

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,)	AMENDED ORDER GRANTING IN
)	PART AND DENYING IN PART
v.)	MOTIONS FOR JUDGMENT AS A
)	MATTER OF LAW
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.)	
)	

Apple and Samsung have moved for judgment as a matter of law pursuant to Federal Rule of Civil Procedure 50(a). ECF Nos. 1804, 1806-1. Both parties have opposed each other's motions. ECF Nos. 1817, 1818. Rule 50 provides that the court may grant a motion for judgment as a matter of law against a non-moving party if "the court finds that a reasonable jury would not have a legally sufficient evidentiary basis to find for the party on" an issue.

After considering the evidence presented, the Court hereby DENIES Samsung's motion. As to Samsung's specific issues, the Court rules as follows:

- 1 • The Court DENIES Samsung's Rule 50 motion for judgment of no willful
2 infringement.
- 3 • The Court DENIES Samsung's Rule 50 motion for judgment of non-infringement of
4 the asserted claims of the '647, '959, '414, and '721 patents.
- 5 • The Court DENIES Samsung's Rule 50 motion for judgment of no indirect
6 infringement of the asserted claims of the '647, '959, '414, and '721 patents.
- 7 • The Court DENIES Samsung's Rule 50 motion for judgment that the asserted
8 claims of the '647, '959, '414, '721, and '172 patents are invalid.
- 9 • The Court DENIES Samsung's Rule 50 motion for judgment on lost profits for
10 infringement of the '647, '959, '414, '721, and '172 patents.
- 11 • The Court DENIES Samsung's Rule 50 motion for judgment on reasonable
12 royalties for infringement of the '647, '959, '414, '721, and '172 patents.
- 13 • The Court DENIES Samsung's Rule 50 motion for judgment on pre-August 25,
14 2012 damages for the Galaxy S II Products.
- 15 • The Court DENIES Samsung's Rule 50 motion for judgment of lack of notice of the
16 '647 patent.
- 17 • The Court DENIES Samsung's Rule 50 motion for judgment that the asserted
18 claims of the '449 and '239 patents are infringed.
- 19 • The Court DENIES Samsung's Rule 50 motion for judgment on damages for
20 infringement of Samsung's patents.

21 After considering all of the evidence presented, the Court hereby GRANTS IN PART and
22 DENIES IN PART Apple's motion. As to Apple's specific issues, the Court rules as follows:

- 23 • The Court DENIES Apple's Rule 50 motion for judgment that the asserted claims of
24 the '647, '959, '414, '721, and '172 patents are not invalid.
- 25 • The Court DENIES Apple's Rule 50 motion for judgment that Samsung failed to
26 show available, acceptable non-infringing alternatives for the '647, '414, and '959
27 patents.

- 1 • The Court DENIES Apple’s Rule 50 motion for judgment of infringement of the
- 2 asserted claims of the ’647, ’959, ’414, and ’721 patents.
- 3 • The Court DENIES Apple’s Rule 50 motion for judgment of infringement against
- 4 all Samsung entities.
- 5 • The Court DENIES Apple’s Rule 50 motion for judgment of willful infringement.
- 6 • The Court DENIES Apple’s Rule 50 motion for judgment of induced and
- 7 contributory infringement of the ’647, ’959, ’414, and ’721 patents.
- 8 • The Court DENIES Apple’s Rule 50 motion for judgment on lost profits for
- 9 infringement of the ’647, ’959, ’414, ’721, and ’172 patents.
- 10 • The Court DENIES Apple’s Rule 50 motion for judgment that the asserted claims of
- 11 the ’449 and ’239 patents are not infringed.
- 12 • The Court GRANTS Apple’s Rule 50 motion for judgment of no willful
- 13 infringement of the ’449 and ’239 patents prior to April 18, 2012 only. Samsung
- 14 does not oppose this motion for this time period. ECF No. 1817 at 8.
- 15 • The Court DENIES Apple’s Rule 50 motion for judgment of no willful infringement
- 16 of the ’449 and ’239 patents after April 18, 2012.

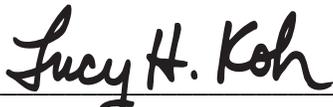
17 The parties’ motions regarding the below claims and defenses not presented at trial require
18 further briefing. These issues will not be decided by the jury and thus shall be briefed and heard
19 according to the post-trial briefing schedule set at the March 5, 2014 pre-trial conference (ECF No.
20 1398).

- 21 • Samsung’s Rule 50 motion for judgment that the asserted claims of the ’449 and
- 22 ’239 patents are not invalid.
- 23 • Apple’s Rule 50 motion for judgment of non-infringement of the ’239 patent by
- 24 iPad products.
- 25 • Apple’s Rule 50 motion for judgment regarding Samsung’s affirmative defenses
- 26 listed in Samsung’s pleadings or pre-trial statement, for which Samsung did not
- 27 offer sufficient evidence at trial.

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IT IS SO ORDERED.

Dated: April 27, 2014



LUCY H. KOH
United States District Judge