

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA
3 SAN JOSE DIVISION

4 APPLE INC., a California corporation,

5 Plaintiff,

6 vs.

7 SAMSUNG ELECTRONICS CO., LTD., a
8 Korean business entity, SAMSUNG
9 ELECTRONICS AMERICA, INC., a New
10 York corporation, and SAMSUNG
11 TELECOMMUNICATIONS AMERICA,
12 LLC, a Delaware limited liability company,

13 Defendants.

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

20 Counterclaim-Plaintiffs,

21 v.

22 APPLE INC., a California corporation,

23 Counterclaim-Defendant.

Civil Action No. 11-CV-01846-LHK

**[PROPOSED] ORDER GRANTING
APPLE INC.'S MOTION FOR PARTIAL
SUMMARY JUDGMENT**

Date: June 21, 2012

Time: 1:30 p.m.

Place: Courtroom 4, 5th Floor

Judge: Hon. Lucy H. Koh

24 The Court, having considered the papers submitted by the parties and argument by
25 counsel, HEREBY ORDERS that Apple Inc. is entitled to judgment under Federal Rule of Civil
26 Procedure 56 as to the following Apple defenses and counterclaims:

- 27 1. First Defense (Non-Infringement) as to U.S. Patent No. 7,362,867 (“867 patent”);
- 28 2. Second Defense (Invalidity) as to U.S. Patent Nos. 7,456,893 (“893 patent”) and
7,577,460 (“460 patent”) under 35 U.S.C. § 112;

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

3. Eleventh Counterclaim (Declaratory Judgment of Non-Infringement of the '867 Patent);
4. Eighteenth Counterclaim (Declaratory Judgment of Invalidity of the '893 Patent) under 35 U.S.C. § 112; and
5. Twentieth Counterclaim (Declaratory Judgment of Invalidity of the '460 Patent) under 35 U.S.C. § 112.

IT IS SO ORDERED

DATED: _____, 2012

Hon. Lucy H. Koh
United States District Court Judge