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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

v.

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

Defendants.

Case No. 11-cv-01846-LHK

**DECLARATION OF SISSIE TWIGGS
IN SUPPORT OF APPLE INC.'S
MOTION FOR A PRELIMINARY
INJUNCTION**

1 I, Sissie Twiggs, declare as follows:

2 1. My title is Director, Worldwide Advertising at Apple Inc. I submit this
3 declaration in support of Apple's Motion for a Preliminary Injunction. I have personal
4 knowledge of the facts stated in this declaration, and I could and would competently testify to
5 them if called as a witness.

6 2. Apple has invested heavily in promoting its iPhone and iPad products. Apple has
7 reported total advertising expenditures of \$691 million, \$501 million, and \$486 million for
8 2010, 2009, and 2008, respectively.

9 **Apple's iPhone Advertising**

10 3. Apple promotes its iPhone products extensively in print media. Attached as
11 Exhibit 1 is a true and correct copy of a print advertisement from 2007 featuring the original
12 iPhone. Attached as Exhibit 2 is a true and correct copy of a print advertisement from 2008
13 featuring the iPhone 3G. Attached as Exhibit 3 is a true and correct copy of a print
14 advertisement from 2009 featuring the iPhone 3GS. Attached as Exhibits 4-5 are true and
15 correct copies of print advertisements from 2010 featuring the iPhone 4. The print
16 advertisements shown in Exhibits 1-5 have appeared in nationally circulated newspapers and
17 magazines.

18 4. Apple promotes its iPhone products extensively through television commercials.
19 Enclosed on a CD as Exhibits 6-10 are true and correct copies of television commercials from
20 2007 through 2011 featuring the iPhone products. The television commercials in Exhibits 6-10
21 have appeared during primetime national television broadcasts.

22 **Apple's iPad Advertising**

23 5. Apple promotes its iPad products extensively in print media. Attached as
24 Exhibits 11-13 are true and correct copies of print advertisements from 2010 featuring the first-
25 generation iPad. Attached as Exhibit 14 is a true and correct copy of a print advertisement from
26 2011 featuring the iPad 2. The print advertisements shown in Exhibits 11-14 have appeared in
27 nationally circulated newspapers and magazines.

28

1 6. Apple promotes its iPad products extensively in outdoor advertising formats such
2 as on billboards and at transit stops. Attached as Exhibits 15-17 are true and correct copies of
3 outdoor advertisements from 2010 featuring the first-generation iPad. Attached as Exhibit 18 is
4 a true and correct copy of an outdoor advertisement from 2011 featuring the iPad 2. The
5 photographs shown in Exhibits 15-18 have appeared in outdoor venues such as billboards and
6 transit stops in cities such as New York and San Francisco.

7 7. Apple promotes its iPad products extensively through television commercials.
8 Enclosed on a CD as Exhibits 19-20 are true and correct copies of television commercials from
9 2011 featuring the iPad products. The television commercials in Exhibits 19-20 have appeared
10 during primetime national television broadcasts.

11 **Apple's iPhone and iPad Advertising Approach**

12 8. As is evident in the exemplary advertisements discussed above, Apple's iPhone
13 and iPad advertising prominently features the designs of the iPhone and iPad devices. The
14 products are clearly shown, and typically set against uncluttered, often plain black or white
15 backgrounds. Text is typically kept to a minimum. This advertising lets the designs of the
16 products speak for themselves. Even when more text is used, the advertisements are designed to
17 showcase Apple's distinctive iPhone and iPad product designs.

18
19
20 I declare under penalty of perjury that the forgoing is true and correct.

21 Dated: June 30, 2011



Sissie Twiggs