

United States District Court
For the Northern District of California

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE, INC., a California corporation,)	Case No.: 12-CV-00630-LHK
)	
Plaintiff and Counterdefendant,)	ORDER ON SAMSUNG’S
)	OBJECTIONS TO APPLE’S
v.)	DISCLOSURES
)	
SAMSUNG ELECTRONICS CO., LTD., a)	
Korean corporation; SAMSUNG)	
ELECTRONICS AMERICA, INC., a New York)	
corporation; and SAMSUNG)	
TELECOMMUNICATIONS AMERICA, LLC,)	
a Delaware limited liability company,)	
)	
Defendants and Counterclaimants.)	
)	

Samsung has filed objections to Apple’s disclosures. ECF No. 1740. Apple has filed a response. ECF No. 1741-3. After reviewing the parties’ briefing, considering the record in the case, and balancing the considerations set forth in Federal Rule of Evidence 403, the Court rules on Samsung’s objections as follows:

Exhibit Number	COURT’S RULING ON OBJECTION
Samsung’s “insufficient identification” of disclosures	Overruled.

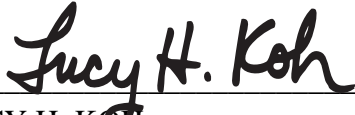
1	objection	
	Dr. Cockburn	
2	Witness objection	Overruled.
3	PDX 97.103 (Neonode and Plaisant slide)	Sustained. Apple may use the slide but must delete the last sentence: "PTO ruled '721 valid."
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5	PDX 97.124 (Xrgomics slide)	Sustained. Dr. Cockburn may not testify as to any opinion that Xrgomics fails to disclose the claim limitation that "the current character string in the first area is replaced with the suggested replacement character string if the user performs a gesture on the suggested replacement character string in the second area" but may testify as to his opinion that Xrgomics fails to disclose the claim limitation that "the current character string in the first area is replaced with the suggested replacement character string if the user activates a key on the keyboard associated with a delimiter."
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	Mr. Maccoun	
10	Improper Rebuttal objection (Maccoun may not testify regarding Google and Samsung)	Overruled.
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15	PX 2003 (letter from Samsung to Google)	Sustained.
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17	PX 2004 (letter from Google to Samsung)	Sustained.
18		
	Dr. Mowry	
19	Witness objection: violation of case narrowing	Overruled.
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21	Witness objection: new infringement theory on rebuttal	Overruled.
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24	Witness objection: Rule 26 (Secondary considerations)	Sustained.
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	Dr. Snoeren	
27	Witness objection (opinion on	Sustained.
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GSA 2.7)

Samsung requests to seal various documents. ECF No. 1740. Having considered Samsung's motion, and compelling reasons having been shown, the Court rules on the sealing requests as follows:

Request	Court's Ruling
PDX92.86	GRANTED.
PDX92.86A	GRANTED.
SDX3792	GRANTED.
JX 50A (SAMNDCA630-SC00057553-87; SAMNDCA630-SC00057951-57; SAMNDCA630-SC00057958-75). The parties shall renumber this exhibit.	GRANTED.
PX 2003	GRANTED.
PX 2004	GRANTED.
DX314A (MSFT_Code 170-416, 1127-1666, 2023-2025, 2089-2803, 2956-2957).	GRANTED.

Dated: April 21, 2014



LUCY H. KOH
United States District Judge