

EXHIBIT 4

Marvin Katzoff

From: Selwyn, Mark [Mark.Selwyn@wilmerhale.com]
Sent: Friday, January 06, 2012 8:12 PM
To: Todd Briggs
Cc: RHung@mof.com; JasonBartlett@mof.com; DAhn@mof.com; Kolovos, Peter
Subject: Apple v. Samsung -- Draft Stipulation and Proposed Order Regarding Adding Accused Products
Attachments: Stipulation and Proposed Order re Adding Accused Products - 4.DOC

Todd:

Per our discussion, for your review.

Mark

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

APPLE INC.,

Plaintiff,

v.

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.,

Defendants.

Case No. 11-cv-01846-LHK

**STIPULATION AND
[PROPOSED] ORDER
REGARDING ADDING
ACCUSED PRODUCTS**

Plaintiff Apple Inc. (“Apple”) and Defendants Samsung Electronics Co. Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively, “Samsung”), stipulate as follows:

On August 26, 2011, Apple served its Disclosure of Asserted Claims and Infringement Contentions, as well as an addendum thereto, in accordance with Patent Local Rule 3-1. On the same day, Samsung served its Disclosure of Asserted Claims and Infringement Contentions, also in accordance with Patent Local Rule 3-1.

1 Since then, both Apple and Samsung have released new products.

2 The parties agree that Apple may add as Accused Instrumentalities in this action, without
3 adding patents-in-suit or asserting infringement of any claims of the patents-in suit that were not
4 asserted in Apple's initial Infringement Contentions, the following Samsung Products:

5 Galaxy Nexus	Galaxy Player 4.0	Galaxy Player 5.0	Galaxy Tab 7.0 Plus
6 Galaxy Tab 8.9	Galaxy S II Epic 4G 7 Touch	Galaxy S II Skyrocket	Admire
8 Captivate Glide	Conquer 4G	Dart	Exhibit II 4G
9 Focus S	Gravity Smart	Illusion	Showcase i500
10 Stratosphere	Transform Ultra		

11 Apple shall serve Amended Supplemental Infringement Contentions under Patent Local
12 Rule 3-1 for these additional Accused Instrumentalities within five days of the Court's entry of an
13 Order implementing this Stipulation. Samsung shall comply with Patent Local Rule 3-4(a) with
14 respect to these additional Accused Instrumentalities within ten days of Apple's service of its
15 Supplemental Infringement Contentions.

16 The parties agree that Samsung may add as an Accused Instrumentality in this action,
17 without adding patents-in-suit or asserting infringement of any claims of the patents-in suit that
18 were not asserted in Samsung's initial Infringement Contentions, the Apple iPhone 4S.

19 Samsung shall serve Amended Supplemental Infringement Contentions under Patent
20 Local Rule 3-1 for this additional Accused Instrumentality within five days of the Court's entry of
21 an Order implementing this Stipulation. Apple shall comply with Patent Local Rule 3-4(a) with
22 respect to this additional Accused Instrumentality within ten days of Samsung's service of its
23 Supplemental Infringement Contentions.

24 The addition of these Accused Instrumentalities does not constitute grounds for
25 Supplemental Invalidity Contentions under Patent Local Rule 3-3, or the addition of proposed
26 terms for construction.

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1 The service of the aforementioned Supplemental Infringement Contentions shall not affect
2 the total number of claim terms to be construed and shall not change any dates or discovery
3 limitations set forth in the Court's previous Orders.

4 So Stipulated:

5 Dated: January ____, 2012

Dated January ____, 2012

6 MORRISON & FOERSTER LLP

7 QUINN EMANUEL URQUHART &
8 SULLIVAN, LLP

9 By: _____
10 HAROLD J. MCELHINNY
11 MICHAEL A. JACOBS
12 JENNIFER LEE TAYLOR
13 ALISON M. TUCHER
14 RICHARD S.J. HUNG
15 JASON R. BARTLETT

By: _____
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13 Attorneys for Plaintiff
14 APPLE INC.

Attorneys for SAMSUNG ELECTRONICS
CO. LTD, SAMSUNG ELECTRONICS
AMERICA, INC., AND SAMSUNG
TELECOMMUNICATIONS AMERICA,
LLC.

17 **IT IS SO ORDERED.**

20 Dated: _____, 2012

By: _____

Honorable Lucy H. Koh