

# EXHIBIT 7

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**Weil, Gotshal & Manges LLP**

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September 2, 2011

BY E-MAIL

Laura Miller  
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Re: Google's Production in Response to Apple's Subpoena in Case No. 10-cv-662 (W.D. Wis.)

Dear Ms. Miller,

I write in response to your letter of August 18, 2011. We appreciate Google's willingness to produce one or more witnesses to testify regarding the requested deposition topics and documents responsive to the requested categories, as narrowed during our discussions. In addition to Topics 2, 3, 6, 11-18, 20-29, 32-34, 39, 41-43, 46-63, 65, 71 and 74 as well as Categories 2, 3, 6, 11, 14-24, 26-33, 35, 37-43, 45-49, 54-58, 63-65, and 68, it is my understanding that Google will respond to Apple's subpoena as follows:

Topics 1 & 2 / Category Nos. 1 & 2

Apple agrees to limit the scope of these topics to communications between Google and Motorola Solutions or Motorola Mobility (collectively "Motorola") regarding the Android Platform, the accused functionalities of the Motorola Accused Products, the Apple Patents-in-Suit, the Motorola Patents-in-Suit, or any litigation between Apple and Motorola, including the instant case. I understand from your letter of August 18 that Google will respond to these requests, as narrowed. I further confirm that Google's privilege log obligations are limited as set forth in Paragraph 22 of the protective order entered in this action.

Topic 4 / Category No. 4

Apple agrees to withdraw its request for deposition testimony concerning this topic.

Topic 5 / Category No. 5

Apple agrees to withdraw its request for deposition testimony concerning this topic as long as Google provides one or more witnesses to testify regarding Topics 1 & 2 and produces documents responsive to Categories Nos. 1 & 2, as narrowed above.

Topic 7 / Category No. 7

In light of your earlier representation that Google does not possess any information regarding any Motorola Accused Products other than the Droid and the Xoom, Apple agreed narrow this request to the Droid and the Xoom. Given Google's publicly announced plans to acquire Motorola Mobility, Inc., please confirm whether it is still Google's position that information regarding other Motorola Accused Products is not within Google's possession, custody, or control.

During our meet and confer on July 15, I also asked you to identify any categories of agreements or contracts that Google believes to be irrelevant or non-responsive. Since your letter of August 18 states that Google will respond to Apple's narrowed request, I understand that to mean that there are no such agreements or contracts that Google plans to withhold from its production.

Topic 8 / Category No. 8

As stated in my letter of July 11, Apple agrees to limit the scope of this topic to Google's marketing, promotions, press releases, and competitive analyses, if any, for the Droid and the Xoom. I understand from your letter of August 18 that Google will respond to these requests, as narrowed. Again, please confirm whether it is still Google's position that information regarding Motorola Accused Products other than the Droid and the Xoom is not within Google's possession, custody, or control.

Category No. 9

Apple will not pursue documents responsive to this category from Google at this time. However, in light of Google's publicly announced plans to acquire Motorola Mobility, Inc., please confirm whether it is still Google's position that the requested materials regarding the Motorola Accused Products is not within Google's possession, custody, or control.

Topic 9 / Category No. 10

As stated in my letter of July 11, Apple is willing to limit the scope of this topic to any plan or attempt by Google to design software for the Droid, the Xoom, or any version of the Android Platform provided to Motorola to avoid infringement of the Apple Patents-in-Suit. Again, please confirm whether it is still Google's position that information regarding Motorola Accused Products other than the Droid and the Xoom is not within Google's possession, custody, or control.

During our discussion on August 5, you indicated that Google intended to maintain its objections. Apple continues to believe that the requested information is relevant to at least the issues of infringement and Motorola's willfulness and hereby renews its requests for such discovery.

Topic 10 / Category No. 11

Apple remains willing to limit the scope of this topic to the differences between the Open Source Android code available at <http://source.android.com/source/download.html> and the Android Platform Source Code provided by Google to Motorola that resulted from any changes to the source code that were specifically requested by Motorola.

To the extent this information will not be covered by Google's production in response to Topics 1 & 2 and Category Nos. 1 & 2, Apple renews its request for such discovery for the same reasons as stated above for Topic 9 and Category No. 10.

Category No. 12

It is my understanding from our discussions that Google plans to produce source code for the Android Platform provided to Motorola for the Droid and the Xoom, as well as code for certain applications including GoogleTalk and YouTube in response to this request.

Category No. 13

Apple will not pursue documents responsive to this category from Google at this time. Please confirm that it is Google's position that documents concerning the hardware and/or software design or architecture of Motorola Accused Products is not within Google's possession, custody, or control.

Topic 19 / Category No. 25

Apple agrees to limit these requests in the manner described in my July 11 letter and confirmed in your August 18 letter. I understand that Google will respond to these requests, as narrowed.

Topic 30 / Category No. 34

With regard to these requests, I asked you for assistance in narrowing this topic and agreed that we could table our discussion until after Google produces source code responsive to other requests. I did *not* state that Apple would agree to forgo this discovery.

Topic 31

With regard to this topic, you requested further information regarding how Google's Cloud to Device Messaging service is relevant to this action. Among other reasons, asserted claim 1 of the RE '486 patent refers to "a network component layer for developing network navigation components that provide services directed to the computer network" and "a first class included in the application programming interface to construct a first network navigation object that represents different network resources available on the computer network." On information and belief, the Cloud to Device Messaging framework includes a network component layer for developing network navigation components that receive Cloud to Device Messaging messages as well as a URLConnection class and a C2DMessage class, which construct network navigation objects that represent different network resources available on the computer network. Thus, the requested discovery is central to the issue of Motorola's infringement of the RE '486 patent. Please confirm that Google is willing to produce one or more witnesses to testify regarding the aforementioned networking functionalities of the Cloud to Device Messaging service.

Topics 35-37 & 45 / Category Nos. 50-52

Apple agrees to limit these requests in the manner described in my July 11 letter and confirmed in your August 18 letter. I understand that Google will respond to these requests, as narrowed.

Topics 40 & 64 & 66 / Category Nos. 36, 55 & 56

As I have previously indicated, Apple would be amenable to Google producing documents, source code, and deposition testimony for representative App Widgets in lieu of all App Widgets. I look forward to receiving your response to our proposal.

Topic 44 / Category No. 36

With regard to this topic, you requested further information regarding the functionalities of each requested application that Apple believes to be relevant to the issues in this case. As I have previously explained, these overlap substantially with the functionalities listed on pages 1 and 2 of my July 11 letter. Indeed, this request may be moot if Google is planning to produce source code for those listed functionalities. Otherwise, Apple is interested in at least the following source code:

- Email/Gmail – user interface elements, including customizable gadgets
- Email/Google Search Bar/Gallery3D/IM – networking functionalities
- News and Weather App Widgets – networking functionalities, including how those App Widgets retrieve and display information from the network
- Calendar/Browser/Photo Gallery – heuristics for interpreting gestures, including vertical scrolling; two-dimensional screen translation, within-frame translation or the selection of next/previous items in a list
- GoogleTalk – event-handling processes and video-conferencing functionality
- YouTube – video-streaming and video-processing functionality

With respect to the Android Market, News, Social Networking, and Music Player applications, Apple will not seek source code relating to those applications beyond what was specified in my July 11 letter. In addition, as previously stated, Apple will not seek discovery from Google regarding the Amazon MP3, Blockbuster, Kindle, or Skype Mobile applications based on your representation that Google does not have control over those applications.

It is my understanding from our discussions that Google intends to produce source code for YouTube and GoogleTalk in response to this and other requests. Please confirm whether Google will produce source code for any other applications and, if not, your basis for withholding such production.

Topic 57 / Category No. 45

I confirm that Apple will not request a separate witness to testify regarding this deposition topic, with the understanding that Google's corporate designee for Topic 58 of Apple's subpoena is likely to have knowledge concerning the documents Google will produce in response to Category No. 45.

Topic 67 / Category No. 59

I confirm that Apple will not pursue these requests given your representation that Google does not possess any information regarding the hardware used for the relevant functionalities. In light of Google's publicly announced plans to acquire Motorola Mobility, Inc., please confirm whether that is still the case.

Topic 68-70 / Category Nos. 60-62

As stated in my July 11 letter, Apple is willing to limit the scope of these topics to the video-conferencing functionality of GoogleTalk and the video-streaming and video-processing functionalities of YouTube. I understand from our discussions and from your August 18 letter that you believe Google's source code is "sufficient to fully describe" this functionality. As such, Apple will not

pursue additional documentation from Google at this time, but reserves its right to renew its request after reviewing Google's production of source code.

Topics 72 & 73 / Category Nos. 66 & 67

As I explained during our meet and confer on August 5, Google's testing of the Android platform or Java applications that access operating system services as implemented on the Droid and the Xoom is relevant to at least the issue of indirect infringement. Apple renews its request for Google to produce documents responsive to these requests and provide one or more witnesses to testify concerning these topics.

Topics 75-76 / Category Nos. 69 & 70

We appreciate Google's willingness to provide documents and deposition testimony concerning "an identification of the Java applications developed by Google that are Installed by Default (as defined in Apple's subpoena) on the Droid and the Xoom," as stated in your August 18 letter. Please let me know if Google will also agree to respond to Apple's request for documents and testimony regarding "Google's marketing, if any, regarding such Java applications."

Topics 77-80 / Category Nos. 71-75

We appreciate Google's willingness to provide documents and deposition testimony concerning "an identification of the Java applications developed by Google that are available for download through the Android Market on the Droid and the Xoom," as stated in your August 18 letter. Please let me know whether Google will also agree to respond to Apple's requests for documents and testimony regarding "any data collected by or on behalf of Google regarding the number of times such Java applications are downloaded" and "Google's marketing, if any, regarding such Java applications."

Topics 81-85 / Category Nos. 76-80

As stated in my email of August 10, based on our discussion and my understanding that most of the information responsive to these requests is publicly available, Apple will not pursue such discovery from Google at this time.

Topic 86

As we discussed, Apple will not request a separate witness to testify regarding this deposition topic, with the understanding that Google's corporate designee for Topic Nos. 1 and 2 is likely to have relevant knowledge and will be able identify the names of Google personnel who interface with Motorola. Apple reserves its right to renew its request, if necessary.

While my July 11 letter focused primarily on Apple's requested deposition topics, each of the corresponding requests for document production was intended to be commensurate in scope. To the extent this was not explicitly stated in my July 11 letter or in our subsequent email correspondence, I trust that this letter makes clear that our agreements apply equally to the requested deposition topics and the categories of documents to be produced.

Finally, I note that Apple served its subpoena on Google over three months ago and we have been patiently waiting for Google to begin its production. Given the Court's approval of our joint addendum to the protective order on August 26 (one week ago), please confirm that Google will start

Laura Miller  
September 2, 2011  
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**Weil, Gotshal & Manges LLP**

producing documents and making its source code available for inspection in the Wisconsin action by Tuesday, September 6. To assist you in prioritizing Google's production of source code, I incorporate by reference the bulletpoint list set forth on pages 1 and 2 of my July 11 letter. As previously stated, Apple is most interested in obtaining source code and deposition testimony regarding those applications and functionalities.

Please feel free to contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read "Jill I. Ho". The signature is stylized and cursive, with a large initial "J" and "H".

Jill I. Ho