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 CO., LTD., SAMSUNG ELECTRONICS
 14 AMERICA, INC. and SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC
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16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18 APPLE INC., a California corporation,

19 Plaintiff,

20 vs.

21 SAMSUNG ELECTRONICS CO., LTD., a
 Korean business entity; SAMSUNG
 22 ELECTRONICS AMERICA, INC., a New
 York corporation; SAMSUNG
 23 TELECOMMUNICATIONS AMERICA,
 LLC, a Delaware limited liability company,

24 Defendants.
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CASE NO. 11-cv-01846-LHK

**DECLARATION OF MELISSA N. CHAN
 IN SUPPORT OF SAMSUNG'S
 ADMINISTRATIVE MOTION TO FILE
 DOCUMENTS UNDER SEAL**

1 I, Melissa N. Chan, declare:

2 1. I am an associate in the law firm of Quinn Emanuel Urquhart & Sullivan, LLP,
3 counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc. and Samsung
4 Telecommunications America, LLC (collectively, “Samsung”). Unless otherwise indicated, I
5 have personal knowledge of the facts set forth in this declaration and, if called upon as a witness, I
6 could and would testify as follows.

7 2. Samsung files its administrative motion for an order to seal to protect the
8 confidentiality of information discussed in the Declaration of Mark Tung in Support of Samsung’s
9 Notice of Lodging of Materials in Opposition to Apple’s Motion for a Preliminary Injunctions
10 (“Tung Declaration”) and Exhibits E, G, N, T, V, and X of the Tung Declaration. Those
11 documents contain information declared by the parties to be HIGHLY CONFIDENTIAL —
12 ATTORNEYS EYES ONLY.

13 3. Exhibit E to the Tung Declaration consists of a Registered Community Design
14 registered to Bloomberg Finance of New York, New York. This document contains confidential
15 business information and has been designated as HIGHLY CONFIDENTIAL — ATTORNEYS
16 EYES ONLY.

17 4. Exhibit G is German Registered Design No. 40301867, which is registered to
18 Bloomberg Finance of New York, New York. This document contains confidential business
19 information and has been designated as HIGHLY CONFIDENTIAL — ATTORNEYS EYES
20 ONLY.

21 5. Exhibit N consists of excerpts from the deposition transcript of Ms. Tracy-Gene G.
22 Durkin, an Apple witness, that Apple has designated as HIGHLY CONFIDENTIAL —
23 ATTORNEYS EYES ONLY.

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1 6. Exhibit T consists of excerpts from the deposition transcript of Mr. Michael J.
2 Wagner, a Samsung witness, that Samsung has designated as HIGHLY CONFIDENTIAL —
3 ATTORNEYS EYES ONLY. This document contains and discusses commercially sensitive
4 business information and marketing studies generated by Samsung. This information is
5 confidential and proprietary to Samsung, and could be used to its disadvantage by competitors if it
6 were not filed under seal.

7 7. Exhibit V consists of excerpts from the deposition transcript of Mr. Justin Denison,
8 a Samsung witness, that Samsung has designated as HIGHLY CONFIDENTIAL –
9 ATTORNEYS’ EYES ONLY. This document contains commercially sensitive business
10 information, including confidential information relating to the development and marketing of
11 Samsung’s products. This information is confidential and proprietary to Samsung, and could be
12 used to its disadvantage by competitors if it were not filed under seal.

13 8. Exhibit X is a copy of the presentation materials Samsung provided to the Court,
14 and provided Apple with a copy of, in court on October 13, 2011. This documents contains highly
15 confidential and commercially sensitive business information, including confidential information
16 from the files of Samsung’s designers relating to the design of Samsung’s products, confidential
17 information regarding the technical specifications for Samsung’s products, and confidential
18 information regarding the strategy discussions and analyses run by Samsung regarding its
19 products. This information is confidential and proprietary to Samsung, and could be used to its
20 disadvantage by competitors if it were not filed under seal.

21 9. The Tung Declaration in Support of Samsung’s Notice of Lodging of Materials in
22 Opposition to Apple’s Motion for a Preliminary Injunction summarizes, describes and/or directly
23 cites to the confidential exhibits discussed in paragraphs 3-8 above. Therefore, this document
24 should be filed under seal for the same reasons articulated above.

25 10. The requested relief is necessary and narrowly tailored to protect this confidential
26 information. The exhibits described above do not contain significant relevant, non-confidential
27 material.

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I declare under penalty of perjury that the foregoing is true and correct. Executed in
Redwood Shores, California on December 7, 2011.

/s/ Melissa N. Chan

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General Order 45 Attestation

I, Victoria F. Maroulis, am the ECF user whose ID and password are being used to file this Declaration. In compliance with General Order 45(X)(B), I hereby attest that Melissa N. Chan has concurred in this filing.

/s/ Victoria Maroulis