

EXHIBIT 5

November 9, 2011

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Via E-Mail

Rachel Herrick Kassabian
Kevin Johnson
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555 Twin Dolphin Drive, 5th Floor
Redwood Shores, CA 94065

Re: *Apple Inc. v. Samsung Elecs. Co. et al.* Case No. 11-cv-1846 LHK (N.D. Cal.)
CONFIDENTIAL—Subject to Protective Order

Dear Rachel, Kevin and Victoria:

This letter concerns Samsung's production of source code and other technical documents relating to accused features. To date Samsung has not produced any source code or other technical documents for the software and functions that Apple has accused of infringement. Indeed, during the preliminary injunction phase of this litigation, Samsung ignored Apple's requests to produce pertinent source code. It is critical that Samsung immediately collect and produce the following:

- Source code, related configuration files, and version history information for the following software: TouchWiz, and the Browser, Camera, Contacts, Gallery, and Maps applications.
- Source code in any Samsung Product at Issue relating to the display and operation of a user interface status bar or a notification in a status bar, together with related configuration files and version history information.
- Source code in any Samsung Product at Issue relating to scrolling and scaling, together with related configuration files and version history information.
- Source code in any Samsung Product at Issue relating to scroll lock, together with related configuration files and version history information.

November 9, 2011
Page Two

- Source code in any Samsung Product at Issue relating to pop-up windows, together with related configuration files and version history information.
- Source code in any Samsung Product at Issue relating to the functionality that allows for an image, list, webpage or document to be scrolled beyond its edge until it is partially displayed, or that allows for an image, list, webpage or document that is scrolled beyond its edge to scroll back or bounce back into place so that it returns to fill the screen, together with related configuration files and version history information. This includes any source code related to the source code found in the android.widget.OverScroller class included in Android API Level 9, as well as equivalent source code or instructions in Android API Levels 8 and 11.
- Source code for the touch sensor controllers in any Samsung Product at Issue, together with related configuration files and version history information.
- All requests for quotations relating to the touchscreens, touchscreen controllers, and touch screen components in each Samsung Product at Issue.
- All qualification documentation for the touchscreens, touchscreen controllers, and touch screen components in each Samsung Product at Issue, including internal qualification documentation and vendor qualification documentation, specifications used to qualify both first and third-party-supplied parts and components, and quality control criteria used for manufacturing.
- All documents relating to design, specifications and manufacturing tolerances for the touch screens, touch sensor controllers, and touch screen components in the Samsung Products at Issue.
- All Bills of Materials and design drawings relating to the Samsung Products at Issue provided to or received from vendors or suppliers.
- All functional testing results and testing criteria relating to the touch screens, touch sensor controllers, and touch screen components in the Samsung Products at Issue, including documents pertaining to prototypes and pre-production touch screens, touch sensor controllers, and touch screen components.
- All testing data related to the shielding of traces of conductive material in the Samsung Products at Issue
- Specifications, schematics, flow charts, artwork, formulas, or other documentation showing the design and operation the touch screens, touch sensor controllers, and touch screen components or of other accused features.

November 9, 2011
Page Three

- Documents concerning each design around, and/or allegedly non-infringing alternative design that can be used as an alternative to the Design Patents at Issue.
- All documents relating to each change or design around that Samsung has made, is making, or will make in response to the allegations in this lawsuit.

These documents are responsive to at least the following requests: RFPs 11-12; 223-250; *see also* PI RFP 200-203. In your October 26, 2011 letter, Samsung agreed to produce documents relating to the development of the designs, features, and functions in the Products at Issue that are alleged in this action to infringe one or more of the Patents at Issue. We expect Samsung to state by no later than this Friday when it will produce the above-listed documents.

Best regards,

/s/

Wesley E. Overson