

Exhibit 36

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TELECOMMUNICATIONS AMERICA, LLC
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16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

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

CASE NO. 11-cv-01846-LHK

**DECLARATION OF
RICARDO VILAS-BOAS**

1 I, Ricardo Vilas-Boas, declare:

2 1. I make this declaration to bring to the Court's attention certain facts relating to the
3 design for a mobile phone that I created that was made public in 2004. I have personal
4 knowledge of the facts set forth in this declaration and, if called upon as a witness, I could and
5 would testify to such facts under oath.

6 2. I obtained a BA degree in Industrial Design from ESAD, Escola Superior de Artes
7 e Design de Matosinhos. I earned a Masters degree in Industrial Design from Central Saint
8 Martins in London.

9 3. While I was a student at ESAD, I entered a national design competition sponsored
10 by Nokia in 2004. My submission was based on an industrial design I created for a mobile phone.
11 I submitted two boards to the competition that displayed the design. I retained the electronic
12 copies of the design images as they appeared on the boards I submitted. A true and correct
13 printout of the images is attached as Exhibit A.

14 4. The overall shape of the device was rectangular with rounded corners. The device
15 also had a thin profile, as the first board shows. The front surface of the device that I designed
16 had no physical buttons or keys. It prominently featured a symmetrically placed display screen.
17 The front of the phone consisted of a flat, continuous and smooth surface and was covered by clear
18 glass from edge to edge. The side view of the design on the first page of my boards confirms that
19 the front face was entirely flat. As the boards show, while I expected that the user could change
20 the device's colors, the default, "out of the box" color of the device was black. When the device
21 was turned off or in lock mode, the front surface was black and reflective in appearance, as the
22 boards also show.

23 5. At the time I created this design in 2004, I expected that touch screen displays
24 would serve as users' interface with their mobile devices and would reduce or even fully replace
25 the need for physical key pads and other physical buttons on mobile phones. I therefore created a
26 design that maximized the display screen and sought to avoid unnecessary details that would
27 detract from the display. With my design, the contents of the display screen would change with
28 the device's mode, such as displaying a virtual number keypad when the device was used as a

1 phone or displaying a virtual image of a lock with text when the device was locked. The only
2 physical elements on the front surface other than the display screen were two subtle circular
3 design shapes of equal diameter that were symmetrically placed above and below the display
4 screen around small microphone and speaker apertures. The front surface also displayed the
5 "Nokia" name. The design had a bezel that was convex and uniform.

6 6. My submission to Nokia's 2004 design competition in Portugal won second place.
7 After the winners were announced in the spring of 2004, the boards showing my design were
8 published and made generally publicly available on a website relating to the competition that
9 named me as the second place winner and linked to electronic copies of the boards. I recall first
10 seeing my design on the website in 2004, certainly before September of 2004, and saw it there as
11 recently as 2010.

12
13 I declare under penalty of perjury that the foregoing is true and correct.

14 Executed in London, England on January 06 2012.

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16
17 By: Ricardo Duarte Vilas Boas
18 Ricardo Vilas-Boas

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