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11 Attorneys for Plaintiff and  
 12 Counterclaim-Defendant APPLE INC.

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

17 APPLE INC., a California corporation,  
 18 Plaintiff,  
 19 v.  
 20 SAMSUNG ELECTRONICS CO., LTD., a  
 21 Korean business entity; SAMSUNG  
 22 ELECTRONICS AMERICA, INC., a New York  
 23 corporation; SAMSUNG  
 24 TELECOMMUNICATIONS AMERICA, LLC, a  
 25 Delaware limited liability company,  
 26 Defendants.

Case No. 11-cv-01846-LHK (PSG)  
**APPLE'S STATUS UPDATE  
 REGARDING COMPLIANCE  
 WITH APRIL 12 ORDER**

1 Mindful of the Court’s recent comment that parties should bring production problems to  
2 the court’s attention “as soon as practicable” [Dkt. No. 898 at 6], Apple respectfully submits this  
3 status update on its compliance with the April 12, 2012 Order [Dkt No. 867] pertaining to  
4 production of court documents from other litigation.

5 On April 26, as discussed in Apple’s Administrative Motion for Clarification [Dkt. No.  
6 885], Apple filed a motion with the ITC seeking permission to produce documents that are  
7 subject to ITC protective orders. On May 7, the Office of Unfair Import Investigations opposed  
8 Apple’s motion. A copy of the OUII’s opposition is attached as Exhibit 1. The OUII “recognizes  
9 that Apple is ‘between a rock and a hard place’” (Exhibit 1 at 2) and agrees that the ITC directs  
10 Apple not to produce documents that the April 12 Order directs Apple to produce (*Id.* at 4), but  
11 concludes that Apple should not be permitted to produce the documents. (*Id.* at 5.)

12 The status of Apple’s production of court documents pursuant to the April 12 Order is as  
13 follows:

- 14 • *Nokia Corp. v. Apple Inc.*, 09-cv-791 (D.Del.): Complete.
- 15 • *Apple Inc. v. Motorola Inc.*, 10-cv-00661 (W.D. Wis.): Complete.
- 16 • *In re Certain Portable Elec. Devices*, 337-TA-797 (ITC) (“HTC ITC”): Complete.
- 17 • *Apple Inc. v. High Tech Computer Corp.*, 10-cv-00167 (D. Del.): Complete,  
18 except for four documents still awaiting approval from Google.
- 19 • *Elan Microelecs. Corp. v. Apple Inc.*, 09-cv-01531 (N.D. Cal.): Elan has approved  
20 production of 13 of the 23 docket entries previously in dispute. Counsel for Apple  
21 in that action is reviewing to confirm no additional consents are required prior to  
22 production. Elan has not yet decided whether it will oppose production of Elan  
23 confidential information in the 10 docket entries that remain in dispute.
- 24 • *In re Certain Electronic Devices with Multi-Touch Enabled Touchpads and*  
25 *Touchscreens*, 337-TA-714 (ITC) (“Elan ITC”): Counsel for Apple has received  
26 notification from Elan that it intends to oppose Apple’s motion for permission to  
27 produce CBI from the ITC. In addition, nonparties Lucent and Synaptics have not  
28 responded to a request for consent. Counsel for Apple estimates that there are

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approximately 100 documents, plus exhibits, that remain to be produced pending consent of Elan and these two nonparties.

- *Apple Inc. v. Motorola Inc.*, 10-cv-00662 (W.D. Wis.), transferred from N.D. Ill. (“Motorola Illinois”): Motorola has withdrawn its objection to production of documents. All documents from the Motorola Illinois case for which Apple has received permissions have already been produced. Counsel for Apple estimates that there are 30-40 docket entries, plus related exhibits, that are still awaiting nonparty consents before they can be released. The nonparties whose consent will be necessary to release all of these documents are AT&T, Synaptics, Broadcom, Microsoft, NYU, TED Conferences, Texas Instruments, Nokia Siemens Networks, and Ericsson.
- *In re Certain Mobile Devices and Related Software*, 337-TA-750 (ITC) (“Motorola ITC”): Counsel for Apple estimates that there are 20-25 documents, plus related exhibits, that are still awaiting nonparty consents before they can be released. The nonparties whose consent will be necessary to release all of these documents are Debbie Coutant, Thomas Cronan, and University of Delaware.

Dated: May 7, 2012

MORRISON & FOERSTER LLP

By:           /s/ Jason R. Bartlett            
Jason R. Bartlett

Attorneys for Plaintiff  
APPLE INC.