

EXHIBIT 1

EXHIBIT L
FILED UNDER SEAL

SUBJECT TO PROTECTIVE ORDER
CONTAINS CONFIDENTIAL INFORMATION

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

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

16 APPLE INC., a California corporation,

17 Plaintiff,

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

**APPLE INC.'S OBJECTIONS AND
RESPONSES TO SAMSUNG'S FOURTH
SET OF INTERROGATORIES**

**CONFIDENTIAL UNDER THE
PROTECTIVE ORDER**

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1 **INTERROGATORY NO. 38:**

2 To the extent that YOU contend that the sale of an INTEL or QUALCOMM
3 BASEBAND PROCESSOR(S) exhausts Samsung's rights in one or more of the SAMSUNG
4 PATENTS-IN-SUIT, state in detail the basis for that contention including an identification of all
5 facts concerning any alleged first sale of the BASEBAND PROCESSOR(s) in the United States
6 and the circumstances surrounding such sale, including any delivery of the BASEBAND
7 PROCESSOR(s) to any entity in the United States. If, for example, the BASEBAND
8 PROCESSOR(s) is not delivered to any entity in the United States before being imported into the
9 United States as part of an ACCUSED PRODUCT, YOU should so state.

10 **RESPONSE TO INTERROGATORY NO. 38**

11 Apple objects to this Interrogatory on the grounds that it is overly broad and unduly
12 burdensome, including without limitation because it calls for the identification of "all facts
13 concerning" and seeks information relating to technologies or functionality not at issue. Apple
14 further objects because this interrogatory contains multiple, discrete interrogatories. Apple also
15 objects to this Interrogatory to the extent it seeks information protected from disclosure by the
16 attorney-client privilege, work product doctrine, or other applicable privilege or immunity
17 against disclosure.

18
19 Subject to and without waiving the foregoing specific objections and General Statement
20 and Objections, Apple responds as follows:

21 [REDACTED]
22 [REDACTED]
23 [REDACTED]
24 [REDACTED]

25
26 _____
27 ¹ As used herein, Declared Essential Patents in Suit has the definition recited in Apple's Ninth Set of
28 Requests for Admission to Defendants Samsung and Counterclaim-Plaintiffs Samsung Electronics America, Inc.,
and Samsung Telecommunications America, LLC.

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1 [REDACTED]

2 [REDACTED]

3 [REDACTED]

4 [REDACTED]

5 [REDACTED]

6 [REDACTED]

7 [REDACTED]

8 [REDACTED]

9 [REDACTED]

10 [REDACTED]

11 [REDACTED]

12 [REDACTED]

13 [REDACTED]

14 [REDACTED]

15 [REDACTED]

16 [REDACTED]

17 [REDACTED]

18 [REDACTED]

19 [REDACTED]

20 [REDACTED]

21 [REDACTED]

22 [REDACTED]

23 [REDACTED]

24 [REDACTED]

25 [REDACTED]

26 [REDACTED]

27 [REDACTED]

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1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]
13 [REDACTED]

14 Apple reserves the right to supplement and/or amend its response as appropriate.

15 **INTERROGATORY NO. 39:**

16 To the extent YOU contend that SAMSUNG’S named inventors or other personnel
17 promoted technologies for inclusion in UMTS that are covered by one or more of the asserted
18 SAMSUNG PATENTS-IN-SUIT, state in detail the complete basis for that contention including a
19 description of all DOCUMENTS and other evidence reflecting SAMSUNG’S alleged efforts to
20 promote the technologies of the patents-in-suit for inclusion in UMTS, the identification of any
21 proposals or other DOCUMENTS reflecting these alleged efforts to promote, and the detailed
22 legal and technical basis for YOUR assertion that these proposals or other DOCUMENTS reflect
23 the subject matter of the asserted SAMSUNG PATENTS-IN-SUIT.

24 **RESPONSE TO INTERROGATORY NO. 39**

25 Apple objects to this Interrogatory on the grounds that it is overly broad, unduly
26 burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to
27 the discovery of admissible evidence, including without limitation because it seeks information

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1 [REDACTED]
2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5
6 Apple further responds that in accordance with Federal Rule of Civil Procedure 33(d),
7 Apple has produced and/or will produce documents responsive to this Interrogatory, and that the
8 burden of ascertaining the answer to this Interrogatory from the produced business records is
9 substantially the same for Apple as for Samsung. Apple further designates, at this time, the
10 following documents from which information responsive to this Interrogatory may be
11 ascertained:

12 APL7940001420032–APL7940001420080

13 APL7940001422999–APL7940001425767

14 APL7940011889416–APL7940011890041

15 APL794-F0000000637–APL794-F00000008197

16 Apple reserves the right to supplement and/or amend its response as appropriate.

17 **INTERROGATORY NO. 55:**

18 For each BASEBAND PROCESSOR provided for use in or otherwise known by YOU to
19 be used in an APPLE ACCUSED PRODUCT including, without limitation, the Qualcomm
20 MDM6610, Qualcomm MDM6600, Infineon BGA736; Infineon PMB 8876; Infineon PMB 8878;
21 Infineon PMB 8879; Infineon PMB 9801; Infineon PMB 5703 SMARTi UE; Infineon PMB 5701
22 SMARTi 3G; Infineon X-GOLD 608; Infineon X-GOLD 616; Infineon X-GOLD 618 and any
23 other baseband or RF transceiver component sold to or purchased by APPLE or APPLE
24 MANUFACTURERS, describe the chain of possession, custody, or commerce of the
25 BASEBAND PROCESSOR from manufacture to integration into an APPLE ACCUSED
26 PRODUCT by identifying each entity involved in the chain of possession, custody, or commerce
27 (including, but not limited to, IAI, IMC, INTEL, INFINEON and/or QUALCOMM); the entity's
28

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1 role; the entity's relationship with the other identified entities; all related sales information,
2 contracts, licenses, agreements or informal understandings between the entity and the other
3 identified entities concerning the design, manufacture, testing, assembly, sale and chain of
4 distribution of BASEBAND PROCESSORS to APPLE or APPLE MANUFACTURERS; and
5 any changes in the design, manufacture, sale or distribution of BASEBAND PROCESSORS that
6 occurred after September 1, 2010.

7 **RESPONSE TO INTERROGATORY NO. 55**

8
9 Apple objects to this Interrogatory on the grounds that it is overly broad, unduly
10 burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to
11 the discovery of admissible evidence, including without limitation because it seeks information
12 relating to "all documentation" and to the extent it relates to technologies or functionality not at
13 issue in this matter. Apple further objects to this interrogatory as overly broad and unduly
14 burdensome to the extent it purports to include any baseband chip or other component that is not
15 incorporated in one of the Apple products identified in Samsung's Patent Local Rule 3-1
16 Infringement Contentions, served on September 7, 2011. Apple further objects to this
17 Interrogatory to the extent it seeks information that is subject to a confidentiality or non-
18 disclosure agreement or governed by a protective order preventing its production, is not within
19 Apple's possession, custody, or control, or otherwise seeks confidential, proprietary, or trade
20 secret information of third parties. Apple also objects to this Interrogatory because it contains
21 multiple subparts that each should count as a separate interrogatory.

22 Subject to and without waiving the foregoing General and Specific Objections, Apple
23 responds as follows:

24 [REDACTED]
25 [REDACTED]
26 [REDACTED]
27 [REDACTED]

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1 [REDACTED]

2 [REDACTED]

3 Apple reserves the right to supplement and/or amend its response as appropriate.

4 **INTERROGATORY NO. 56:**

5 For each BASEBAND PROCESSOR provided for use in or otherwise known by YOU to
6 be used in an APPLE ACCUSED PRODUCT including, without limitation, the Qualcomm
7 MDM6610, Qualcomm MDM6600, Infineon BGA736; Infineon PMB 8876; Infineon PMB 8878;
8 Infineon PMB 8879; Infineon PMB 9801; Infineon PMB 5703 SMARTi UE; Infineon PMB 5701
9 SMARTi 3G; Infineon X-GOLD 608; Infineon X-GOLD 616; Infineon X-GOLD 618 and any
10 other baseband or RF transceiver component sold to or purchased by APPLE or APPLE
11 MANUFACTURERS, IDENTIFY whether any transfer of possession, transfer of custody,
12 delivery, integration into an ACCUSED PRODUCT, or sale of the BASEBAND PROCESSORS
13 takes place in the United States, including the entities involved and the terms of such transfer,
14 delivery, integration or sale in the United States.

15 **RESPONSE TO INTERROGATORY NO. 56**

16 Apple objects to this Interrogatory on the grounds that it is overly broad, unduly
17 burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to
18 the discovery of admissible evidence, including to the extent it relates to technologies or
19 functionality not at issue in this matter. Apple further objects to this interrogatory as overly
20 broad and unduly burdensome to the extent it purports to include any baseband chip or other
21 component that is not incorporated in one of the Apple products identified in Samsung's Patent
22 Local Rule 3-1 Infringement Contentions, served on September 7, 2011. Apple further objects to
23 this Interrogatory to the extent it seeks information that is subject to a confidentiality or non-
24 disclosure agreement or governed by a protective order preventing its production, is not within
25 Apple's possession, custody, or control, or otherwise seeks confidential, proprietary, or trade
26

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1 secret information of third parties. Apple also objects to this Interrogatory because it contains
2 multiple subparts that each should count as a separate interrogatory.

3 Subject to and without waiving the foregoing General and Specific Objections, Apple
4 responds as follows:

5 [REDACTED]
6 [REDACTED]
7 [REDACTED]
8 [REDACTED]
9 [REDACTED]
10 [REDACTED]
11 [REDACTED]
12 [REDACTED]

13 Apple reserves the right to supplement and/or amend its response as appropriate.

14 **INTERROGATORY NO. 57:**

15 Describe every test procedure performed by or on behalf of APPLE for each BASEBAND
16 PROCESSOR provided for use in or otherwise known by YOU to be used in an APPLE
17 ACCUSED PRODUCT including, without limitation, the Qualcomm MDM6610, Qualcomm
18 MDM6600, Infineon BGA736; Infineon PMB 8876; Infineon PMB 8878; Infineon PMB 8879;
19 Infineon PMB 9801; Infineon PMB 5703 SMARTi UE; Infineon PMB 5701 SMARTi 3G;
20 Infineon X-GOLD 608; Infineon X-GOLD 616; Infineon X-GOLD 618 and any other baseband
21 or RF transceiver component sold to or purchased by APPLE or APPLE MANUFACTURERS,
22 including an identification of the type of test(s), processors and/or chipsets paired with the
23 BASEBAND PROCESSOR, SOFTWARE used in the testing, the procedure followed for the
24 testing, and the geographic location of the testing.

25 **RESPONSE TO INTERROGATORY NO. 57**

26 Apple objects to this Interrogatory on the grounds that it is overly broad, unduly
27 burdensome, and seeks information that is neither relevant nor reasonably calculated to lead to