



EXHIBIT X

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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,

Defendant.

CASE NO. 11-cv-01846-LHK

**APPLE'S STIPULATION AS TO MAC OS
10.0**

1 WHEREAS Samsung Electronics Co., Samsung Electronics America, Inc. and Samsung
2 Telecommunications America, LLC (“Samsung”) moved the Court to compel documents and
3 things relating to Plaintiff Apple Inc.'s (“Apple”) Mac OS 10.0 operating system.

4 WHEREAS Apple produced Mac OS 10.0 source code and a computer running OS 10.0,
5 and therefore believes Samsung’s motion is moot.

6 WHEREAS Samsung asserts that Apple did not produce documents evidencing the date of
7 public use of the Mac OS 10.0 operating system.

8 THEREFORE, Apple, by and through its counsel of record, hereby stipulates and agrees
9 as follows:

10 1. On January 12, 2012, Apple made available for inspection to Samsung a Macintosh
11 PowerBook G3 laptop computer, serial number QT834224E6A, (the “Computer”) installed with
12 and operating Mac OS X version 10.0, build number 4K78 (“Mac OS X”).

13 2. On January 12, 2012, counsel for Samsung inspected the Mac OS X and the
14 Computer. The Computer is depicted in the attached images.

15 3. The model of computer inspected was in public use before July 10, 2001.

16 4. The version of Mac OS X inspected was in public use before July 10, 2001.

17 5. PowerBook G3 laptop computers running Mac OS X 10.0 build number 4K78 were
18 in public use before July 10, 2001.

19 6. The Computer and Mac OS X, as produced by Apple, had not been modified, or if
20 they had been modified, were not modified in a material manner or in such a way to affect the
21 representative nature with respect to the operation of the brightness adjustment indication feature.

22 7. The Computer installed with Mac OS X produced by Apple, and described in this
23 stipulation, is admissible (unless irrelevant) and authentic under the Federal Rules of Evidence.

24 THEREFORE, in light of the foregoing stipulation by Apple, Samsung hereby agrees that
25 the issues relating to Mac OS X raised in Samsung's renewed motion to compel are moot.

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1 DATED: January 26, 2012

MORRISON & FOERSTER LLP

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By 

Michael Jacobs
Attorney for APPLE, INC.

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7 DATED: January 26, 2012

QUINN EMANUEL URQUHART & SULLIVAN
LLP

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By 

Diane C. Hutnyan
Attorney for SAMSUNG ELECTRONICS CO.,
LTD., SAMSUNG ELECTRONICS AMERICA,
INC., and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC

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