

# EXHIBIT 1

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*Attorneys for Plaintiff and  
Counterclaim-Defendant Apple Inc.*

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14 **UNITED STATES DISTRICT COURT**  
15 **NORTHERN DISTRICT OF CALIFORNIA**  
16 **SAN JOSE DIVISION**

16 APPLE INC., a California corporation,

17 Plaintiffs,

18 vs.

19 SAMSUNG ELECTRONICS CO., LTD., a  
20 Korean business entity, SAMSUNG  
21 ELECTRONICS AMERICA, INC., a New  
22 York corporation, and SAMSUNG  
TELECOMMUNICATIONS AMERICA,  
LLC, a Delaware limited liability company,

23 Defendants.

Civil Action No. 11-CV-01846-LHK

**PLAINTIFF AND COUNTERCLAIM-  
DEFENDANT APPLE INC.'S THIRD SET  
OF REQUESTS FOR PRODUCTION OF  
DOCUMENTS TO DEFENDANTS AND  
COUNTERCLAIM-PLAINTIFFS  
SAMSUNG ELECTRONICS CO., LTD.,  
SAMSUNG ELECTRONICS AMERICA,  
INC., AND SAMSUNG  
TELECOMMUNICATIONS AMERICA,  
LLC.**

1 SAMSUNG ELECTRONICS CO., LTD., a  
2 Korean business entity, SAMSUNG  
3 ELECTRONICS AMERICA, INC., a New  
4 York corporation, and SAMSUNG  
5 TELECOMMUNICATIONS AMERICA,  
6 LLC, a Delaware limited liability company, a  
7 California corporation,

8 Counterclaim-Plaintiff,

9 v.

10 APPLE INC., a California corporation,

11 Counterclaim-Defendants.

12 **PLAINTIFF AND COUNTERCLAIM-DEFENDANT APPLE INC.'S THIRD SET OF**  
13 **REQUESTS FOR PRODUCTION OF DOCUMENTS AND THINGS (NOS. 53-155)**

14 Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Plaintiff and  
15 Counterclaim-Defendant Apple Inc. ("Apple") hereby requests that Defendants Samsung  
16 Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications  
17 America, LLC (collectively, "Samsung") produce documents and things responsive to the  
18 following requests (the "Requests") at the office of Wilmer Cutler Pickering Hale and Dorr LLP,  
19 950 Page Mill Road, Palo Alto, California, 94304 within thirty (30) days of service of these  
20 requests.

21 **DEFINITIONS**

22 The words and phrases used in these Requests shall have the meanings ascribed to them  
23 under the Federal Rules of Civil Procedure and the Local Rules of the United States District  
24 Court for the Northern District of California. In addition, the following terms shall have the  
25 meanings set forth below whenever used in any Request:  
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1           1.       “Samsung,” “You,” “Your,” and/or Defendants mean Samsung Electronics Co.,  
2 Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC and  
3 all predecessors, successors, predecessors-in-interest, successors-in-interest, subsidiaries,  
4 divisions, parents, and/or affiliates, past or present, any companies that have a controlling  
5 interest in Defendants, and any current or former employee, officer, director, principal, agent,  
6 consultant, representative, or attorney thereof, or anyone acting on their behalf.  
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8           2.       “Apple” means Apple Inc. and its subsidiary entities, divisions, predecessors,  
9 successors, present and former officers, directors, employees, representatives, agents, and anyone  
10 acting on its behalf.  
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12           3.       “Qualcomm” means Qualcomm Inc. and its subsidiary entities, divisions,  
13 predecessors, successors, present and former officers, directors, employees, representatives,  
14 agents, and anyone acting on its behalf.  
15

16           4.       “Intel” means Intel Corp. and its subsidiary entities, divisions, predecessors,  
17 successors, present and former officers, directors, employees, representatives, agents, and anyone  
18 acting on its behalf.  
19

20           5.       “Samsung Patents-In-Suit” shall mean United States Patent Nos. 6,928,604,  
21 7,050,410, 7,069,055, 7,079,871, 7,200,792, 7,362,867, 7,386,001, 7,447,516, 7,456,893,  
22 7,577,460, 7,675,941, and 7,698,711, individually and collectively, and all foreign counterparts  
23 thereof.  
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25           6.       “The ’604 Patent” shall mean U.S. Patent No. 6,928,604, issued on August 9,  
26 2005 and entitled “Turbo Encoding/Decoding Device and Method for Processing Frame Data  
27 According to QOS.”  
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1           7.       “The ’410 Patent” shall mean U.S. Patent No. 7,050,410, issued on May 23, 2006  
2 and entitled “Apparatus and Method for Controlling a Demultiplexer and a Multiplexer Used for  
3 Rate Matching in a Mobile Communication System.”

4           8.       “The ’055 Patent” shall mean U.S. Patent No. 7,069,055, issued June 27, 2006  
5 and entitled “Mobile Telephone Capable of Displaying World Time and Method for Controlling  
6 the Same.”

7           9.       “The ’871 Patent” shall mean U.S. Patent No. 7,079,871, issued on July 18, 2006  
8 and entitled “Portable Telephone and Method of Displaying Data Thereof.”

9           10.      “The ’792 Patent” shall mean U.S. Patent No. 7,200,792, issued on April 3, 2007  
10 and entitled “Interleaving Apparatus and Method for Symbol Mapping in an HSDPA Mobile  
11 Communication System.”

12           11.      “The ’867 Patent” shall mean U.S. Patent No. 7,362,867, issued on April 22, 2008  
13 and entitled “Apparatus and Method for Generating Scrambling Code in UMTS Mobile  
14 Communication System.”

15           12.      “The ’001 Patent” shall mean U.S. Patent No. 7,386,001, issued on June 10, 2008  
16 and entitled “Apparatus and Method for Channel Coding and Multiplexing in CDMA  
17 Communication System.”

18           13.      “The ’516 Patent” shall mean U.S. Patent No. 7,447,516, issued on November 4,  
19 2008 and entitled “Method and Apparatus for Data Transmission in a Mobile  
20 Telecommunication System Supporting Enhanced Uplink Service.”

21           14.      “The ’893 Patent” shall mean U.S. Patent No. 7,456,893, issued on November 25,  
22 2008 and entitled “Method of Controlling Digital Image Processing Apparatus for Efficient  
23 Reproduction and Digital Image Processing Apparatus Using the Method.”

1           15.       “The ’460 Patent” shall mean U.S. Patent No. 7,577,460, issued on August 18,  
2 2009 and entitled “Portable Composite Communication Terminal for Transmitting/Receiving  
3 and Images, and Operation Method and Communication System Thereof.”

4           16.       “The ’941 Patent” shall mean U.S. Patent No. 7,675,941, issued on April 13, 2010  
5 and entitled “Method and Apparatus for Transmitting/Receiving Packet Data Using Pre-Defined  
6 Length Indicator in a Mobile Communication System.”

7           17.       “The ’711 Patent” shall mean U.S. Patent No. 7,698,711, issued on March 9, 2010  
8 and entitled “Multi-Tasking Apparatus and Method in Portable Terminal.”

9           18.       “Samsung Named Inventors” shall mean the persons named as inventors on any  
10 of the Samsung Patents-in-Suit: Youn-Hyoung Heo; Ju-Ho Lee; Joon-Young Cho; Young-Bum  
11 Kim; Yong-Jun Kwak; Soeng-Hun Kim; Gert-Jan Van Lieshout; Himke Van Der Velde; Jae-  
12 Kim; Yong-Jun Kwak; Soeng-Hun Kim; Gert-Jan Van Lieshout; Himke Van Der Velde; Jae-  
13 Yoel Kim; Hee-Won Kang; Hun-Kee Kim; Gin-Kyn Choi; Jae-Seung Yoon; Noh-Sun Kim; Jun-  
14 Sung Lee; Yong-Suk Moon; Hye-Young Lee; Se-Hyoung Kim; Min-Goo Kim; Beong-Jo Kim;  
15 Soon-Jae Choi; Chang-Soo Park; Joong-Ho Jeong; Hyeon-Woo Lee; Beong-Jo Kim; Se-Hyong  
16 Kim; Min-Goo Kim; Soon-Jae Choi; Young-Hwan Lee; Pyung-soo Kim; Hyuk-soo Son; Sung-  
17 ho Eun; Jae-Min Kim; Jeong-Seok Oh; Sang-Ryul Park; and Moon-Sang Jeong.

18           19.       “Product” means a machine, manufacture, apparatus, device, instrument,  
19 mechanism, appliance, or an assemblage of components/parts (either individually or collectively)  
20 that are designed to function together electronically, mechanically, chemically, or otherwise,  
21 including any offered for sale or under development.

22           20.       “Software” shall mean and include all forms of code including, but not limited to,  
23 source code, object code, firmware, compiled code, byte code, interpreted code, any form of  
24 code stored in any storage medium (for example, ROM or Flash RAM chips) on any product, or  
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1 code transmitted to products. Software further includes files written in any programming  
2 language, including, but not limited to, “C”, “C++”, assembler, VHDL, Verilog, digital signal  
3 processor (“DSP”) programming language, “make” files, “include” files, script files, link files,  
4 and other human-readable text files used in the generation and/or building of software directly  
5 executed on a microprocessor, microcontroller, and/or DSP.  
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7 21. “Mobile Wireless Telecommunications Device(s)” shall mean any device capable  
8 of transmitting and receiving cellular telephonic communications.

9 22. “Accused Apple Product” shall mean any Product made or marketed by or on  
10 behalf of Apple that, when made, used, offered for sale, sold, imported, or otherwise practiced in  
11 the United States (either by itself or in combination with other devices, methods) by or on behalf  
12 of Apple or any user, allegedly constitutes, practices, incorporates, or embodies a device, or  
13 method claimed in one or more of the Samsung Patents-in-Suit. This definition includes without  
14 limitation any Apple Product that is accused of directly or indirectly infringing one or more of  
15 the Samsung Patents-in-Suit, including the iPhone, iPhone 3G, iPhone 3GS and iPhone 4.  
16

17 23. “Samsung Covered Product” shall mean any Product sold or offered for sale at  
18 any time by Samsung that Samsung contends practices any of the Samsung Patents-In-Suit.  
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20 24. “3GPP” shall mean Third Generation Partnership Project.

21 25. “ARIB” shall mean Association of Radio Industries and Businesses.

22 26. “ETSI” shall mean the European Telecommunications Standards Institute.

23 27. “Standards Setting Organization” or “SSO” shall mean an organization that  
24 adopts standards governing an industry or technological field, and includes without limitation  
25 3GPP, ARIB, and ETSI.  
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27 28. “IPR” shall mean intellectual property rights, and includes patent rights.  
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1           29.     “Defined Wireless Standards” includes all standards to which Samsung claims or  
2 has claimed that its patents are essential, including but not limited to the UMTS standard and any  
3 standard that is backwards compatible thereto, including but not limited to Global System for  
4 Mobile communications (“GSM”), Enhanced Data Rates for GSM Evolution (“EDGE”), and  
5 GSM Packet Radio Services (“GPRS”).  
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7           30.     “Essential” shall mean necessary for implementation of any mobile wireless  
8 standard, such that the standard, or some part of the standard, could not be practiced without  
9 infringing the patent or technology to which “essential” refers.

10          31.     “Samsung’s Alleged Essential Technology” shall mean Samsung technology,  
11 IPR, patents, patent applications, or patent rights that Samsung has: (1) identified or declared to  
12 an SSO as actually or potentially essential to implement a Defined Wireless Standard; (2)  
13 identified or asserted to any actual or prospective licensee as actually or potentially essential to  
14 implement a Defined Wireless Standard; or (3) otherwise identified, in internal or external  
15 discussions, as actually or potentially essential to implement a Defined Wireless Standard.  
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17          32.     “FRAND” in relation to licensing or license terms means “fair, reasonable, and  
18 non-discriminatory terms and conditions” as those terms are used in the ETSI Intellectual Rights  
19 Policy contained in Annex 6 of the ETSI Rules of Procedure.  
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21          33.     “Litigation” means the above-referenced action, 11-cv-01846 (LHK) in the  
22 United States District Court for the Northern District of California.

23          34.     “Answer” shall mean Samsung’s Answer and Counterclaims to Apple’s Amended  
24 Complaint, filed June 30, 2011, in the above-referenced action.  
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1           35.       “Counterclaims” shall mean the Counterclaims set forth in Apple’s Answer,  
2 Defenses and Counterclaims in Reply to Samsung’s Counterclaims, filed July 21, 2011, in the  
3 above-referenced action.

4           36.       “Person(s)” means natural persons as well as business entities and associations of  
5 all sorts, including partnerships, companies, proprietorships, joint ventures, corporations,  
6 government agencies, and unincorporated associations.

7           37.       “Document(s)” has the broadest possible meaning permitted by Federal Rules of  
8 Civil Procedure Rules 26 and 34 and the relevant case law, and the broadest meaning consistent  
9 with the terms “writings” or “recordings” as set forth in Rule 1001 of the Federal Rules of  
10 Evidence, and specifically and without limitation include tangible things and electronically  
11 stored information, including e-mail and information stored on computer disk or other electronic,  
12 magnetic, or optical data storage medium. “Document(s)” also includes all drafts or non-final  
13 versions, alterations, modifications, and amendments to any of the foregoing.

14           38.       “Communication(s)” means the transmittal of information in the form of facts,  
15 ideas, inquiries, and any exchange or transfer of information whether written, oral, electronic, or  
16 in any form.

17           39.       “Tangible Thing(s)” has the broadest possible meaning permitted by Federal  
18 Rules of Civil Procedure 26 and 34 and the relevant case law.

19           40.       “Entity” or “Entities” means, including without limitation, corporation, company,  
20 firm, partnership, joint venture, association, governmental body or agency, or persons other than  
21 a natural person.

22           41.       “Third Party” or “Third Parties” means all persons who are not parties to this  
23 Litigation, as well as their officers, directors, employees, agents and attorneys.  
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1 (b) documents relating to the competitive position or relative strengths and  
2 weaknesses of Samsung's Mobile Wireless Telecommunications Devices and/or any other  
3 competing Mobile Wireless Telecommunications Devices;

4 (c) documents relating to product and/or technology comparisons between Samsung  
5 and any of its actual or potential competitors offering Mobile Wireless Telecommunications  
6 Devices;

7 (d) documents relating to or comprising actual or projected numbers of customers or  
8 revenues from the sale of Mobile Wireless Telecommunications Devices by Samsung or any of  
9 its actual or potential competitors;

10 (e) documents relating to or comprising an analysis of actual or potential competition  
11 for improvements or innovations in features, functions, ease of operation, performance, cost, or  
12 other advantages to customers or users of Mobile Wireless Telecommunications Devices; and  
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14 (f) documents relating to or comprising policies and strategies for responding to new  
15 entrants in the sale of Mobile Wireless Telecommunications Devices, including mobile wireless  
16 handsets complying, conforming with, or using any of the Defined Wireless Standards.  
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18 **REQUEST NO. 150**

19 All documents relating to actual or potential competition between Samsung and Apple.  
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21 **REQUEST NO. 151**

22 All documents relating to actual or potential litigation or arbitration threatened or filed by  
23 or against Samsung, including but not limited to *In re Certain 3G WCDMA Handsets*  
24 (*InterDigital v. Samsung*), No. 337-TA-601 (I.T.C.); *Samsung v. InterDigital*, No. 07-0167 (D.  
25 Del.); *Ericsson v. Samsung*, No. 06-0063 (E.D. Tex.); *Rambus v. Hynix et al.*, No. 05-0334 (N.D.  
26 Cal.); *In re Rambus*, No. 9302 (F.T.C.); and *Rambus v. Micron*, No. 04-431105 (Cal. Super. Ct.  
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1 San Francisco), regarding the licensing of any IPR related to the Defined Wireless Standards,  
2 including without limitation any and all expert reports and court filings, and transcripts of any  
3 deposition, hearing, or other recorded or transcribed proceeding in the arbitrations or litigations.

4 **REQUEST NO. 152**

5 All documents relating to or containing any claims or statements by Samsung in any  
6 litigation or judicial proceeding, including but not limited to *In re Certain 3G WCDMA Handsets*  
7 (*InterDigital v. Samsung*), No. 337-TA-601 (I.T.C.); *Samsung v. InterDigital*, No. 07-0167 (D.  
8 Del.); *Ericsson v. Samsung*, No. 06-0063 (E.D. Tex.); *Rambus v. Hynix et al.*, No. 05-0334 (N.D.  
9 Cal.); *In re Rambus*, No. 9302 (F.T.C.); and *Rambus v. Micron*, No. 04-431105 (Cal. Super. Ct.  
10 San Francisco), regarding the licensing of IPR that is claimed Essential to any Defined Wireless  
11 Standard, the determination of a FRAND royalty rate for any IPR that is claimed Essential to any  
12 Defined Wireless Standard, and the propriety of injunctive relief for the infringement of IPR  
13 claimed to be Essential to any Defined Wireless Standard.  
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15 **REQUEST NO. 153**

16 All transcripts of depositions or other documents containing any testimony and or  
17 statements by Samsung, former Samsung affiliates or employees, or experts retained by Samsung  
18 or counsel to Samsung, relating to any litigation or judicial proceeding, including but not limited  
19 to *In re Certain 3G WCDMA Handsets (InterDigital v. Samsung)*, No. 337-TA-601 (I.T.C.);  
20 *Samsung v. InterDigital*, No. 07-0167 (D. Del.); *Ericsson v. Samsung*, No. 06-0063 (E.D. Tex.);  
21 *Rambus v. Hynix et al.*, No. 05-0334 (N.D. Cal.); *In re Rambus*, No. 9302 (F.T.C.); and *Rambus*  
22 *v. Micron*, No. 04-431105 (Cal. Super. Ct. San Francisco), concerning IPR claimed Essential to  
23 any Defined Wireless Standard, the determination of a FRAND royalty rate for any IPR  
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1 allegedly Essential to a Defined Wireless Standard, and the propriety of injunctive relief for the  
2 infringement of IPR claimed to be Essential to any Defined Wireless Standard.

3 **REQUEST NO. 154**

4 All documents prepared by any expert, including any technical, economic, marketing or  
5 licensing experts, retained by Samsung or by counsel to Samsung for any litigation or judicial  
6 proceeding, including but not limited to *In re Certain 3G WCDMA Handsets (InterDigital v.*  
7 *Samsung)*, No. 337-TA-601 (I.T.C.); *Samsung v. InterDigital*, No. 07-0167 (D. Del.); *Ericsson v.*  
8 *Samsung*, No. 06-0063 (E.D. Tex.); *Rambus v. Hynix et al.*, No. 05-0334 (N.D. Cal.); *In re*  
9 *Rambus*, No. 9302 (F.T.C.); and *Rambus v. Micron*, No. 04-431105 (Cal. Super. Ct. San  
10 Francisco), concerning IPR claimed Essential to any Defined Wireless Standard, the  
11 determination of a FRAND royalty rate for any IPR allegedly Essential to a Defined Wireless  
12 Standard, and the propriety of injunctive relief for the infringement of IPR claimed to be  
13 Essential to any Defined Wireless Standard.

14 **REQUEST NO. 155**

15 All documents relating to any Samsung policy or practice for compliance with any  
16 federal or state antitrust, unfair competition, or unfair trade practices law.  
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