

# Exhibit D

January 3, 2012

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Via E-Mail (dianehutnyan@quinnemanuel.com)

Diane Hutnyan  
Quinn Emanuel  
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Re: *Apple v. Samsung*, Case No. 11-cv-1846-LHK (PSG) (N.D. Cal.)

Dear Diane:

As a follow-up to our discussion at the last meet-and-confer regarding documents related to trademark and trade dress issues, Apple requests that Samsung substantially complete, by **January 23, 2012**, its production of documents in the following categories:

- E-mails and documents from designers, developers, anyone else responsible for or involved in the design, development or marketing of Samsung's Products at Issue (including but not limited to individuals responsible for or involved in consumer surveys, R&D, management, and product planning), and counsel (if not privileged) discussing actual consumer confusion or the possibility of consumer confusion between the parties' Products at Issue or the source, sponsorship, or affiliation of the parties' Products at Issue.<sup>1</sup>
- Trademark, trade dress, and design patent search reports relating to any element of Apple's asserted trade dress or asserted trademarks, including prior art searches.
- Documents discussing or assessing the design of Apple's Products at Issue, including the distinctiveness or lack of distinctiveness thereof or the similarity of design between any of the parties' products, from the files of designers, developers, anyone else responsible for or involved in the design, development or marketing of Samsung's Products at Issue (including but not limited individuals responsible for or involved in consumer surveys, R&D, management, and product planning), and counsel (if not privileged).

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<sup>1</sup> For purposes of this letter, Samsung "Products at Issue" includes all Galaxy phone and tablet products and all products identified in Apple's Amended Complaint. Apple "Products at Issue" includes all iPhone, iPod Touch, and iPad products.

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- For inspection, all physical samples of Apple's Products at Issue in Samsung's possession (excluding products purchased for litigation or products personally owned by its employees).
- Documents sufficient to show the identity and title of individuals who developed the external hardware design and the GUI design for each of Samsung's Products at Issue (including the design of the icons used in the GUI).
- E-mails and documents from designers, developers, engineers, and others (including but not limited to CAD drawings, sketchbooks/notebooks, models/mockups, and Adobe Illustrator or other computer files) relating to the design and development of all GUI designs for each of Samsung's Products at Issue, including but not limited to the design and development of TouchWiz, the icons and icon arrangement(s) used in each Samsung Product at Issue, and all alternative GUI designs considered or used by Samsung.
- E-mails and documents from designers, developers, engineers, and others relating to the feasibility of all GUI designs considered (including ease of manufacturing, cost savings, enhanced usability and technological challenges).
- E-mails and documents from designers, developers, engineers and others relating to the design and development of all external hardware designs—including design alternatives and redesigns and the feasibility (including ease of manufacturing, cost savings, enhanced usability and technological challenges) of the designs considered—for all smartphone and tablet computer products offered for sale by Samsung.
- E-mails and documents from designers, developers, engineers and others relating to the design and development of the earphone or speaker slot design for all mobile phone products offered for sale by Samsung—including design alternatives and redesigns and the feasibility (including ease of manufacturing, cost savings, enhanced usability and technological challenges) of the designs considered.
- Designer meeting minutes, notes of design meetings, specifications or requirements communicated to the designers, project management reports, and reports to executives relating to the external hardware design or the GUI for all smartphones or tablet computers offered for sale by Samsung.
- Three samples of each Samsung Product at Issue, including user and service manuals and all other end user documentation relating to the intended use or operation of the products at issue

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- Documents sufficient to show all model numbers, code names, or other internal designations used to refer to each of Samsung's Products at Issue.

We note that most of these are categories that Apple has already offered to produce reciprocally.

Apple requests that Samsung substantially complete its production of these documents by **January 23, 2012**. Apple further requests that Samsung participate in a working meet-and-confer call on Wednesday, January 4, 2012, to discuss Samsung's willingness to produce this scope of documents on that time frame. If the parties cannot reach a mutually satisfactory resolution on Wednesday, then this issue will be placed on the agenda for the January 5, 2012, lead counsel meeting.

Sincerely,

*/s/ Mia Mazza*

Mia Mazza

cc: Samuel Maselli  
S. Calvin Walden  
Peter J. Kolovos