

# EXHIBIT 9

February 5, 2012

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Via E-Mail

Rachel Herrick Kassabian  
Quinn Emanuel  
555 Twin Dolphin Drive, Fifth Floor  
Redwood Shores, CA 94065

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

Dear Rachel:

I wanted to follow up on the correspondence we have had regarding Mr. Lucente, and the discussions held last week during the hearing with Judge Grewal.

In particular, given that Mr. Lucente still owns his interest in the pending patent application that is in his name, we are interested in understanding how it is that Mr. Lucente can comply with the prosecution bar set forth in Paragraph 6(b) of the Protective Order. It is our understanding that Mr. Lucente's company is very small, and—if he is not involved in the prosecution of his pending application—we wanted to know how Mr. Lucente and Samsung expect that the prosecution will proceed. For example, are there measures that Mr. Lucente has taken to ensure that he will be able to comply with the prosecution bar? It remains unclear to us how this would work.

We look forward to discussing this with you. I can be available for a phone call or we can discuss it tomorrow live.

Sincerely,

*/s/ Marc J. Pernick*

Marc J. Pernick