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Attorneys for Plaintiff and
 Counterclaim-Defendant APPLE INC.

UNITED STATES DISTRICT COURT
 NORTHERN DISTRICT OF CALIFORNIA
 SAN JOSE DIVISION

APPLE INC., a California corporation,

 Plaintiff,

v.

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

 Defendants.

Case No. 11-cv-01846-LHK (PSG)

**DECLARATION OF
 ERICA TIERNEY IN SUPPORT
 OF APPLE'S ADMINISTRATIVE
 MOTION TO FILE DOCUMENTS
 UNDER SEAL**

1 I, Erica Tierney, do hereby declare as follows:

2 1. I am an attorney for Apple Inc. ("Apple"). I submit this declaration in support of
3 Apple's Administrative Motion to File Documents Under Seal. I have personal knowledge of the
4 matters set forth below. If called as a witness I could and would testify competently as follows.

5 2. Apple's Motion to Strike, and exhibits 21-24 to the Declaration of Marc J. Pernick
6 ("Pernick Declaration") contain information that Apple treats as confidential in the ordinary
7 course of its business and/or that is confidential third party information. Specifically:

8 A. Exhibit 23 to the Pernick Declaration is an excerpt from the Expert Report
9 of Woodward Yang Regarding the Infringement of U.S. Patent Nos. US
10 7,577,460, US 7,456,893, US 7,698,711 and US 7,079,871. I understand
11 that Samsung has designated this Report Outside Attorneys' Eyes Only. I
12 have seen only a redacted version of this Expert Report. Paragraphs 40 and
13 48 and exhibit 1A-1 of the attached excerpt contain non-public Apple
14 confidential information relating to Apple's products and the source code
15 in Apple's products, and could be used to Apple's disadvantage by
16 competitors if it were not filed under seal.

17 B. Exhibit 24 to the Pernick Declaration is an excerpt from the Expert Report
18 of Tim A. Williams, Ph.D. on the Infringement of U.S. Patent Number
19 7,447,516. I understand that Samsung has designated this Report Outside
20 Attorneys' Eyes Only. I have seen only a redacted version of this Expert
21 Report. Paragraphs 115, 116, 196 and 197 of the attached excerpt contain
22 non-public Apple confidential information relating to Apple's products and
23 the source code in Apple's products, and could be used to Apple's
24 disadvantage by competitors if it were not filed under seal.

25 C. Exhibits 21 and 22 to the Pernick Declaration are Exhibits H and J to
26 Samsung's P.L.R. 3-1 Disclosures. These exhibits contain non-public
27 Apple confidential information relating to Apple's products and could be
28 used to Apple's disadvantage by competitors if it were not filed under seal.

1 D. The confidential, unredacted version of Apple's Motion to Strike discusses
2 and references the information contained in paragraphs A-C above, and
3 should therefore be sealed for the same reasons.

4 3. It is Apple's policy not to disclose or describe its confidential design and product
5 development information. The information that is described above is confidential to Apple. It is
6 indicative of the way that Apple designs its products. Apple is well known worldwide for its
7 corporate culture of carefully maintaining the confidentiality of its business information. If
8 disclosed, the information in the materials described above could be used by Apple's competitors
9 to Apple's disadvantage.

10 4. The relief requested in this motion is necessary and is narrowly tailored to protect
11 confidential information, focusing only on specific exhibits and specific portions of the briefs at
12 issue.

13 I declare under the penalty of perjury under the laws of the United States of America that
14 the forgoing is true and correct to the best of my knowledge and that this Declaration was
15 executed this 17th day of May, 2012, at Belmont, California.

16
17 Dated: May 17, 2012

By: /S/ Erica Tierney
Erica Tierney

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Dated: May 17, 2012

By: /s/ Alison M. Tucher