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14 Attorneys for SAMSUNG ELECTRONICS CO.,
15 LTD., SAMSUNG ELECTRONICS AMERICA,
16 INC. and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

19
20 APPLE INC., a California corporation,

21 Plaintiff,

22 vs.

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

27 Defendant.

CASE NO. 11-cv-01846-LHK

**DECLARATION OF TODD BRIGGS IN
SUPPORT OF SAMSUNG'S MOTION
FOR LEAVE TO SUPPLEMENT ITS
INFRINGEMENT CONTENTIONS**

1 I, Todd M. Briggs, declare:

2 1. I am a partner at Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Samsung
3 Electronics Co., Ltd., Samsung Electronics America, Inc. and Samsung Telecommunications
4 America, LLC (collectively, “Samsung”). I am licensed to practice law in the State of California.
5 I submit this declaration in support of Samsung’s Motion for Leave to Amend Infringement
6 Contentions. I have personal knowledge of the facts set forth in this declaration and, if called
7 upon as a witness, I could and would testify to the following facts.

8 2. Attached hereto as Exhibit A is a true and accurate copy of the cover pleading for
9 Samsung’s Infringement Contentions.

10 3. Attached hereto as Exhibit B is a true and accurate copy of Apple’s press release
11 announcing the iPhone 4S, downloaded January 24, 2012, from
12 <http://www.apple.com/pr/library/2011/10/04Apple-Launches-iPhone-4S-iOS-5-iCloud.html>.

13 4. Samsung began investigating the iPhone 4S immediately after the product was
14 launched.

15 5. Attached hereto as Exhibit C is a true and accurate copy of correspondence from
16 counsel for Apple, received November 9, 2011.

17 6. Attached hereto as Exhibit D is a true and accurate copy of correspondence to
18 counsel for Apple, sent November 22, 2011.

19 7. Attached hereto as Exhibit E is a true and accurate copy of correspondence from
20 counsel for Apple, received November 30, 2011.

21 8. Attached hereto as Exhibit F is a true and accurate copy of correspondence to
22 counsel for Apple, sent December 5, 2011.

23 9. Attached hereto as Exhibit G is a true and accurate copy of correspondence from
24 counsel for Apple, received December 14, 2011.

25 10. Attached hereto as Exhibit H is a true and accurate copy of correspondence to
26 counsel for Apple, sent December 22, 2011.

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1 11. Attached hereto as Exhibit I is a true and accurate copy of correspondence to
2 counsel for Apple, sent December 29 and 30, 2011.

3 12. On December 30-, 2011, I spoke with Mark Selwyn, counsel for Apple, by
4 teleconference. During that teleconference Mr. Selwyn asked Samsung to prepare a draft
5 supplemental infringement contention charts. Mr. Selwyn further stated Apple sought to assert its
6 patents in suit against the Samsung products raised in Apple's letter of November 9 (Exhibit C to
7 this declaration).

8 13. Attached hereto as Exhibit J is a true and accurate copy of correspondence to
9 counsel for Apple, sent January 4, 2012. Sub-exhibits J-2, J-3, and J-4 reflect draft supplement
10 infringement contentions. On Exhibit J-4, the only substantive change is reflected on pages 1 and
11 2.

12 14. On January 4, 2012, I spoke with Mr. Selwyn by teleconference. During the
13 teleconference, Mr. Selwyn represented Samsung's draft supplemental infringement contentions
14 were acceptable. Mr. Selwyn further stated he would send Samsung a draft stipulation by the end
15 of the week.-

16 15. Attached hereto as Exhibit K is a true and accurate copy of correspondence from
17 counsel for Apple, received January 6, 2012.

18 16. Apple's proposed stipulation (Exhibit K to this declaration_) contained 13 Samsung
19 products that Apple did not raise prior to January 6, 2012.

20 17. Attached hereto as Exhibit L is a true and accurate copy of correspondence to
21 counsel for Apple, sent January 10 and 18, 2012.

22 18. Attached hereto as Exhibit M is a true and accurate copy of correspondence to
23 counsel for Apple, sent January 20, 2012.

24 19. On January 20, 2012, I spoke with counsel for Apple-, seeking Apple's position on
25 the thirteen, previously unidentified products.

26 20. On January 21, 2012, Mr. Selwyn left a voice message stating that Apple's final
27 position was reflected in the draft stipulation, received on January 6, 2012.

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I declare under penalty of perjury that the foregoing is true and correct. Executed in Redwood Shores, California on January 24, 2012.

/s/ Todd Briggs_____

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General Order Attestation

I, Victoria F. Maroulis, am the ECF user whose ID and password are being used to file this Declaration. In compliance with General Order 45(X)(B), I hereby attest that Todd M. Briggs has concurred in this filing.

/s/ Victoria Maroulis