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13 Attorneys for SAMSUNG ELECTRONICS
 CO., LTD., SAMSUNG ELECTRONICS
 14 AMERICA, INC. and SAMSUNG
 TELECOMMUNICATIONS AMERICA, LLC
 15

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.
 25

CASE NO. 11-cv-01846-LHK

**DECLARATION OF BRETT ARNOLD IN
 SUPPORT OF SAMSUNG'S
 ADMINISTRATIVE MOTION TO FILE
 DOCUMENTS UNDER SEAL**

1 I, Brett Arnold, 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
8 2. The requested relief is necessary to protect the confidentiality of information
9 discussed in Samsung’s Opening Claim Construction Brief, the Declaration of Todd M. Briggs in
10 Support of Samsung's Opening Claim Construction Brief and attached exhibits, and the
11 Declaration of Joe Tipton Cole in Support of Samsung’s Proposed Claim Construction for U.S.
12 Patent No. 7,689,711, and attached exhibits. These documents contain information and
13 references from documents that the parties have designated as Highly Confidential – Attorneys’
14 Eyes Only.

15
16 3. The Declaration of Joe Tipton Cole in Support of Samsung’s Proposed Claim
17 Construction for U.S. Patent No. 7,689,711 (“Cole Declaration”) (attached hereto as Exhibit 4 to
18 the Declaration of Brett Arnold (“Arnold Declaration”)) contains two exhibits which the parties
19 have designated as Highly Confidential—Attorneys Eyes Only. Exhibit 3 to the Cole
20 Declaration contains excerpts from the transcript of Dr. Moon-Sang Jeong, a Samsung engineer,
21 which details the internal engineering notes and records Dr. Jeong kept while employed at
22 Samsung. These internal records are not publically available and not made public in the regular
23 course of business. The internal engineering notes are highly sensitive business documents, the
24 disclosure of which could cause harm to Samsung. Exhibit 4 to the Cole Declaration contains
25 confidential engineering records. These internal records are not publically available and not
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1 made public in the regular course of business. The internal engineering notes are highly sensitive
2 business documents, the disclosure of which could cause harm to Samsung.

3 4. Portions of Samsung's Opening Claim Construction Brief (Arnold Declaration Ex.
4 1), the Declaration of Todd M. Briggs in Support of Samsung's Opening Claim Construction Brief
5 including Exhibit F to the Briggs Declaration (Arnold Declaration Ex. 2), and the Declaration of
6 Joe Tipton Cole in Support of Samsung's Proposed Claim Construction for U.S. Patent No.
7 7,689,711 (Arnold Declaration Ex. 4), discuss the contents of Exhibits 3 and 4 of the Cole
8 Declaration. Other portions of the brief provide sensitive details regarding the nature and scope
9 of Samsung's research and development. These discussions reveal the content of Samsung's
10 sensitive, internal, business documents, the disclosure of which could cause serious business harm
11 to Samsung.
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13 5. Exhibit A to the Declaration of Todd M. Briggs in Support of Samsung's Opening
14 Claim Construction Brief contains excerpts from the transcript of Dr. Hun-Kee Kim, a Samsung
15 engineer, which details the procedures that Samsung undergoes in patenting inventions by
16 Samsung engineers. This information is not publically available and not made public in the
17 regular course of business. This is highly sensitive information, the disclosure of which could
18 cause harm to Samsung.
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20 6. Pursuant to the Court's standing order regarding motions to file under seal,
21 effective December 1, 2011, attached as Exhibits 1-4 are the proposed public redacted versions of
22 the documents that Samsung is seeking to file under seal.
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I declare under penalty of perjury that the foregoing is true and correct. Executed in
Redwood Shores, California on December 8, 2011.

/s/ Brett Arnold
Brett Arnold