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8 UNITED STATES DISTRICT COURT  
9 NORTHERN DISTRICT OF CALIFORNIA  
10 SAN JOSE DIVISION  
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12 APPLE INC.,

13 Plaintiff,

14 v.

15 SAMSUNG ELECTRONICS CO., LTD.,  
16 a Korean corporation; SAMSUNG  
17 ELECTRONICS AMERICA, INC., a New  
18 York corporation; and SAMSUNG  
TELECOMMUNICATIONS AMERICA,  
LLC, a Delaware limited liability company,

19 Defendants.  
20

Case No. 11-cv-01846-LHK

**STIPULATED AMENDMENT TO THE  
PROTECTIVE ORDER REGARDING  
INTEL CODE PRODUCTION**

21 Plaintiff Apple Inc. ("Apple") and Defendants and counterclaim-plaintiffs Samsung  
22 Electronics Co. Ltd., Samsung Electronics America, Inc. and Samsung Telecommunications  
23 America LLC (collectively "Samsung") (collectively referred to herein as the "Parties") have  
24 sought production of documents, testimony or information reflecting confidential and proprietary  
25 information from non-party Intel Corporation ("Intel"). The Court adopted a Protective Order  
26 proposed by Samsung in its Order of January 27, 2012 (the "Protective Order"). Intel has  
27 requested protections for its confidential information that are not provided in the Protective  
28 Order, and the Parties have agreed to provide these protections, as reflected in this Stipulated

1 Amendment to the Protective Order Regarding Intel Code Production (“Amendment to the  
2 Protective Order”):

3 1. As a further restriction under Section 6(b) of the Protective Order, the scope of the  
4 prosecution bar extends to “the subject matter of the patents-in-suit or wireless modem hardware  
5 and protocol software for implementation of physical or data link layers in devices for mobile  
6 telephony” for anyone who receives one or more items designated as “INTEL CONFIDENTIAL  
7 – ATTORNEYS’ EYES ONLY” or “INTEL CONFIDENTIAL – OUTSIDE ATTORNEYS’  
8 EYES ONLY – SOURCE CODE.”

9 2. As a further restriction under Section 11(j) of the Protective Order, Intel shall, upon  
10 request, deliver three (3) sets of printed documents to each office of the outside counsel of the  
11 Receiving Party identified by the Receiving Party. The Receiving Party may not make any  
12 additional paper copies of any portions of the Source Code received from Intel, not including  
13 copies attached to court filings or used at depositions.

14 3. As a further restriction under Section 11(k) of the Protective Order, printed source code  
15 identified as “INTEL CONFIDENTIAL – OUTSIDE ATTORNEYS’ EYES ONLY – SOURCE  
16 CODE” must be kept at all times at an office of the Receiving Party’s Outside Counsel.

17 4. As an additional restriction under Section 12(d) of the Protective Order, prior to  
18 receiving any material marked as “INTEL CONFIDENTIAL – ATTORNEYS’ EYES ONLY” or  
19 “INTEL CONFIDENTIAL – OUTSIDE ATTORNEYS’ EYES ONLY – SOURCE CODE,” the  
20 Person must execute a copy of the “Agreement to Be Bound by Protective Orders” (Exhibit B  
21 hereto) and serve it on all Parties and Intel.  
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27 **STIPULATED AND AGREED:**  
28

March 26

Dated: ~~February~~ \_\_\_\_\_, 2012


Respectfully submitted,

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*Counsel for Samsung Electronics Co., Ltd.,  
Samsung Electronics America, Inc., and  
Samsung Telecommunications America, LLC*


**IT IS SO ORDERED.**

Date: April 20, 2012

  
UNITED STATES MAGISTRATE JUDGE

March 25  
Dated: February \_\_, 2012

Respectfully submitted,

  
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*Counsel for Samsung Electronics Co., Ltd.,  
Samsung Electronics America, Inc., and  
Samsung Telecommunications America, LLC*

**IT IS SO ORDERED.**

Date: \_\_\_\_\_

UNITED STATES MAGISTRATE JUDGE

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**EXHIBIT B**

**Agreement to Be Bound by Protective Orders**

I, \_\_\_\_\_, acknowledge and declare that I have received a copy of the Protective Order and the Amendment to the Protective Order Regarding Intel Code Production ("Orders") in *Apple, Inc. v. Samsung Electronics Co., Ltd. et al.*, U.S. District Court for the Northern District of California Civil Action No 11-cv-01846-LHK. Having read and understood the terms of both Orders, I agree to be bound by the terms of the Orders and consent to the jurisdiction of the District Court for the purpose of any proceeding to enforce the terms of the Orders.

Name of individual: \_\_\_\_\_

Present occupation/job description: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

Name of Company or Firm: \_\_\_\_\_

Address: \_\_\_\_\_

Dated: \_\_\_\_\_

\_\_\_\_\_

[Signature]