

United States District Court
For the Northern District of California

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

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 RE: BRIEFING OF APPLE'S
)	MOTION FOR ONGOING ROYALTIES
v.)	
)	
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.)	
)	

Regarding briefing of Apple's motion for ongoing royalties (ECF No. 1958), the Court rules as follows:

The briefing schedule regarding the merits of an ongoing royalty remains as set, reproduced below for convenience:

Samsung's response: September 17, 2014

Apple's reply: September 24, 2014

The parties shall also file briefs regarding the appropriate royalty rate, should a royalty be awarded, according to the following schedule:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

Apple’s brief: September 17, 2014, not exceeding 5 pages

Samsung’s response: October 1, 2014, not exceeding 5 pages

Apple’s reply: October 8, 2014, not exceeding 3 pages

In their briefs regarding the appropriate royalty rate, the parties shall also address the effect of Apple’s motion for ongoing royalties on entry of final judgment, in light of *Robert Bosch, LLC v. Pylon Mfg. Corp.*, 719 F.3d 1305 (Fed. Cir. 2013), and *Warsaw Orthopedic, Inc. v. NuVasive, Inc.*, 515 Fed. Appx. 882 (Fed. Cir. 2012).

The December 18, 2014 hearing date remains as set pending the Court’s review of the parties’ briefs.

IT IS SO ORDERED.

Dated: September 9, 2014



LUCY H. KOH
United States District Judge