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Attorneys for Plaintiff and
 Counterclaim-Defendant Apple Inc.

**UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION**

14 APPLE INC., a California corporation,
 15
 Plaintiff,
 16 vs.
 17 SAMSUNG ELECTRONICS CO., LTD., a
 Korean business entity, SAMSUNG
 ELECTRONICS AMERICA, INC., a New
 18 York corporation, and SAMSUNG
 TELECOMMUNICATIONS AMERICA,
 19 LLC, a Delaware limited liability company,
 20
 Defendants.
 21
 SAMSUNG ELECTRONICS CO., LTD., a
 22 Korean business entity, SAMSUNG
 ELECTRONICS AMERICA, INC., a New
 23 York corporation, and SAMSUNG
 TELECOMMUNICATIONS AMERICA,
 24 LLC, a Delaware limited liability company,
 25
 Counterclaim-Plaintiffs,
 26 vs.
 27 APPLE INC., a California corporation,
 28
 Counterclaim-Defendant.

Civil Action No. 11-CV-01846-LHK

**DECLARATION OF MARK D. SELWYN
 IN SUPPORT OF APPLE INC.'S
 RESPONSIVE CLAIM CONSTRUCTION
 BRIEF**

Hearing: January 20, 2012
 Time: 10:00 a.m.
 Place: Courtroom 8, 4th Floor
 Judge: Hon. Lucy H. Koh

1 I, Mark D. Selwyn, declare as follows:

2 1. I am a partner with the law firm of Wilmer Cutler Pickering Hale and Dorr LLP
3 and counsel for plaintiff and counterclaim-defendant Apple Inc. I submit this declaration in
4 support of Apple Inc.'s Responsive Claim Construction Brief. I am familiar with and
5 knowledgeable about the facts stated in this declaration and if called upon could and would
6 testify competently as to the statements made herein.
7

8 2. Attached hereto as **Exhibit A** is a true and correct copy of the Nokia 3300
9 "Extended User's Guide," Nokia Corporation (2003), produced by Apple in this litigation
10 (APLNDC-WH-A 0000006990-7140).
11

12 3. Attached hereto as **Exhibit B** is a true and correct copy of the Sony Ericsson
13 W800i User Guide (1st ed.), Sony Ericsson Mobile Comm. AB (May 2005), produced by Apple
14 in this litigation (APLNDC-WH-A 0000006685-6727).
15

16 4. Attached hereto as **Exhibit C** is a true and correct copy of the Sony Ericsson
17 K700i User Guide (1st ed.), Sony Ericsson Mobile Comm. AB (March 2004), produced by Apple
18 in this litigation (APLNDC-WH-A 0000008725-8828).
19

20 5. Attached hereto as **Exhibit D** is a true and correct copy of J. Hoskins and R.
21 Bluethman, *Exploring IBM e-server pSeries* (12th ed., 2004), produced by Apple in this litigation
22 (APLNDC-WH-A 0000019700-729).
23

24 6. Attached hereto as **Exhibit E** is a true and correct copy of the Declaration of
25 Tony Givargis, Ph.D. in Support of Apple's Proposed Claim Construction for U.S. Patent No.
26 7,698,711.
27

28 7. Attached hereto as **Exhibit F** is a true and correct copy of excerpts from the
deposition of Joe Tipton Cole, dated December 16, 2011.

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8. Attached hereto as **Exhibit G** is a true and correct copy of U.S. Patent No. 7,698,711.

9. Attached hereto as **Exhibit H** is a true and correct copy of U.S. Patent No. 7,123,945.

10. Attached hereto as **Exhibit I** is a true and correct copy of the 12/12/07 Office Action for United States Patent Application No. 11/778,466, which issued as the '711 patent.

11. Attached hereto as **Exhibit J** is a true and correct copy of the 2/28/08 Office Action for United States Patent Application No. 11/778,466, which issued as the '711 patent.

12. Attached hereto as **Exhibit K** is a true and correct copy of the 8/1/08 Office Action for United States Patent Application No. 11/778,466, which issued as the '711 patent.

13. Attached hereto as **Exhibit L** is a true and correct copy of the 1/26/09 Office Action for United States Patent Application No. 11/778,466, which issued as the '711 patent.

14. Attached hereto as **Exhibit M** is a true and correct copy of the 5/27/09 Office Action for United States Patent Application No. 11/778,466, which issued as the '711 patent.

15. Attached hereto as **Exhibit N** is a true and correct copy of the 11/9/09 Office Action for United States Patent Application No. 11/778,466, which issued as the '711 patent.

16. Attached hereto as **Exhibit O** is a true and correct copy of the 12/8/09 Amendment for United States Patent Application No. 11/778,466, which issued as the '711 patent.

17. Attached hereto as **Exhibit P** is a true and correct copy of the 1/13/10 Notice of Allowance for United States Patent Application No. 11/778,466, which issued as the '711 patent.

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CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on December 22, 2011 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Civil Local Rule 5.4. Any other counsel of record will be served by electronic mail, facsimile and/or overnight delivery.

/s/ Mark. D Selwyn
Mark D. Selwyn