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Attorneys for Plaintiff and
Counterclaim-Defendant APPLE INC.

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

v.

SAMSUNG ELECTRONICS CO., LTD., a
Korean corporation; SAMSUNG ELECTRONICS
AMERICA, INC., a New York corporation; and
SAMSUNG TELECOMMUNICATIONS
AMERICA, LLC, a Delaware limited liability
company,

Defendants.

Case No. 11-cv-01846-LHK

**[PROPOSED] ORDER GRANTING
APPLE'S MOTION TO COMPEL
PRODUCTION OF DOCUMENTS
AND THINGS**

1 Plaintiff Apple Inc. (“Apple”) has moved pursuant to Federal Rule of Civil Procedure 37
2 and Patent Local Rule 3-4(a) for an order compelling Defendants Samsung Electronics Co., Ltd,
3 Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC
4 (collectively, “Samsung”) to substantially complete, by the dates specified below, its production
5 of certain identified documents and things. Having considered the arguments of the parties and
6 the papers submitted, and GOOD CAUSE HAVING BEEN SHOWN, the Court hereby
7 GRANTS Apple’s Motion to Compel Production of Documents and Things as follows:

8 IT IS ORDERED that **by no later than December 23, 2011**, Samsung shall substantially
9 complete its production to Apple of the following documents:

10 Sketchbooks (or similar hand drawings, however created, stored, or archived) depicting
11 designs for all Galaxy phone and tablet products, regardless of where sold, whether for a final
12 design or an alternative design that was not used;

13 Physical models (including mockups, prototypes, and similar items, however named) for
14 all Galaxy phone and tablet products, regardless of where sold, whether for a final design or an
15 alternative design that was not used; and

16 Computer-aided design (“CAD”) documents created in connection with the design of all
17 Galaxy phone and tablet products, regardless of where sold, whether for a final design or an
18 alternative design that was not used.

19 IT IS FURTHER ORDERED that **by no later than December 23, 2011**, Samsung shall
20 substantially complete its production to Apple of the following documents:

21 All documents that mention the term “Apple,” or any Apple product at issue in this case,
22 or any alias therefor, or any Korean equivalent thereof, in relevant central files or the files of all
23 relevant custodians, including designers and engineers who worked on the Samsung products at
24 issue or other Galaxy phone or tablet products, employees responsible for marketing those
25 products, and employees responsible for developing the infringing features. Relevant custodians
26 shall include customer survey, R&D management, product planning, product strategy, or software
27 or product verification groups.
28

1 In performing these searches, Samsung is permitted, in good faith, to use search term
2 delimiters to exclude wholly irrelevant documents from this production. Such delimiters will be
3 disclosed to Apple if applied.

4 IT IS FURTHER ORDERED that **by no later than December 23, 2011**, Samsung shall
5 substantially complete its production to Apple of all survey documents that refer to Apple,
6 Apple's products, or any alias therefore, from any relevant central file or from the files of any
7 custodian with survey responsibility, anywhere in the world. Within this production, no
8 relevance cut will be made.

9 IT IS FURTHER ORDERED that **by no later than December 23, 2011**, Samsung shall
10 substantially complete its production to Apple of the following source code and related files:

11 1. Source code and necessary configuration files in any Samsung product at issue
12 relating to the display and operation of a user interface status bar or a notification in a status bar.

13 2. Source code and necessary configuration files in any Samsung product at issue
14 relating to the "rubber-banding" functionality, which allows for an image, list, webpage or
15 document to be scrolled beyond its edge until it is partially displayed, then allows for that
16 document to scroll or bounce back into place. This includes any source code related to the
17 android.widget.OverScroller class included in Android API Level 9, as well as equivalent source
18 code or instructions in other versions of Android implemented onto the Samsung Products at
19 Issue.

20 3. Source code and necessary configuration files in any Samsung product at issue
21 relating to pop-up windows, including the timed display thereof.

22 4. Source code and necessary configuration files in any Samsung product at issue
23 relating to scrolling and scaling.

24 5. Source code and necessary configuration files in any Samsung product at issue
25 relating to scroll lock.

1 6. Source code and necessary configuration files for the following software:
2 TouchWiz, Browser, Camera, Contacts, Gallery, PDF Viewer, ThinkFree Mobile Office, Memo,
3 and Maps applications, at least to the extent that the source code for these applications calls or is
4 called by code included in Paragraphs 1 through 5 and 7 through 10.

5 7. Touch screen-related source code and documents, including: (i) source code and
6 necessary configuration files for the touch sensor controllers in any Samsung product at issue;
7 and (ii) documents sufficient to show and to understand design, specifications and manufacturing
8 tolerances for the touch screens, touch sensor controllers, and touch screen components in the
9 Samsung Products at Issue, including but not limited to specifications, schematics, flow charts,
10 formulas, or other documentation showing the design and operation of the touch screens, touch
11 sensor controllers, and touch screen components or of other accused features.

12 8. Source code and necessary configuration files in any Samsung product at issue
13 relating to the generation or display of windows (or views), including code called by application
14 programs to control windows (or views) or what they display.

15 9. Source code and necessary configuration files in any Samsung product at issue
16 relating to interprocess communication, including code for generating, registering for, listening
17 for, or otherwise processing messages or events.

18 10. Source code and necessary configuration files in any Samsung product at issue
19 relating to processing, at any level of the software stack, single- or multi-point touch screen
20 contacts, including code that detects, interprets (*e.g.*, by interpreting as a gesture), or distinguishes
21 between tapping, dragging, flicking/flinging, pinching/depinching, rotation, or other touch screen
22 contacts.

23 IT IS FURTHER ORDERED that:

24 1. Source code should be organized according to, among other things, Android
25 version.

26 2. If any of the source code above includes or uses any libraries, database systems, or
27 similar files, Samsung shall produce those documents and information regarding their
28 configuration and use.

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3. Samsung shall identify with specificity by Bates number if possible where in its productions each of the above categories of documents is found.

IT IS SO ORDERED.

Dated: December 8, 2011

By: _____
Honorable Paul S. Grewal, U.S.M.J.