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

15
 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 Defendant.

CASE NO. 11-cv-01846-LHK

**DECLARATION OF ROSA KIM IN
 SUPPORT OF SEALING APPLE'S
 MOTION TO AUGMENT THE RECORD,
 THE DECLARATION OF MINN CHUNG
 AND EXHIBITS A-E THERETO**

1 Pursuant to Civil L.R. 79-5(d), Defendants Samsung Electronics Co., Ltd., Samsung
2 Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively
3 “Samsung”) submit the appended declaration of Rosa Kim in support of Apple's Unopposed
4 Administrative Motion to File Apple's Motion to Augment Record and Supporting Documents
5 Under Seal (Dkt. No. 298), to establish that the following are sealable:

- 6 • Apple's Administrative Motion to Augment Record on Its Motion for Preliminary
7 Injunction (“Apple’s Motion to Augment Record”);
- 8 • The Declaration of Minn Chung in Support of Apple’s Motion to Augment (“Chung
9 Declaration”); and
- 10 • Exhibits A-E of the Chung Declaration.

11 **DECLARATION OF ROSA KIM**

12 I, Rosa Kim, do hereby declare as follows:

13 1. I am Senior Legal Counsel at Samsung Electronics Co., Ltd. I submit this
14 Declaration in support of Apple’s Administrative Motion to File Under Seal (Dkt. No. 298). I
15 have personal knowledge of the facts set forth in this Declaration and, if called as a witness, could
16 and would competently testify to them.

17 2. Exhibits A-E of the Declaration of Minn Chung in Support of Apple’s Motion to
18 Augment Record are Samsung’s documents which were designated HIGHLY CONFIDENTIAL-
19 ATTORNEYS’ EYES ONLY under the interim protective order. These documents reveal
20 Samsung’s strategies regarding design and product evaluation processes. These documents
21 contain highly confidential and commercially sensitive business information, including
22 confidential information from the files of Samsung’s designers relating to the design of Samsung’s
23 products, as well as confidential information regarding the technical or manufacturing
24 specifications for Samsung’s products. This information is confidential and proprietary to
25 Samsung, and could be used to its disadvantage by competitors if it were not filed under seal.

26 3. The Declaration of Minn Chung in Support of Apple’s Motion to Augment Record
27 summarizes and describes the contents of Exhibits A-E, which are Samsung’s documents
28 designated HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY and discussed in


1 paragraph 2 above. The declaration therefore contains highly confidential and commercially
2 sensitive business information, including confidential information from the files of Samsung's
3 designers relating to the design of Samsung's products, confidential information regarding the
4 technical specifications for Samsung's products, and confidential information regarding the
5 strategy discussions and analyses run by Samsung regarding its products. This information is
6 confidential and proprietary to Samsung, and could be used to its disadvantage by competitors if it
7 were not filed under seal.

8 4. Apple's Motion to Augment Record summarizes, describes and/or directly cites to
9 the confidential Chung Declaration and the confidential exhibits discussed in paragraphs 2 and 3
10 above. Therefore, the motion should remain under seal for the same reasons articulated above.

11 5. The requested relief is necessary and narrowly tailored to protect this confidential
12 information. The exhibits described above do not contain significant relevant, non-confidential
13 material.

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

16 Executed this 8th day of December, 2011, in Suwon, Korea.

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20 Rosa Kim

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