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LTD., SAMSUNG ELECTRONICS AMERICA,
INC. and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

APPLE INC., a California corporation,
Plaintiff,

vs.

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,
Defendant.

CASE NO. 11-cv-01846-LHK

**[PROPOSED] ORDER GRANTING
SAMSUNG'S MOTION FOR SUMMARY
JUDGMENT**

1 THE COURT, having considered Samsung's Motion for Summary Judgment, the
2 papers submitted by the parties and argument by counsel, HEREBY ORDERS that Samsung is
3 entitled to judgment under Federal Rule of Civil Procedure 56 as to the following:

- 4 1. Apple's First Claim for Relief (Federal False Designation of Origin &
5 Unfair Competition).
- 6 2. Apple's Second Claim for Relief (Federal Trade Dress Infringement).
- 7 3. Apple's Fourth Claim for Relief (Federal Trade Dress Dilution).
- 8 4. Apple's Twelfth Claim for Relief (Infringement of the '915 Patent).
- 9 5. Samsung's Third Affirmative Defense (Patent Invalidity) as to the '381
10 Patent, the '607 Patent, the '163 Patent, the D'334 Patent, the D'305 Patent, the D'677 Patent, the
11 D'087 Patent, and the D'889 Patent; and as a result, Apple's Ninth, Tenth, Fourteenth,
12 Seventeenth, Eighteenth, Nineteenth, Twentieth, and Twenty-First Claims for Relief (Infringement
13 of the '381, '607, '163, D'334, D'305, D'677, D'087, and D'889 Patents).
- 14 6. Apple's claims for damages under its Twenty-Eighth and Twenty-Ninth
15 Counterclaims (Sherman Act and Unfair Competition Law).

16 Therefore, the Court ORDERS that Samsung's Motion for Summary Judgment as
17 to all of Apple's remaining affirmative claims in this action is GRANTED.

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19 **IT IS SO ORDERED.**

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21 DATED: _____

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23 HON. LUCY H. KOH
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