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 11 Attorneys for Plaintiff and
 Counterclaim-Defendant APPLE INC.

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

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

Case No. 11-cv-01846-LHK

**DECLARATION OF CYNDI
 WHEELER IN SUPPORT OF
 APPLE'S ADMINISTRATIVE
 MOTIONS TO FILE DOCUMENTS
 UNDER SEAL RE APPLE'S
 OPPOSITION TO SAMSUNG'S
 MOTION FOR SUMMARY
 JUDGMENT**

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I, Cyndi Wheeler, do hereby declare as follows:

1. I am an attorney for Apple Inc. (“Apple”). I submit this Declaration in Support of Apple’s Administrative Motions to File Documents Under Seal re Apple’s Opposition to Samsung’s Motion for Summary Judgment. I have personal knowledge of the matters set forth below. If called as a witness I could and would testify competently as follows.

2. Exhibits 1 through 6, 12 through 16, 20, 24, 27, 29, 31, 48-54, 56, and 75-79 to the Declaration of Jason Bartlett in Support of Apple’s Opposition to Samsung’s Motion for Summary Judgment (“Bartlett Declaration”) contain information that Apple treats as confidential in the ordinary course of its business. Specifically:

a. Exhibit 1 to the Bartlett Declaration is a true and correct copy of an excerpt of the transcript of the August 3, 2011 deposition of Christopher Stringer. Some of these excerpts were cited in Bressler Decl. ¶¶ 132, 157-158. It contains trade secret information reflecting Apple’s product design process, and the inner workings of Apple’s industrial design group. This information is highly sensitive and could be used by Apple’s competitors to Apple’s disadvantage.

b. Exhibit 2 to the Bartlett Declaration is a true and correct copy of an excerpt of the transcript of the December 1, 2011 deposition of Jonathan Ive. Some of these excerpts were cited in Bressler Decl. ¶¶ 132, 157. It contains trade secret information reflecting Apple’s product design process, and the inner workings of Apple’s industrial design group. This information is highly sensitive and could be used by Apple’s competitors to Apple’s disadvantage.

- 1 c. Exhibit 3 to the Bartlett Declaration is a true and correct copy of an excerpt
2 of the transcript of the October 18, 2011 deposition of Freddy Anzures. It
3 contains trade secret information reflecting Apple's product design process,
4 and the inner workings of Apple's industrial design group. This
5 information is highly sensitive and could be used by Apple's competitors
6 to Apple's disadvantage.
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- 8 d. Exhibit 4 to the Bartlett Declaration is a true and correct copy of an excerpt
9 of the transcript of the March 2, 2012 deposition of Tang Tan. Some of
10 these excerpts were cited in Bressler Decl. ¶¶ 132-135, 157-158. It
11 contains discussions of manufacturing details, strategies for detecting and
12 resolving problems, and confidential details of design and development
13 practices. This information is highly sensitive and could be used by
14 Apple's competitors to Apple's disadvantage.
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- 16 e. Exhibit 5 to the Bartlett Declaration is a true and correct copy of an excerpt
17 of the transcript of the February 29, 2012 deposition of Fletcher Rothkopf.
18 Some of these excerpts were cited in Bressler Decl. ¶ 133. It contains
19 discussions of manufacturing details, strategies for detecting and resolving
20 problems, and confidential details of design and development practices.
21 This information is highly sensitive and could be used by Apple's
22 competitors to Apple's disadvantage.
- 23
- 24 f. Exhibit 6 to the Bartlett Declaration is a true and correct copy of an excerpt
25 of the transcript of the February 28, 2012 deposition of Tamara Whiteside.
26 Some of these excerpts were cited in Winer Decl. Ex. 1 ¶ 147 n. 50. It
27 includes discussion of Apple's strategy regarding the design and
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1 composition of its advertisements. Public disclosure of such commercially
2 sensitive information is inappropriate as it would provide competitors with
3 inside information about how Apple designs its advertisements, a process
4 that Apple has invested significant time and money in and that Apple keeps
5 confidential. This information is highly sensitive and could be used by
6 Apple's competitors to Apple's disadvantage.
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8 g. Exhibit 12 to the Bartlett Declaration is a true and correct copy an excerpt
9 of the transcript of the July 27, 2011 deposition of Sissie Twiggs. Some of
10 these excerpts were cited in Winer Decl. Ex. 1 ¶ 147 n. 50. It includes
11 discussion of Apple's strategy regarding the design and composition of its
12 advertisements. Public disclosure of such commercially sensitive
13 information is inappropriate as it would provide competitors with inside
14 information about how Apple designs its advertisements, a process that
15 Apple has invested significant time and money in and that Apple keeps
16 confidential. This information is highly sensitive and could be used by
17 Apple's competitors to Apple's disadvantage.
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19 h. Exhibit 13 to the Bartlett Declaration is a true and correct copy an excerpt
20 of the transcript of the February 23, 2012 deposition of Greg Joswiak.
21 Some of these excerpts were cited in Winer Decl. Ex. 1 ¶ 147 n. 51. It
22 contains confidential, proprietary market research and analysis, including
23 information about the competitive landscape for mobile devices. This
24 business information was created at a significant cost to Apple, and could
25 be used by Apple's competitors to its disadvantage, particularly because it
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1 discusses Apple's direct competitors. This information is highly sensitive
2 and could be used by Apple's competitors to Apple's disadvantage.

3 i. Exhibit 14 to the Bartlett Declaration is a true and correct copy of Exhibit
4 45 to the July 27, 2011 deposition of Sissie Twiggs. It includes discussion
5 of Apple's strategy regarding the design and composition of its
6 advertisements. Public disclosure of such commercially sensitive
7 information is inappropriate as it would provide competitors with inside
8 information about how Apple designs its advertisements, a process that
9 Apple has invested significant time and money in and that Apple keeps
10 confidential. This information is highly sensitive and could be used by
11 Apple's competitors to Apple's disadvantage.

12 j. Exhibit 15 to the Bartlett Declaration is a true and correct copy of Exhibit
13 46 to the July 27, 2011 deposition of Sissie Twiggs. It includes discussion
14 of Apple's strategy regarding the design and composition of its
15 advertisements. Public disclosure of such commercially sensitive
16 information is inappropriate as it would provide competitors with inside
17 information about how Apple designs its advertisements, a process that
18 Apple has invested significant time and money in and that Apple keeps
19 confidential. This information is highly sensitive and could be used by
20 Apple's competitors to Apple's disadvantage.

21 k. Exhibit 16 to the Bartlett Declaration is a true and correct copy of excerpts
22 of the Christopher Stringer Declaration in Support of Apple's Reply to its
23 Motion for Preliminary Injunction dated September 30, 2011. It contains
24 trade secret information reflecting Apple's product design process, and the
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1 inner workings of Apple's industrial design group. This information is
2 highly sensitive and could be used by Apple's competitors to Apple's
3 disadvantage.

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5 1. Exhibit 20 to the Bartlett Declaration is a true and correct copy of an
6 excerpt of the transcript of the March 5, 2012 deposition of Robert
7 Brunner. It contains trade secret information reflecting Apple's product
8 design process, and the inner workings of Apple's industrial design group.
9 This information is highly sensitive and could be used by Apple's
10 competitors to Apple's disadvantage.

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12 m. Exhibit 24 to the Bartlett Declaration is a true and correct copy of an
13 excerpt of the transcript of the October 14, 2011 deposition of Imran
14 Chaudhri. It contains trade secret information reflecting Apple's product
15 design process, and the inner workings of Apple's industrial design group.
16 This information is highly sensitive and could be used by Apple's
17 competitors to Apple's disadvantage.

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19 n. Exhibit 27 to the Bartlett Declaration is a true and correct copy of
20 documents produced by Apple as Bates range APLNDC-Y0000028751-
21 28849. It contains confidential, proprietary market research and analysis,
22 including information about the competitive landscape for mobile devices.
23 This business information was created at a significant cost to Apple, and
24 could be used by Apple's competitors to its disadvantage, particularly
25 because it discusses Apple's direct competitors. This information is highly
26 sensitive and could be used by Apple's competitors to Apple's
27 disadvantage.
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- 1 o. Exhibit 29 to the Bartlett Declaration is a true and correct copy of an
2 iPhone Owner Study which Apple produced in connection with this
3 litigation with Bates numbers APLNDC-Y25024-5147. It contains
4 confidential, proprietary market research and analysis, including
5 information about the competitive landscape for mobile devices. This
6 business information was created at a significant cost to Apple, and could
7 be used by Apple's competitors to its disadvantage, particularly because it
8 discusses Apple's direct competitors. This information is highly sensitive
9 and could be used by Apple's competitors to Apple's disadvantage.
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11 p. Exhibit 31 to the Bartlett Declaration is a true and correct copy of an
12 excerpt of the transcript of the May 4, 2012 deposition of Stephen Gray. It
13 contains confidential information about Apple's product design process,
14 including discussions of source code and internal communications. This
15 trade secret information could be used by Apple's competitors to its
16 disadvantage.
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18 q. Exhibit 48 to the Bartlett Declaration is a true and correct copy of excerpts
19 of the transcript of the February 7, 2012 deposition of Jonathan Ive.
20 Portions of these excerpts are cited in Bressler Decl. ¶ 132. It contains
21 trade secret information reflecting Apple's product design process, and the
22 inner workings of Apple's industrial design group. This information is
23 highly sensitive and could be used by Apple's competitors to Apple's
24 disadvantage.
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26 r. Exhibit 49 to the Bartlett Declaration is a true and correct copy of an
27 excerpt of the transcript of the November 4, 2011 deposition of Christopher
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1 Stringer. Portions of these excerpts are cited in Bressler Decl. ¶ 132. It
2 contains trade secret information reflecting Apple's product design process,
3 and the inner workings of Apple's industrial design group. This
4 information is highly sensitive and could be used by Apple's competitors
5 to Apple's disadvantage.
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7 s. Exhibit 50 to the Bartlett Declaration is a true and correct copy of an
8 excerpt of the transcript of the February 28, 2012 deposition of Phil
9 Hobson. Some of these excerpts were cited in Bressler Decl. ¶¶ 132-133.
10 It contains discussions of manufacturing details, strategies for detecting
11 and resolving problems, and confidential details of design and development
12 practices. This information is highly sensitive and could be used by
13 Apple's competitors to Apple's disadvantage.
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15 t. Exhibit 51 to the Bartlett Declaration is a true and correct copy of an
16 excerpt of the transcript of the March 8, 2012 deposition of Christopher
17 Prest. This excerpt is cited in Bressler Decl. ¶¶ 133, 158. It contains
18 discussions of manufacturing details, strategies for detecting and resolving
19 problems, and confidential details of design and development practices.
20 This information is highly sensitive and could be used by Apple's
21 competitors to Apple's disadvantage.
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23 u. Exhibit 52 to the Bartlett Declaration is a true and correct copy of an
24 excerpt of the transcript of the February 16, 2012 deposition of Richard
25 Dinh. This excerpt is cited in Bressler Decl. ¶ 133. It contains discussions
26 of manufacturing details, strategies for detecting and resolving problems,
27 and confidential details of design and development practices. This
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1 information is highly sensitive and could be used by Apple's competitors
2 to Apple's disadvantage.

3 v. Exhibit 53 to the Bartlett Declaration is a true and correct copy of an
4 excerpt of the transcript of the October 14, 2011 deposition of Scott Herz.
5 It contains confidential information about Apple's product design process,
6 including discussions of source code and internal communications. This
7 trade secret information could be used by Apple's competitors to its
8 disadvantage.

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10 w. Exhibit 54 to the Bartlett Declaration is a true and correct copy of an
11 excerpt of the transcript of the October 18, 2011 deposition of Andrew
12 Platzer. It contains confidential information about Apple's product design
13 process, including discussions of source code and internal communications.
14 This trade secret information could be used by Apple's competitors to its
15 disadvantage.

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17 x. Exhibit 56 to the Bartlett Declaration is a true and correct copy of an
18 excerpt of the transcript of the August 9, 2011 deposition of Bas Ording. It
19 contains confidential information about Apple's product design process,
20 including discussions of source code and internal communications. This
21 trade secret information could be used by Apple's competitors to its
22 disadvantage.

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24 y. Exhibit 75 to the Bartlett Declaration is a copy of the iPhone 3GS Launch
25 Kit – US, dated June 2009, which Apple produced in connection with this
26 litigation with Bates number APLNDC0002008363-2008405. This
27 document was cited in Winer Decl. Ex. 1 ¶ 47 n.52. It contains
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1 confidential, proprietary market research and analysis, including
2 information about the competitive landscape for mobile devices. This
3 business information was created at a significant cost to Apple, and could
4 be used by Apple's competitors to its disadvantage.

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6 z. Exhibit 76 to the Bartlett Declaration is a copy of is a copy of the iPad
7 Asset Kit – US, dated April 2012, which Apple produced in connection
8 with this litigation with Bates number APLNDC0001964084-1964099;
9 2027210. This document was cited in Winer Decl. Ex. 1 ¶ 47 n.52. It
10 contains confidential, proprietary marketing communications with Apple’s
11 business partners. These exhibits have also been designated HIGHLY
12 CONFIDENTIAL - ATTORNEYS' EYES ONLY. This confidential
13 business information was created at a significant cost to Apple, and could
14 be used by Apple's competitors to its disadvantage.

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16 aa. Exhibit 77 to the Bartlett Declaration is a copy of is a copy of the iPad 2
17 Business Asset Kit—English, dated March 2011, which Apple produced in
18 connection with this litigation with Bates number APLNDC0002027210-
19 APLNDC0002027226. This document is cited in Winer Decl. Ex. 1 ¶ 47
20 n.52. It contains confidential, proprietary marketing communications with
21 Apple’s business partners. These exhibits have also been designated
22 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY. This
23 confidential business information was created at a significant cost to Apple,
24 and could be used by Apple's competitors to its disadvantage.

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26 bb. Exhibit 78 to the Bartlett Declaration is a true and correct copy of excerpts
27 from the February 21, 2012 deposition transcript of Stanley Ng. These
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1 excerpts were cited in Winer Decl. Ex. 1 ¶ 147 n.50. It contains
2 confidential, proprietary market research and analysis, including
3 information about the competitive landscape for mobile devices. This
4 business information was created at a significant cost to Apple, and could
5 be used by Apple's competitors to its disadvantage, particularly because it
6 discusses Apple's direct competitors. This information is highly sensitive
7 and could be used by Apple's competitors to Apple's disadvantage.
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9 cc. Exhibit 79 to the Bartlett Declaration is a true and correct copy of excerpts
10 from the February 17, 2012 deposition transcript of Phillip Schiller. These
11 excerpts were cited in Winer Decl. Ex. 1 ¶ 147 n.51. This confidential
12 business information was created at a significant cost to Apple, and could
13 be used by Apple's competitors to its disadvantage, particularly because it
14 discusses Apple's direct competitors. This information is highly sensitive
15 and could be used by Apple's competitors to Apple's disadvantage.
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17 3. Exhibit G to the Declaration of Michel Maharbiz, Ph.D. in Support of Apple's
18 Opposition to Samsung's Motion for Summary Judgment ("Maharbiz Declaration") includes true
19 and correct copies of APLNDCA0000153862-870; APLNDCA0001278440-48; APL-ITC796-
20 0000402782-2834; APL-ITC796-0000403337-378; APL-ITC0000405165-5208; APL-ITC796-
21 0000405693-5736; APL-ITC796-0000406250-278. It contains information that Apple treats as
22 confidential in the ordinary course of its business. Specifically, Exhibit G contains trade secret
23 information reflecting: Apple's product design process, specifics regarding the iPad design
24 project, and the inner workings of Apple's industrial design group. This information is highly
25 sensitive and could be used by Apple's competitors to Apple's disadvantage.
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1 4. Exhibit 1 to the Declaration of Karan Singh, Ph.D. in Support of Apple's
2 Opposition to Samsung's Motion for Summary Judgment ("Singh Declaration") is the Expert
3 Report of Karan Singh, Ph.D. Regarding Infringement of U.S. Patents Nos. 7,864,163, 7,844,915
4 and 7,853,891. It contains information that Apple treats as confidential in the ordinary course of
5 its business. Specifically it contains commercially sensitive information, including information
6 regarding Apple's development of its patented inventions. This exhibit has also been designated
7 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY. Public disclosure of such
8 commercially sensitive information is inappropriate as it could be used by Apple's competitors to
9 its disadvantage.

11 5. Exhibits 42 through 58, 73 through 82, and 95 to the Declaration of Peter Bressler
12 in Support of Apple's Opposition to Samsung's Motion for Summary Judgment ("Bressler
13 Declaration") contain information that Apple treats as confidential in the ordinary course of its
14 business. Specifically:

- 16 a. Exhibits 42 through 49 contain CAD drawings from the development of
17 the iPhone that reflect Apple's product design process. These exhibits
18 have also been designated HIGHLY CONFIDENTIAL - ATTORNEYS'
19 EYES ONLY. This trade secret information is highly sensitive and could
20 be used by Apple's competitors to its disadvantage.
- 22 b. Exhibits 50 through 54 contain photographs of Apple alternative design
23 prototypes that reflect Apple's product design process. These exhibits have
24 also been designated HIGHLY CONFIDENTIAL - ATTORNEYS' EYES
25 ONLY. This trade secret information is highly sensitive and could be used
26 by Apple's competitors to its disadvantage.

- 1 c. Exhibits 55 through 58 contain internal Apple communications regarding
2 product design and development, and the inner workings of Apple’s
3 industrial design group. These exhibits have also been designated
4 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY. This trade
5 secret information is highly sensitive and could be used by Apple's
6 competitors to its disadvantage.
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- 8 d. Exhibits 73 through 77 contain CAD drawings from the development of
9 the iPad that reflect Apple’s product design process. These exhibits have
10 also been designated HIGHLY CONFIDENTIAL - ATTORNEYS' EYES
11 ONLY. This trade secret information is highly sensitive and could be used
12 by Apple's competitors to its disadvantage.
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- 14 e. Exhibits 78 through 82 contain photographs of Apple alternative design
15 prototypes that reflect Apple’s product design process. These exhibits have
16 also been designated HIGHLY CONFIDENTIAL - ATTORNEYS' EYES
17 ONLY. This trade secret information is highly sensitive and could be used
18 by Apple's competitors to its disadvantage.
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- 20 f. Exhibit 95 is an iPhone Product Timeline that contains confidential,
21 proprietary market research and analysis, including information about the
22 competitive landscape for mobile devices. This confidential business
23 information was created at a significant cost to Apple, and could be used
24 by Apple's competitors to its disadvantage.

25 6. Exhibit A to the Declaration of Alan Hedge, Ph.D. in Support of Apple’s
26 Opposition to Samsung’s Motion for Summary Judgment (“Hedge Declaration”) contains
27 information that Apple treats as confidential in the ordinary course of its business. Specifically,
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1 Exhibit A contains trade secret information reflecting: Apple’s product design process, specifics
2 regarding the iPad design project, and the inner workings of Apple’s industrial design group.
3 This information is highly sensitive and could be used by Apple’s competitors to Apple’s
4 disadvantage.

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6 7. Exhibit 1 to the Declaration of Russell Winer in Support of Apple’s Opposition to
7 Samsung’s Motion for Summary Judgment (“Winer Declaration”) contain information that Apple
8 treats as confidential in the ordinary course of its business. Specifically, Exhibit 1 includes
9 discussion of Apple’s strategy regarding the design and composition of its advertisements. Public
10 disclosure of such commercially sensitive information is inappropriate as it would provide
11 competitors with inside information about how Apple designs its advertisements, a process that
12 Apple has invested significant time and money in and that Apple keeps confidential. It also
13 contains confidential information regarding Apple’s advertising expenditures and confidential,
14 proprietary market research and analysis, including information about the competitive landscape
15 for mobile devices. This business information was created at a significant cost to Apple, and
16 could be used by Apple’s competitors to its disadvantage, particularly because it discusses Apple’s
17 direct competitors.
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19 8. Exhibits B-E, H and I to the Declaration of Terry Musika, Ph.D. in Support of
20 Apple’s Opposition to Samsung’s Motion for Summary Judgment (“Musika Declaration”) contain
21 information that Apple treats as confidential in the ordinary course of its business.
22 Specifically:
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- 24 a. Exhibit B to the Musika Declaration is Exhibit 29-S to the Supplemental
25 Expert Report of Terry Musika, CPA (“Musika Supplemental Report”). It
26 contains confidential, proprietary market research and analysis, including
27 information about the competitive landscape for mobile devices. This
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business information was created at a significant cost to Apple, and could be used by Apple's competitors to its disadvantage, particularly because it discusses Apple's direct competitors. It also contains highly confidential and commercially sensitive business information regarding Apple financial data and could be used to Apple's disadvantage by competitors if it were not filed under seal. In addition, the parties have stipulated that damages-related expert materials should be submitted to the Court under seal and not placed on the public record.

b. Exhibit C to the Musika Declaration is Exhibit 32-S to the Musika Supplemental Report. It contains confidential, proprietary market research and analysis, including information about the competitive landscape for mobile devices. This business information was created at a significant cost to Apple, and could be used by Apple's competitors to its disadvantage, particularly because it discusses Apple's direct competitors. It also contains highly confidential and commercially sensitive business information regarding Apple financial data and could be used to Apple's disadvantage by competitors if it were not filed under seal. In addition, the parties have stipulated that damages-related expert materials should be submitted to the Court under seal and not placed on the public record.

c. Exhibit D to the Musika Declaration is Exhibit 30-S to the Supplemental Expert Report of Terry Musika, CPA. It contains confidential, proprietary market research and analysis, including information about the competitive landscape for mobile devices. This business information was created at a significant cost to Apple, and could be used by Apple's competitors to its

1 disadvantage, particularly because it discusses Apple's direct competitors.
2 It also contains highly confidential and commercially sensitive business
3 information regarding Apple financial data and could be used to Apple's
4 disadvantage by competitors if it were not filed under seal. In addition, the
5 parties have stipulated that damages-related expert materials should be
6 submitted to the Court under seal and not placed on the public record.

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8 d. Exhibit E to the Musika Declaration is Exhibit 33-S to the Musika
9 Supplemental Report. It contains confidential, proprietary market research
10 and analysis, including information about the competitive landscape for
11 mobile devices. This business information was created at a significant cost
12 to Apple, and could be used by Apple's competitors to its disadvantage,
13 particularly because it discusses Apple's direct competitors. It also
14 contains highly confidential and commercially sensitive business
15 information regarding Apple financial data and could be used to Apple's
16 disadvantage by competitors if it were not filed under seal. In addition, the
17 parties have stipulated that damages-related expert materials should be
18 submitted to the Court under seal and not placed on the public record.

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21 e. Exhibit H to the Musika Declaration is Exhibit 25-S to the Supplemental
22 Expert Report of Terry Musika, CPA. It contains information that is
23 confidential and proprietary to Apple, and could be used to its disadvantage
24 by competitors. It also contains highly confidential and commercially
25 sensitive business information regarding Apple financial data and could be
26 used to Apple's disadvantage by competitors if it were not filed under seal.
27 In addition, the parties have stipulated that damages-related expert
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1 materials should be submitted to the Court under seal and not placed on the
2 public record.

3 f. Exhibit I to the Musika Declaration is the Expert Report of John R. Hauser.
4 It contains confidential, proprietary market research and analysis, including
5 information about the competitive landscape for mobile devices. This
6 business information was created at a significant cost to Apple, and could
7 be used by Apple's competitors to its disadvantage, particularly because it
8 discusses Apple's direct competitors. It also contains highly confidential
9 and commercially sensitive business information regarding Apple financial
10 data and could be used to Apple's disadvantage by competitors if it were
11 not filed under seal. In addition, the parties have stipulated that damages-
12 related expert materials should be submitted to the Court under seal and not
13 placed on the public record.
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16 9. Exhibit A to the Declaration of Janusz A. Ordover, Ph.D. in Support of Apple's
17 Opposition to Samsung's Motion for Summary Judgment ("Ordover Declaration") contain
18 information that Apple treats as confidential in the ordinary course of its business. Specifically:

19 a. Exhibit A to the Ordover Declaration is the Expert Report of Dr. Janusz A.
20 Ordover dated March 22, 2012. The report is designated HIGHLY
21 CONFIDENTIAL – ATTORNEYS' EYES ONLY pursuant to the
22 Protective Order. Paragraph 151 and 160 contain information regarding
23 Apple's pricing of its products for sales to network carriers. Paragraph 153
24 and footnote 161 contain confidential information regarding Apple's patent
25 licensing practices and individual patent licenses that it has entered into.
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1 10. Exhibits A and B to the Declaration of Mark D. Selwyn in Support of Apple's
2 Opposition to Samsung's Motion for Summary Judgment ("Selwyn Declaration") contain
3 information that Apple treats as confidential in the ordinary course of its business. Specifically:

4 a. Exhibit A to the Selwyn Declaration is an excerpt from the deposition of
5 Jon Hamkins, dated April 25, 2012. This transcript is marked HIGHLY
6 CONFIDENTIAL – ATTORNEYS' EYES ONLY in accordance with the
7 Protective Order. Page 12 contains confidential information concerning
8 the costs that Apple has incurred in defending against certain of Samsung's
9 infringement claims in this litigation.

10 b. Exhibit B to the Selwyn Declaration is an excerpt from the deposition of
11 Venugopal Veeravalli, Dated April 23, 2012. This transcript is marked
12 "Outside Attorneys' Eyes Only – Confidential Intel Source Code" in
13 accordance with the Protective Order. Page 10 contains confidential
14 information concerning the costs that Apple has incurred in defending
15 against certain of Samsung's infringement claims in this litigation.

16 11. It is Apple's policy not to disclose or describe its confidential financial, design and
17 product development information. The information that is described above is confidential to
18 Apple. Apple is well known worldwide for its corporate culture of carefully maintaining the
19 confidentiality of its business information. If disclosed, the information in the materials described
20 above could be used by Apple's competitors to Apple's disadvantage.

21 12. In addition, the Musika Declaration and Exhibits A through L thereto contain
22 highly confidential damages-related expert materials. The parties have stipulated that all
23 damages-related expert materials will be submitted to the Court under seal and not placed on the
24 public record.

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13. Finally, to the extent Apple’s Opposition and the other papers filed by Apple concurrently therewith refer to or discuss the above-referenced materials, they could be used to Apple’s disadvantage by competitors if they were not filed under seal, for the same reasons.

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

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and that this Declaration was executed this 31st day of May, 2012, at Cupertino, California.

By: /s/ Cyndi Wheeler