially to the extent that it seeks documents relating to
12 products other than the Samsung products at issue in the motion. Apple objects to this request to
13 the extent it seeks the production of documents that: (i) are protected from discovery by the
14 attorney-client privilege or the work product doctrine; (ii) are outside of Apple’s possession,
15 custody, or control; (iii) can be obtained as easily by Samsung, are already in Samsung’s
16 possession, or are publicly available; or (iv) are subject to a confidentiality or non-disclosure
17 agreement or governed by a protective order preventing its production.

18 Subject to these objections, Apple will produce relevant, non-privileged documents within
19 its possession, custody, or control, if any, after conducting a reasonable search.

20 **REQUEST FOR PRODUCTION NO. 29:**

21 DOCUMENTS sufficient to identify all projections YOU have reviewed or considered as
22 to what the respective market share of the iPhone and iPad, and each product that competes with
23 the iPhone or the iPad, are likely to be at any future point.

24 **RESPONSE TO REQUEST FOR PRODUCTION NO. 29:**

25 Apple incorporates its General Objections. Apple objects to the term “competes” as
26 vague and ambiguous. Apple objects to this request as overly broad, unduly burdensome, and not
27 reasonably calculated to lead to the discovery of admissible evidence. Apple objects to this
28 request as calling for information that is not relevant to the claims or defenses at issue in Apple’s

1 Motion for a Preliminary Injunction, especially to the extent that it seeks documents relating to
2 products other than the Samsung products at issue in the motion. Apple objects to this request to
3 the extent it seeks the production of documents that: (i) are protected from discovery by the
4 attorney-client privilege or the work product doctrine; (ii) are outside of Apple's possession,
5 custody, or control; (iii) can be obtained as easily by Samsung, are already in Samsung's
6 possession, or are publicly available; or (iv) are subject to a confidentiality or non-disclosure
7 agreement or governed by a protective order preventing its production.

8 Subject to these objections, Apple will produce relevant, non-privileged documents within
9 its possession, custody, or control, if any, after conducting a reasonable search.

10
11 Dated: July 14, 2011

MORRISON & FOERSTER LLP

12
13 By: /s/ Richard S.J. Hung
14 RICHARD S.J. HUNG
15 Attorneys for Plaintiff
16 APPLE INC.
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1 **CERTIFICATE OF SERVICE**

2 I, Deok Keun Matthew Ahn, hereby certify that on July 14, 2011, true and correct
3 copies of the foregoing document were served on the following counsel of record at the
4 addresses and in the manner indicated:

5 **VIA ELECTRONIC MAIL**

6 **Charles K. Verhoeven**
7 charlesverhoeven@quinnemanuel.com
8 Quinn Emanuel Urquhart Oliver & Hedges, LLP
9 50 California Street, 22nd Floor
10 San Francisco, California 94111
11 Telephone: (415) 875-6600
12 Facsimile: (415) 875-6700

13 **Kevin P.B. Johnson**
14 kevinjohnson@quinnemanuel.com
15 **Victoria F. Maroulis**
16 victoriamaroulis@quinnemanuel.com
17 Quinn Emanuel Urquhart Oliver & Hedges, LLP
18 555 Twin Dolphin Drive 5th Floor
19 Redwood Shores, California 94065
20 Telephone: (650) 801-5000
21 Facsimile: (650) 801-5100

22 **Edward J. DeFranco**
23 eddefranco@quinnemanuel.com
24 Quinn Emanuel Urquhart Oliver & Hedges, LLP
25 335 Madison Avenue, 22nd Floor
26 New York, NY 10017
27 Telephone: (212) 849-7000
28 Facsimile: (212) 849-7100

Michael Thomas Zeller
michaelzeller@quinnemanuel.com
Quinn Emanuel Urquhart Oliver & Hedges, LLP
865 S. Figueroa Street, 10th Floor
Los Angeles, CA 90017
Telephone: (213) 443-3000
Facsimile: (213) 443-3100

I declare under the penalty of perjury that the foregoing is true and correct.

/s/ Deok Keun Matthew Ahn
Deok Keun Matthew Ahn