

# EXHIBIT G

1 HAROLD J. MCELHINNY (CA SBN 66781) hmcclhinny@mofo.com  
2 MICHAEL A. JACOBS (CA SBN 111664) mjacobs@mofo.com  
3 JENNIFER LEE TAYLOR (CA SBN 161368) jtaylor@mofo.com  
4 ALISON M. TUCHER (CA SBN 171363) atucher@mofo.com  
5 RICHARD S.J. HUNG (CA SBN 197425) rhung@mofo.com  
6 JASON R. BARTLETT (CA SBN 214530) jasonbartlett@mofo.com  
7 MORRISON & FOERSTER LLP  
8 425 Market Street  
9 San Francisco, California 94105-2482  
Telephone: (415) 268-7000  
Facsimile: (415) 268-7522

WILLIAM F. LEE  
william.lee@wilmerhale.com  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
60 State Street  
Boston, MA 02109  
Telephone: (617) 526-6000  
Facsimile: (617) 526-5000

MARK D. SELWYN (SBN 244180)  
mark.selwyn@wilmerhale.com  
WILMER CUTLER PICKERING  
HALE AND DORR LLP  
950 Page Mill Road  
Palo Alto, California 94304  
Telephone: (650) 858-6000  
Facsimile: (650) 858-6100

10 Attorneys for Plaintiff and  
11 Counterclaim-Defendant APPLE INC

12 UNITED STATES DISTRICT COURT  
13 NORTHERN DISTRICT OF CALIFORNIA  
14 SAN JOSE DIVISION

16 APPLE INC., a California corporation,

17 Plaintiff,

18 v.

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

23 Defendants.

Case No. 11-cv-01846-LHK

**APPLE INC.'S RESPONSES TO  
SAMSUNG'S FOURTH AND FIFTH  
SETS OF REQUESTS FOR ADMISSION**

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 1763:**

2 Apple objects to this request because the word “common” is vague and ambiguous.  
3 Accordingly, Apple can neither admit nor deny the request. Apple incorporates its response to  
4 Request for Admission No. 1762 as if fully set forth herein.

5 **REQUEST FOR ADMISSION NO. 1764:**

6 Admit that APPLE has disclosed essential IPRs with respect to an ETSI technical  
7 specification after that technical specification has been published.

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 1764:**

9 Apple admits Request No. 1764, but denies that such disclosures were untimely under the  
10 relevant facts and circumstances.

11 **REQUEST FOR ADMISSION NO. 1765:**

12 Admit that ETSI members have disclosed essential IPRs with respect to an ETSI technical  
13 specification after that technical specification has been frozen.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 1765:**

15 Apple admits that Samsung, an ETSI member, has disclosed IPR it asserts is essential  
16 with respect to an ETSI technical specification after that technical specification has been frozen.

17 **REQUEST FOR ADMISSION NO. 1766:**

18 Admit that it is common for ETSI members to disclose essential IPRs with respect to an  
19 ETSI technical specification after that technical specification has been frozen.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 1766:**

21 Apple objects to this request because the word “common” is vague and ambiguous.  
22 Accordingly, Apple can neither admit nor deny the request. Apple incorporates its response to  
23 Request for Admission No. 1765 as if fully set forth herein.

24 **REQUEST FOR ADMISSION NO. 1767:**

25 Admit that APPLE has disclosed essential IPRs with respect to an ETSI technical  
26 specification after that technical specification has been frozen.

27 **RESPONSE TO REQUEST FOR ADMISSION NO. 1767:**

28 Apple admits Request No. 1767, but denies that such disclosures were untimely under the

1 relevant facts and circumstances.

2 **REQUEST FOR ADMISSION NO. 1768:**

3 Admit that on numerous occasions, ETSI members have disclosed essential IPRs with  
4 respect to an ETSI technical specification after that technical specification has been published.

5 **RESPONSE TO REQUEST FOR ADMISSION NO. 1768:**

6 Apple objects to this request because the phrase “on numerous occasions” is vague and  
7 ambiguous. Accordingly, Apple can neither admit nor deny the request. Apple incorporates its  
8 response to Request for Admission No. 1762 as if fully set forth herein.

9 **REQUEST FOR ADMISSION NO. 1769:**

10 Admit that on numerous occasions, ETSI members have disclosed essential IPRs with  
11 respect to an ETSI technical specification after that technical specification has been frozen.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 1769:**

13 Apple objects to this request because the phrase “on numerous occasions” is vague and  
14 ambiguous. Accordingly, Apple can neither admit nor deny the request. Apple incorporates its  
15 response to Request for Admission No. 1765 as if fully set forth herein.

16 **REQUEST FOR ADMISSION NO. 1770:**

17 Admit that ETSI members have disclosed patents and patent applications as essential, or  
18 likely to become essential, with respect to an ETSI technical specification after that technical  
19 specification has been published.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 1770:**

21 Apple admits that Samsung, an ETSI member, has disclosed patents and patent  
22 applications that it asserts as essential, or likely to become essential, with respect to an ETSI  
23 technical specification after that technical specification has been published.

24 **REQUEST FOR ADMISSION NO. 1771:**

25 Admit that it is common for ETSI members to disclose patents and patent applications as  
26 essential, or likely to become essential, with respect to an ETSI technical specification after that  
27 technical specification has been published.

28

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 1771:**

2 Apple objects to this request because the word “common” is vague and ambiguous.  
3 Accordingly, Apple can neither admit nor deny the request. Apple incorporates its response to  
4 Request No. 1770 as if fully set forth herein.

5 **REQUEST FOR ADMISSION NO. 1772:**

6 Admit that on numerous occasions, ETSI members have disclosed patents and patent  
7 applications as essential, or likely to become essential, with respect to an ETSI technical  
8 specification after that technical specification has been published.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 1772:**

10 Apple objects to this request because the phrase “on numerous occasions” is vague and  
11 ambiguous. Accordingly, Apple can neither admit nor deny the request. Apple incorporates its  
12 response to Request for Admission No. 1770 as if fully set forth herein.

13 **REQUEST FOR ADMISSION NO. 1773:**

14 Admit that APPLE has disclosed patents and patent applications as essential, or likely to  
15 become essential, with respect to an ETSI technical specification after that technical specification  
16 has been published.

17 **RESPONSE TO REQUEST FOR ADMISSION NO. 1773:**

18 Apple admits Request No. 1773, but denies that such disclosures were untimely under the  
19 relevant facts and circumstances.

20 **REQUEST FOR ADMISSION NO. 1774:**

21 Admit that ETSI members have disclosed patents as essential, or likely to become  
22 essential, with respect to an ETSI technical specification after that technical specification has  
23 been published, even where the patent was issued before the technical specification had been  
24 published.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 1774:**

26 Apple admits that Samsung, an ETSI member, has disclosed patents that it asserts as  
27 essential, or likely to become essential, with respect to an ETSI technical specification after that  
28 technical specification has been published.

1 **REQUEST FOR ADMISSION NO. 1775:**

2 Admit that it is common for ETSI members to disclose patents as essential, or likely to  
3 become essential, with respect to an ETSI technical specification after that technical specification  
4 has been published, even where the patent was issued before the technical specification had been  
5 published.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 1775:**

7 Apple objects to this request on the ground that the word “common” is vague and  
8 ambiguous. Accordingly, Apple can neither admit nor deny the request. Apple incorporates its  
9 response to Request for Admission No. 1774 as if fully set forth herein.

10 **REQUEST FOR ADMISSION NO. 1776:**

11 Admit that on numerous occasions, ETSI members have disclosed patents as essential, or  
12 likely to become essential, with respect to an ETSI technical specification after that technical  
13 specification has been published, even where the patent was issued before the technical  
14 specification had been published.

15 **RESPONSE TO REQUEST FOR ADMISSION NO. 1776:**

16 Apple objects to this request on the ground that the phrase “on numerous occasions” is  
17 vague and ambiguous. Accordingly, Apple can neither admit nor deny the request. Apple  
18 incorporates its response to Request for Admission No. 1774 as if fully set forth herein.

19 **REQUEST FOR ADMISSION NO. 1777:**

20 Admit that APPLE has disclosed patents as essential, or likely to become essential, with  
21 respect to an ETSI technical specification after that technical specification has been published,  
22 even where the patent was issued before the technical specification had been published.

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 1777:**

24 Apple admits Request No. 1777, but denies that such disclosures were untimely under the  
25 relevant facts and circumstances.

26 **REQUEST FOR ADMISSION NO. 1778:**

27 Admit that ETSI members have disclosed patents as essential, or likely to become  
28 essential, with respect to an ETSI technical specification after that technical specification has

1 even where the patent application was filed before the technical specification had been published.

2 **RESPONSE TO REQUEST FOR ADMISSION NO. 1781:**

3 Apple admits Request No. 1781, but denies that such disclosures were untimely under the  
4 relevant facts and circumstances.

5 **REQUEST FOR ADMISSION NO. 1782:**

6 Admit that ETSI members other than Samsung have sought injunctions to prevent alleged  
7 infringement of patents that had been disclosed as essential, or likely to become essential, with  
8 respect to an ETSI technical specification.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 1782:**

10 Apple admits that certain ETSI members have sought injunctions to prevent alleged  
11 infringement of patents that had been disclosed as essential, or likely to become essential, with  
12 respect to an ETSI technical specification, but Apple denies that all such efforts to obtain an  
13 injunction were proper.

14 **REQUEST FOR ADMISSION NO. 1783:**

15 Admit that Qualcomm has sought an injunction to prevent alleged infringement of patents  
16 that had been disclosed as essential, or likely to become essential, with respect to an ETSI  
17 technical specification.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 1783:**

19 Apple objects to this request on the ground that it requires information outside Apple's  
20 possession, custody and control. Accordingly, Apple is unable to either admit or deny the  
21 request. Apple incorporates its response to Request for Admission No. 1782 as if fully set forth  
22 herein.

23 **REQUEST FOR ADMISSION NO. 1784:**

24 Admit that Nokia has sought an injunction to prevent alleged infringement of patents that  
25 had been disclosed as essential, or likely to become essential, with respect to an ETSI technical  
26 specification.

27 **RESPONSE TO REQUEST FOR ADMISSION NO. 1784:**

28 Apple admits that in Nokia's complaint against Apple, dated October 22, 2009, in the

1 matter styled *Nokia Corp. v. Apple Inc.*, No. 09-791 (D. Del. 2009), Nokia’s “Prayer for Relief”  
2 seeks “a permanent injunction preventing further infringement, contributory infringement, and  
3 inducement of infringement until and unless Apple pays to Nokia such F/RAND compensation  
4 for past infringement, and irrevocably commits to payment of such compensation in the future.”

5 **REQUEST FOR ADMISSION NO. 1785:**

6 Admit that Motorola has sought an injunction to prevent alleged infringement of patents  
7 that had been disclosed as essential, or likely to become essential, with respect to an ETSI  
8 technical specification.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 1785:**

10 Apple admits in matters pending against Apple Sales International and Apple Inc. in  
11 the Landgericht Mannheim, 7th Civil Division, Motorola has sought an injunction to prevent  
12 alleged infringement of one or more patents Motorola declared essential with respect to an ETSI  
13 standard or technical specification.

14 Apple further admits that in a matter pending against Apple Retail German GmbH in  
15 the Landgericht Dusseldorf, 4th Civil Division, Motorola has sought an injunction to prevent  
16 alleged infringement of one or more patents Motorola declared essential with respect to an ETSI  
17 standard or technical specification.

18 Apple further admits that in a matter pending against Apple Inc. before the United States  
19 International Trade Commission, Motorola has sought an exclusion order barring the importation  
20 of products alleged to infringe one or more patents Motorola declared essential with respect to an  
21 ETSI standard or technical specification.

22 Apple further admits that in a matter pending against Apple Inc. before the United States  
23 District Court for the Northern District of Illinois, Motorola has sought an injunction to prevent  
24 alleged infringement of one or more patents Motorola declared essential with respect to an ETSI  
25 standard or technical specification.

26 **REQUEST FOR ADMISSION NO. 1786:**

27 Admit that InterDigital has sought an injunction to prevent alleged infringement of patents  
28 that had been disclosed as essential, or likely to become essential, with respect to an ETSI



1 technical specification.

2 **RESPONSE TO REQUEST FOR ADMISSION NO. 1786:**

3 Apple admits that in InterDigital's third-party complaint against Samsung, dated  
4 November 30, 2007, in the matter styled *InterDigital v. Samsung*, 1:07-cv-00167 (D. Del. 2007),  
5 InterDigital's "Prayer for Relief" requests that the court "[e]nter an injunction and permanently  
6 enjoin Samsung Defendants from infringing the claims of the '010 patent and the '778 patent  
7 under 35 U.S.C. § 283."

8 **REQUEST FOR ADMISSION NO. 1787:**

9 Admit that APPLE has sought an injunction to prevent alleged infringement of patents  
10 that had been disclosed as essential, or likely to become essential, with respect to a standard or  
11 technical specification.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 1787:**

13 Apple objects to this request to the extent it seeks information about standards that are  
14 created by standards setting organizations other than ETSI and about specifications beyond those  
15 related to UMTS. Apple denies it has sought an injunction to prevent alleged infringement of  
16 patents that have been disclosed to ETSI as essential, or likely to become essential, with respect  
17 to an ETSI technical specification related to UMTS.

18 **REQUEST FOR ADMISSION NO. 1788:**

19 Admit that APPLE iPhone and iPad products are currently enjoined from being sold in  
20 Germany.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 1788:**

22 Apple denies Request No. 1788. Apple's response to Request No. 1789 is incorporated by  
23 reference as if fully set forth herein.

24 **REQUEST FOR ADMISSION NO. 1789:**

25 Admit Motorola has obtained an injunction in Germany against the sale of APPLE  
26 products based on the assertion of at least one patent that had been disclosed as essential, or likely  
27 to become essential, with respect to an ETSI standard or technical specification.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 1852:**

2 Apple denies that, if, as Apple contends, a declaration in accordance with Clause 6.1 of  
3 the ETSI IPR Policy, followed by a company implementing the Technical Specification to which  
4 that patent is declared essential, establishes a binding license agreement with respect to that  
5 patent, Samsung is not licensed under U.S. Patent No. 5,835,721 to make products that comply  
6 with the 3GPP TS 04.60 V8.27.0 Technical Specification, insofar as Samsung is implementing  
7 those Technical Specifications. However, insofar as a commitment to license U.S. Patent No.  
8 5,835,721 in accordance with Clause 6.1 of the ETSI IPR Policy, followed by a company  
9 implementing the 3GPP TS 04.60 V8.27.0 Technical Specification, is determined *not* to establish  
10 a binding license agreement with respect to that patent, Apple admits, that Samsung is not  
11 licensed to make products that comply with the 3GPP TS 04.60 V8.27.0 Technical Specification.

12 **REQUEST FOR ADMISSION NO. 1853:**

13 Admit that at least one claim of U.S. Patent No. 7,675,941 is essential to 3GPP TS 25.322  
14 version 6.9.

15 **RESPONSE TO REQUEST FOR ADMISSION NO. 1853:**

16 Apple objects to this request as overly broad and unduly burdensome to the extent it  
17 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
18 objects further that this request does not seek an admission regarding the application of law to  
19 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
20 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
21 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
22 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
23 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
24 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
25 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
26 its response as necessary in response to expert discovery.

27 **REQUEST FOR ADMISSION NO. 1854:**

28 Admit that no claim of U.S. Patent No. 7,675,941 is essential to 3GPP TS 25.322 version

1 6.9.

2 **RESPONSE TO REQUEST FOR ADMISSION NO. 1854:**

3 Apple objects to this request as overly broad and unduly burdensome to the extent it  
4 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
5 objects further that this request does not seek an admission regarding the application of law to  
6 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
7 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
8 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
9 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
10 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
11 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
12 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
13 its response as necessary in response to expert discovery.

14 **REQUEST FOR ADMISSION NO. 1855:**

15 Admit that 3GPP TS 25.322 version 6.9 cannot be implemented without infringing at least  
16 one claim of U.S. Patent No. 7,675,941.

17 **RESPONSE TO REQUEST FOR ADMISSION NO. 1855:**

18 Apple objects to this request as overly broad and unduly burdensome to the extent it  
19 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
20 objects further that this request does not seek an admission regarding the application of law to  
21 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
22 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
23 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
24 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
25 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
26 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
27 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
28 its response as necessary in response to expert discovery.

1 **REQUEST FOR ADMISSION NO. 1856:**

2 Admit that at least one claim of U.S. Patent No. 7,362,867 is essential to 3GPP TS 25.213  
3 version 3.10.0.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 1856:**

5 Apple objects to this request as overly broad and unduly burdensome to the extent it  
6 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
7 objects further that this request does not seek an admission regarding the application of law to  
8 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
9 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
10 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
11 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
12 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
13 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
14 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
15 its response as necessary in response to expert discovery.

16 **REQUEST FOR ADMISSION NO. 1857:**

17 Admit that no claim of U.S. Patent No. 7,362,867 is essential to 3GPP TS 25.213 version  
18 3.10.0.

19 **RESPONSE TO REQUEST FOR ADMISSION NO. 1857:**

20 Apple objects to this request as overly broad and unduly burdensome to the extent it  
21 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
22 objects further that this request does not seek an admission regarding the application of law to  
23 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
24 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
25 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
26 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
27 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
28 actually essential to the standard. Apple expects that for any claims on which Samsung intends to

1 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
2 its response as necessary in response to expert discovery.

3 **REQUEST FOR ADMISSION NO. 1858:**

4 Admit that 3GPP TS 25.213 version 3.10.0 cannot be implemented without infringing at  
5 least one claim of U.S. Patent No. 7,362,867.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 1858:**

7 Apple objects to this request as overly broad and unduly burdensome to the extent it  
8 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
9 objects further that this request does not seek an admission regarding the application of law to  
10 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
11 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
12 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
13 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
14 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
15 actually essential to the standard. Apple expects that for any claims on which Samsung intends  
16 to proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will  
17 supplement its response as necessary in response to expert discovery.

18 **REQUEST FOR ADMISSION NO. 1859:**

19 Admit that at least one claim of U.S. Patent No. 7,447,516 is essential to 3GPP TS 25.214  
20 version 6.5.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 1859:**

22 Apple objects to this request as overly broad and unduly burdensome to the extent it  
23 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
24 objects further that this request does not seek an admission regarding the application of law to  
25 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
26 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
27 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
28 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite

1 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
2 actually essential to the standard. Apple expects that for any claims on which Samsung intends  
3 to proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will  
4 supplement its response as necessary in response to expert discovery.

5 **REQUEST FOR ADMISSION NO. 1860:**

6 Admit that no claim of U.S. Patent No. 7,447,516 is essential to 3GPP TS 25.214 version  
7 6.5.

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 1860:**

9 Apple objects to this request as overly broad and unduly burdensome to the extent it  
10 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
11 objects further that this request does not seek an admission regarding the application of law to  
12 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
13 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
14 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
15 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
16 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
17 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
18 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
19 its response as necessary in response to expert discovery.

20 **REQUEST FOR ADMISSION NO. 1861:**

21 Admit that 3GPP TS 25.214 version 6.5 cannot be implemented without infringing at least  
22 one claim of U.S. Patent No. 7,447,516.

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 1861:**

24 Apple objects to this request as overly broad and unduly burdensome to the extent it  
25 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
26 objects further that this request does not seek an admission regarding the application of law to  
27 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
28 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the

1 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
2 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
3 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
4 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
5 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
6 its response as necessary in response to expert discovery.

7 **REQUEST FOR ADMISSION NO. 1862:**

8 Admit that at least one claim of U.S. Patent No. 7,200,792 is essential to 3GPP TS 25.212  
9 version 6.0.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 1862:**

11 Apple objects to this request as overly broad and unduly burdensome to the extent it  
12 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
13 objects further that this request does not seek an admission regarding the application of law to  
14 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
15 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
16 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
17 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
18 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
19 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
20 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
21 its response as necessary in response to expert discovery.

22 **REQUEST FOR ADMISSION NO. 1863:**

23 Admit that no claim of U.S. Patent No. 7,200,792 is essential to 3GPP TS 25.212 version  
24 6.0.

25 **RESPONSE TO REQUEST FOR ADMISSION NO. 1863:**

26 Apple objects to this request as overly broad and unduly burdensome to the extent it  
27 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
28 objects further that this request does not seek an admission regarding the application of law to

1 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
2 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
3 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
4 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
5 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
6 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
7 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
8 its response as necessary in response to expert discovery.

9 **REQUEST FOR ADMISSION NO. 1864:**

10 Admit that 3GPP TS 25.212 version 6.0 cannot be implemented without infringing at least  
11 one claim of U.S. Patent No. 7,200,792.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 1864:**

13 Apple objects to this request as overly broad and unduly burdensome to the extent it  
14 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
15 objects further that this request does not seek an admission regarding the application of law to  
16 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
17 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
18 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
19 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
20 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
21 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
22 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
23 its response as necessary in response to expert discovery.

24 **REQUEST FOR ADMISSION NO. 1865:**

25 Admit that at least one claim of U.S. Patent No. 7,386,001 is essential to 3GPP TS 25.212  
26 version 3.1.



1 **RESPONSE TO REQUEST FOR ADMISSION NO. 1865:**

2 Apple objects to this request as overly broad and unduly burdensome to the extent it  
3 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
4 objects further that this request does not seek an admission regarding the application of law to  
5 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
6 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
7 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
8 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
9 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
10 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
11 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
12 its response as necessary in response to expert discovery.

13 **REQUEST FOR ADMISSION NO. 1866:**

14 Admit that no claim of U.S. Patent No. 7,386,001 is essential to 3GPP TS 25.212 version  
15 3.1.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 1866:**

17 Apple objects to this request as overly broad and unduly burdensome to the extent it  
18 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
19 objects further that this request does not seek an admission regarding the application of law to  
20 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
21 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
22 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
23 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
24 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
25 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
26 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
27 its response as necessary in response to expert discovery.

1 **REQUEST FOR ADMISSION NO. 1867:**

2 Admit that 3GPP TS 25.212 version 3.1 cannot be implemented without infringing at least  
3 one claim of U.S. Patent No. 7,386,001.

4 **RESPONSE TO REQUEST FOR ADMISSION NO. 1867:**

5 Apple objects to this request as overly broad and unduly burdensome to the extent it  
6 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
7 objects further that this request does not seek an admission regarding the application of law to  
8 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
9 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
10 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
11 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
12 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
13 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
14 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
15 its response as necessary in response to expert discovery.

16 **REQUEST FOR ADMISSION NO. 1868:**

17 Admit that at least one claim of U.S. Patent No. 7,050,410 is essential to 3GPP TS 25.212  
18 version 3.1.

19 **RESPONSE TO REQUEST FOR ADMISSION NO. 1868:**

20 Apple objects to this request as overly broad and unduly burdensome to the extent it  
21 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
22 objects further that this request does not seek an admission regarding the application of law to  
23 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
24 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
25 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
26 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
27 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
28 actually essential to the standard. Apple expects that for any claims on which Samsung intends to

1 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
2 its response as necessary in response to expert discovery.

3 **REQUEST FOR ADMISSION NO. 1869:**

4 Admit that no claim of U.S. Patent No. 7,050,410 is essential to 3GPP TS 25.212 version  
5 3.1.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 1869:**

7 Apple objects to this request as overly broad and unduly burdensome to the extent it  
8 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
9 objects further that this request does not seek an admission regarding the application of law to  
10 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
11 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
12 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
13 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
14 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
15 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
16 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
17 its response as necessary in response to expert discovery.

18 **REQUEST FOR ADMISSION NO. 1870:**

19 Admit that 3GPP TS 25.212 version 3.1 cannot be implemented without infringing at least  
20 one claim of U.S. Patent No. 7,050,410.

21 **RESPONSE TO REQUEST FOR ADMISSION NO. 1870:**

22 Apple objects to this request as overly broad and unduly burdensome to the extent it  
23 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
24 objects further that this request does not seek an admission regarding the application of law to  
25 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
26 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
27 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
28 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite

1 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
2 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
3 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
4 its response as necessary in response to expert discovery.

5 **REQUEST FOR ADMISSION NO. 1871:**

6 Admit that at least one claim of U.S. Patent No. 6,928,604 is essential to 3GPP TS 25.212  
7 version 3.1.

8 **RESPONSE TO REQUEST FOR ADMISSION NO. 1871:**

9 Apple objects to this request as overly broad and unduly burdensome to the extent it  
10 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
11 objects further that this request does not seek an admission regarding the application of law to  
12 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
13 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
14 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
15 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
16 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
17 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
18 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
19 its response as necessary in response to expert discovery.

20 **REQUEST FOR ADMISSION NO. 1872:**

21 Admit that no claim of U.S. Patent No. 6,928,604 is essential to 3GPP TS 25.212 version  
22 3.1.

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 1872:**

24 Apple objects to this request as overly broad and unduly burdensome to the extent it  
25 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
26 objects further that this request does not seek an admission regarding the application of law to  
27 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
28 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the

1 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
2 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
3 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
4 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
5 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
6 its response as necessary in response to expert discovery.

7 **REQUEST FOR ADMISSION NO. 1873:**

8 Admit that 3GPP TS 25.212 version 3.1 cannot be implemented without infringing at least  
9 one claim of U.S. Patent No. 6,928,604.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 1873:**

11 Apple objects to this request as overly broad and unduly burdensome to the extent it  
12 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
13 objects further that this request does not seek an admission regarding the application of law to  
14 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
15 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
16 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
17 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
18 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
19 actually essential to the standard. Apple expects that for any claims on which Samsung intends to  
20 proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will supplement  
21 its response as necessary in response to expert discovery.

22 **REQUEST FOR ADMISSION NO. 1874:**

23 Admit that Apple iPhone 4 complies with 3GPP TS 25.322 version 6.9.

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 1874:**

25 Apple objects to this Request on the grounds that the term “complies with” is vague and  
26 ambiguous. Apple further objects to this Request on the grounds that it is overly broad, unduly  
27 burdensome, and not reasonably calculated to lead to the discovery of admissible evidence to the  
28 extent that it is not limited in time. Apple also objects to this Request to the extent it seeks

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 1907:**

2 Apple objects to this request on the ground that the phrase “the responsibility of” is vague  
3 and ambiguous. Subject to this objection, Apple denies Request No. 1907.

4 **REQUEST FOR ADMISSION NO. 1908:**

5 Admit that APPLE released the iPhone on June 29, 2007.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 1908:**

7 Apple admits Request No. 1908.

8 **REQUEST FOR ADMISSION NO. 1909:**

9 Admit that APPLE released the iPhone 3G on July 11, 2008.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 1909:**

11 Apple admits Request No. 1909.

12 **REQUEST FOR ADMISSION NO. 1910:**

13 Admit that APPLE released the iPhone 3GS on June 19, 2009.

14 **RESPONSE TO REQUEST FOR ADMISSION NO. 1910:**

15 Apple admits Request No. 1910.

16 **REQUEST FOR ADMISSION NO. 1911:**

17 Admit that APPLE released the iPhone 4 on June 24, 2010.

18 **RESPONSE TO REQUEST FOR ADMISSION NO. 1911:**

19 Apple admits Request No. 1911.

20 **REQUEST FOR ADMISSION NO. 1912:**

21 Admit that APPLE released the iPhone 4S on October 14, 2011.

22 **RESPONSE TO REQUEST FOR ADMISSION NO. 1912:**

23 Apple admits that Apple released the iPhone 4S in the United States, Canada, Australia,  
24 the United Kingdom, France, Germany and Japan on October 14, 2011.

25 **REQUEST FOR ADMISSION NO. 1913:**

26 Admit that APPLE released the iPod Touch on September 5, 2007.

27 **RESPONSE TO REQUEST FOR ADMISSION NO. 1913:**

28 Apple admits that Apple released the first generation iPod touch on September 5, 2007.

1 **REQUEST FOR ADMISSION NO. 1914:**

2 Admit that APPLE released the iPad on April 3, 2010.

3 **RESPONSE TO REQUEST FOR ADMISSION NO. 1914:**

4 Apple admits Apple released the iPad in the United States on April 3, 2010.

5 **REQUEST FOR ADMISSION NO. 1915:**

6 Admit that APPLE released the iPad 3G on April 30, 2010.

7 **RESPONSE TO REQUEST FOR ADMISSION NO. 1915:**

8 Apple admits that Apple released the iPad 3G (AT&T) in the United States on April 30,  
9 2010.

10 **REQUEST FOR ADMISSION NO. 1916:**

11 Admit that APPLE released the iPad 2 on March 11, 2011.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 1916:**

13 Apple admits that Apple released the iPad 2 in the United States on March 11, 2011.

14 **REQUEST FOR ADMISSION NO. 1917:**

15 Admit that APPLE released the iPad 2 3G on March 11, 2011.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 1917:**

17 Apple admits that Apple released the iPad 2 3G (AT&T and Verizon) in the United States  
18 on March 11, 2011.

19 **REQUEST FOR ADMISSION NO. 1918:**

20 Admit that the ETSI Secretariat provides to its members procedures to allow access to  
21 information with respect to ESSENTIAL IPRs which have been brought to the attention of ETSI.

22 **RESPONSE TO REQUEST FOR ADMISSION NO. 1918:**

23 Apple objects to this request on the ground that the word “procedures” and “information”  
24 and the phrase “to allow access” are vague and ambiguous as used in this request. Accordingly,  
25 Apple can neither admit nor deny this request. Apple admits that Section 7.2 of the ETSI  
26 Intellectual Property Rights Policy states: “ETSI shall establish appropriate procedures to allow  
27 access to information at any time with respect to ESSENTIAL IPRs which have been brought to  
28 the attention of ETSI” and that ETSI maintains the “ETSI IPR online database,” available at

1 chipsets that implement the UMTS standard formed a valid and binding license agreement for  
2 those declared-essential patents, INFINEON was licensed.

3 **REQUEST FOR ADMISSION NO. 1959:**

4 Admit that APPLE was aware of Intel Corp.'s plans to acquire INFINEON's Wireless  
5 Solution Business before the acquisition took place.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 1959:**

7 Apple admits that Intel publicly announced its plans to acquire Infineon in August 2010,  
8 and the acquisition was completed on January 31, 2011.

9 **REQUEST FOR ADMISSION NO. 1960:**

10 Admit that Steve Jobs discussed Intel Corp.'s plans to acquire INFINEON's Wireless  
11 Solution Business with Intel CEO Paul Otellini before the acquisition took place.

12 **RESPONSE TO REQUEST FOR ADMISSION NO. 1960:**

13 Apple objects to this request on the ground that a response requires information that is  
14 outside Apple's possession, custody and control. Accordingly, Apple is unable to either admit or  
15 deny this request.

16 **REQUEST FOR ADMISSION NO. 1961:**

17 Admit that the INTEL BASEBAND PROCESSORS incorporated in the APPLE  
18 ACCUSED PRODUCTS are manufactured by Intel Mobile Communications ("IMC") in  
19 Singapore.

20 **RESPONSE TO REQUEST FOR ADMISSION NO. 1961:**

21 Apple objects to this request on the ground that a response requires information that is  
22 outside Apple's possession, custody and control, including, for example, information concerning  
23 components that Apple has purchased from third parties. Accordingly, Apple is unable to either  
24 admit or deny this request.

25 **REQUEST FOR ADMISSION NO. 1962:**

26 Admit that none of the INTEL BASEBAND PROCESSORS incorporated in the APPLE  
27 ACCUSED PRODUCTS are manufactured in the United States.



1 **RESPONSE TO REQUEST FOR ADMISSION NO. 1962:**

2 Apple objects to this request on the ground that a response requires information that is  
3 outside Apple's possession, custody and control, including, for example, information concerning  
4 components that Apple has purchased from third parties. Accordingly, Apple is unable to either  
5 admit or deny this request.

6 **REQUEST FOR ADMISSION NO. 1963:**

7 Admit that the INTEL BASEBAND PROCESSORS incorporated in the APPLE  
8 ACCUSED PRODUCTS are transferred from Intel Mobile Communications ("IMC") in  
9 Singapore to Intel SDN. BHD. in Malaysia.

10 **RESPONSE TO REQUEST FOR ADMISSION NO. 1963:**

11 Apple objects to this request on the ground that a response requires information that is  
12 outside Apple's possession, custody and control, including, for example, information concerning  
13 components that Apple has purchased from third parties. Accordingly, Apple is unable to either  
14 admit or deny this request.

15 **REQUEST FOR ADMISSION NO. 1964:**

16 Admit that the INTEL BASEBAND PROCESSORS incorporated in the APPLE  
17 ACCUSED PRODUCTS are never transferred by Intel Mobile Communications ("IMC") to a  
18 location in the United States.

19 **RESPONSE TO REQUEST FOR ADMISSION NO. 1964:**

20 Apple objects to this request on the ground that a response requires information that is  
21 outside Apple's possession, custody and control, including, for example, information concerning  
22 components that Apple has purchased from third parties. Accordingly, Apple is unable to either  
23 admit or deny this request.

24 **REQUEST FOR ADMISSION NO. 1965:**

25 Admit that the INTEL BASEBAND PROCESSORS incorporated in the APPLE  
26 ACCUSED PRODUCTS are transferred from Intel SDN. BHD. in Malaysia to Hongfujin  
27 Precision Electronics (Zhengzhou) Co., Ltd. in Zhengzhou, China.

1 **RESPONSE TO REQUEST FOR ADMISSION NO. 1965:**

2 Apple objects to this request on the ground that a response requires information that is  
3 outside Apple's possession, custody and control, including, for example, information concerning  
4 components that Apple has purchased from third parties. Accordingly, Apple is unable to either  
5 admit or deny this request.

6 **REQUEST FOR ADMISSION NO. 1966:**

7 Admit that Hongfujin Precision Electronics (Zhengzhou) Co., Ltd. in China receives  
8 INTEL BASEBAND PROCESSORS on behalf of APPLE.

9 **RESPONSE TO REQUEST FOR ADMISSION NO. 1966:**

10 Apple admits Request No. 1966.

11 **REQUEST FOR ADMISSION NO. 1967:**

12 Admit that the INTEL BASEBAND PROCESSORS incorporated in the APPLE  
13 ACCUSED PRODUCTS are never transferred by any Intel entity, including without limitation  
14 Intel Mobile Communications ("IMC"), Intel Corp., Intel Americas, Inc. and Intel SDN. BHD., to  
15 a location in the United States.

16 **RESPONSE TO REQUEST FOR ADMISSION NO. 1967:**

17 Apple objects to this request on the ground that a response requires information that is  
18 outside Apple's possession, custody and control, including, for example, information concerning  
19 components that Apple has purchased from third parties. Accordingly, Apple is unable to either  
20 admit or deny this request.

21 **REQUEST FOR ADMISSION NO. 1968:**

22 Admit that the first time the INTEL BASEBAND PROCESSORS incorporated in the  
23 APPLE ACCUSED PRODUCTS arrive in the United States is when the APPLE ACCUSED  
24 PRODUCTS that incorporate the INTEL BASEBAND PROCESSORS are sent to the United  
25 States.

26 **RESPONSE TO REQUEST FOR ADMISSION NO. 1968:**

27 Apple objects to this request on the ground that a response requires information that is  
28 outside Apple's possession, custody and control, including, for example, information concerning

1 components that Apple has purchased from third parties. Accordingly, Apple is unable to either  
2 admit or deny this request.

3 **REQUEST FOR ADMISSION NO. 1969:**

4 Admit that at least one claim of U.S. Patent No. 7,362,867 covers the technology set forth  
5 in SAMSUNG's R1-99915 proposal, sent July 8, 1999.

6 **RESPONSE TO REQUEST FOR ADMISSION NO. 1969:**

7 Apple objects to this Request on the grounds that the term "covers" is vague and  
8 ambiguous. Apple objects to this request as overly broad and unduly burdensome to the extent it  
9 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
10 objects further that this request does not seek an admission regarding the application of law to  
11 facts, but is rather being used to compel an admission of a conclusion of law, which is not  
12 permitted under Federal Rule of Civil Procedure 36. Apple also objects to this request on the  
13 grounds that it is premature, not relevant to the claims or defenses of the parties, and not  
14 reasonably calculated to lead to the discovery of admissible evidence. Apple states that despite  
15 declaring this patent essential to the UMTS standard, Samsung has not yet established that it is  
16 actually essential to the standard and to any proposals (including Samsung proposals)  
17 incorporated within that standard. Apple expects that for any claims on which Samsung intends  
18 to proceed to trial, Samsung will proffer expert opinions on these issues, and Apple will  
19 supplement its response as necessary in response to expert discovery.

20 **REQUEST FOR ADMISSION NO. 1970:**

21 Admit that no claim of U.S. Patent No. 7,362,867 covers the technology set forth in  
22 SAMSUNG's Tdoc R1-99915 proposal, sent July 8, 1999.

23 **RESPONSE TO REQUEST FOR ADMISSION NO. 1970:**

24 Apple objects to this Request on the grounds that the term "covers" is vague and  
25 ambiguous. Apple objects to this request as overly broad and unduly burdensome to the extent it  
26 purports to require Apple to analyze unasserted claims of the Samsung patents in suit. Apple  
27 objects further that this request does not seek an admission regarding the application of law to  
28 facts, but is rather being used to compel an admission of a conclusion of law, which is not