

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

vs.

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

Defendants.

CASE NO. 11-cv-01846-LHK-PSG

**[PROPOSED] ORDER GRANTING
SAMSUNG’S MOTION TO COMPEL
APPLE TO PRODUCE DOCUMENTS
AND THINGS**

On January 10, 2012, Defendants Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively, “Samsung”) moved this court to compel discovery from Apple Inc. Having reviewed the motion, for good cause shown, the Court ORDERS as follows:

1 The Court GRANTS Samsung's Motion to Compel Apple to produce, by January 31,
2 2012, as detailed in Samsung's Motion:

3 1. all source code and other technical documents showing the operation of the
4 allegedly infringing product features, including all those corresponding to the baseband processors
5 incorporated in Apple's products, as required by Patent Local Rule 3-4(a);

6 2. all source code and other technical documents related to known prior art to the
7 asserted patents, as required by Patent Local Rule 3-2(a);

8 3. all emails and documents showing Apple's analysis and consideration of Samsung
9 and Samsung products, including those resulting from a reasonable search of documents for the
10 party (Samsung) and products at issue, and their aliases;

11 4. all design history documents, including mechanical outlines ("MCOs"), prototypes,
12 whether complete or not, physical models, sketchbooks, and other documents relevant to the
13 validity of Apple's design patents asserted trademark and trade dress rights.

14 5. all survey and marketing documents related to Apple's alleged design and utility
15 patents, trade dress, and trademarks; and

16 6. all financial documents, relevant to showing the alleged value, or lack thereof, of
17 Apple's asserted patents.

18 The Court also compels Apple to provide prompt deposition dates for all properly noticed
19 fact witnesses, including Mr. Ive, as well as for all of Samsung's 30(b)(6) deposition topics, by
20 January 22, 2012.

21 **IT IS SO ORDERED.**

22
23 DATED: _____

24
25
26 _____
27 HONORABLE PAUL S. GREWAL
28 United States Magistrate Judge