

EXHIBIT 1

UNITED STATES DISTRICT COURT
for the

Northern District of California

Nokia Corporation

Plaintiff

v.

Apple Inc.

Defendant

Civil Action No. 1:09-cv-00791-GMS

(If the action is pending in another district, state where: District of Delaware)

SUBPOENA TO TESTIFY AT A DEPOSITION IN A CIVIL ACTION

To: Thomas C. Mavrakakis, Bridges & Mavrakakis LLP, 540 Cowper Street, Suite 100, Palo Alto, CA 94301

Testimony: YOU ARE COMMANDED to appear at the time, date, and place set forth below to testify at a deposition to be taken in this civil action. If you are an organization that is not a party in this case, you must designate one or more officers, directors, or managing agents, or designate other persons who consent to testify on your behalf about the following matters, or those set forth in an attachment:

Table with 2 columns: Place and Date and Time. Place: Alston & Bird LLP, 275 Middlefield Road, Suite 150 Menlo Park, CA 94025-4008. Date and Time: 06/07/2011 9:30 am

The deposition will be recorded by this method: Court Reporter and videographer

Production: You, or your representatives, must also bring with you to the deposition the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material:

Please see Attachment A for document requests. Please produce documents responsive to the attached requests no later than June 1, 2011 at Alston & Bird LLP, 275 Middlefield Road, Suite 150, Menlo Park, CA 94025-4008.

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 05/10/2011

CLERK OF COURT

OR

/s/ Matthew D. Richardson

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Nokia Corporation and Nokia Inc., who issues or requests this subpoena, are:

Matthew D. Richardson, Esq., 1201 W Peachtree St., Atlanta, GA 30309-3424; matt.richardson@alston.com; 404-881-4478

Civil Action No. 1:09-cv-00791-GMS

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

This subpoena for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I served the subpoena by delivering a copy to the named individual as follows: _____

_____ on *(date)* _____ ; or

I returned the subpoena unexecuted because: _____
_____.

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00 _____.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)

(c) Protecting a Person Subject to a Subpoena.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney’s fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party’s officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) When Required. On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party’s officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) When Permitted. To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert’s opinion or information that does not describe specific occurrences in dispute and results from the expert’s study that was not requested by a party; or

(iii) a person who is neither a party nor a party’s officer to incur substantial expense to travel more than 100 miles to attend trial.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(e) Contempt. The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty’s failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

ATTACHMENT "A" TO SUBPOENA

DEFINITIONS

- A. "Nokia" means Nokia Corporation and Nokia Inc., including their predecessors, successors, parents, subsidiaries (whether owned directly or indirectly), affiliates, divisions and operating units thereof, agents and entities under common control with them.
- B. "Apple" means Apple Inc., including its predecessors, successors, parents, subsidiaries (whether owned directly or indirectly), affiliates, divisions and operating units thereof, agents and entities under common control with it.
- C. "Including" or any variant thereof means "including without limitation."
- D. "And" and "or" shall mean "and/or," and shall be construed both conjunctively as well as disjunctively in order to maximize their scope.
- E. "Any" and "all" mean "any and all."
- F. "Each" and "every" mean "each and every."
- G. "You," "your" or "yours" shall mean Thomas C. Mavrakakis.
- H. "Thing(s)" has the broadest meaning allowable under Federal Rule of Civil Procedure 34 and includes any tangible object other than a document and, without limitation, objects of every kind and nature, as well as prototypes, models, or physical specimens thereof.
- I. "Document" has the broadest meaning allowable under Federal Rules of Civil Procedure 34, and includes, without limitation, any thing or any written or graphic matter or any medium of any type or description upon which intelligence or information is recorded, or from which intelligence or information can be perceived, including computer, electronic, magnetic and optical media of all kinds, which is or has been in the possession, custody or control of Thomas C. Mavrakakis, or of which Thomas C. Mavrakakis has knowledge,

including the original and any non-identical copy (whether different from the original because of notes made on said copy or otherwise) of any advertising literature; agreement; bank record or statement; blueprint; book; book of account; booklet; brochure; calendar; chart; circuit diagram; circular; coding form; communication (intra- or inter-company); components listing; computer data; computer printout; computer software and supporting indices; data; documentation; flow charts; comments; object code; source code and computer programs; contract; copy; correspondence; data base; design document; diary; die; display; draft of any document; drawing; electronic mail (e-mail); engineering change order; engineering specification; film, film transparency; flyer; forecast; graph; index; instruction; instruction manual or sheet; internet pages; invoice; job requisition; letter; license; log; machine readable form; manual; manufacturing data; manufacturing drawing; map; marketing plan; mask; memoranda; minutes; model; newspaper or other clippings; notes; notebook; opinion; packing checklist; packing list; pamphlet; paper; periodical or other publications; photograph; physical object; press release; price list; print; printed circuit board; product brochure; product specification; promotional literature; prototype; receipt; record; recorded read-only memory (ROM); recording; report; sales data; schematic; sketch; solicitation; statement; statistical compilation; stenographic note; study; summary (including any memoranda, minutes, notes, records or summary of any (a) telephone or intercom conversation or message, (b) conversation or interview, or (c) meeting or conference); technical, service or operational manual; technical specification; telegram; telephone log; timing diagram; travel or expense records; video recording; videotape; voice recording; voucher; worksheet or work paper; and/or any other documentary material of any nature.

- J. "Person" or "persons" shall mean an individual, corporation, proprietorship, partnership, association, or any other entity.
- K. "Concerning" means concerning, regarding, describing, comprising, referring to, related to, supporting, favoring, opposing, bolstering, detracting from, located in, considered in connection with, bearing on, evidencing, indicating, reporting on, recording, alluding to, responding to, connected with, commenting on, in respect of, about, in relation to, discussing, showing, describing, reflecting, analyzing constituting, and being.
- L. "SSO" means any standards-setting organization responsible for establishing technical standards for telecommunications products or services, including but not limited to ETSI, IEEE, ITU, ARIB, 3GPP, 3GPP2, and TIA.
- M. "Standard" means any established industry standard for telecommunications products or services, including but not limited to IS-95, GSM, GPRS, EDGE, UMTS, CDMA2000 (1xRTT and EV-D0), 802.11, and 802.16.
- N. "FRAND" means fair, reasonable, and non-discriminatory.
- O. "RAND" means reasonable and demonstrably free of any unfair discrimination.
- P. "Communication" means any contact between two or more entities by which any information or knowledge is transmitted or conveyed or attempted to be transmitted or conveyed, including written contact including letters, memoranda, telegrams, telefaxes, telecopies, telexes or e-mails, text messages and oral contact including face-to-face meetings, telephone conversations, voicemails, answering machine messages and telephonic notes.

- Q. “Relating to” or “related to” when referring to any given subject matter shall mean, without limitation, any document that constitutes, comprises, involves, contains, embodies, reflects, identifies, states, refers directly or indirectly to, or is in any way relevant to the particular subject matter identified.
- R. The term “identify” when used in conjunction with a document or other thing means to specify the document or thing in sufficient detail to permit Nokia to locate the document or thing.
- S. The term “This Litigation” means the above-referenced action, entitled *Nokia Corporation v. Apple Inc.*, C.A. No. 09-791-GMS, United States District Court for the District of Delaware.

INSTRUCTIONS

1. You are to search all documents within your possession, custody, or control, wherever located, including but not limited to any documents placed in storage facilities or in the possession of any employee, agent, representative, attorney, investigator, or other person acting or purporting to act on your behalf (whether located at his/her residence or place of business), in order to fully respond to the requests herein.
2. You are to produce documents from any single file in the same order as they were found in such file, including any labels, files, folders and/or containers in which such documents are located in or associated with. If copies of documents are produced in lieu of the originals, such copies should be legible and bound or stapled in the same manner as the original.

3. If you do not produce each document or thing requested herein as they are kept in the usual course of business, you must organize and label the documents or things produced to correspond with the particular document request to which the document or thing is responsive.
4. You are to produce all documents which are responsive in whole or in part to any of the requests herein in full, without abridgement, abbreviation, or expurgation of any sort, and regardless of whether you deem such documents to be irrelevant to the issues in the investigation for which such documents are being sought. If any such documents cannot be produced in full, produce the document to the extent possible and indicate in your written response what portion of the document is not produced and why it could not be produced.
5. You are required to produce not only the original or an exact copy of the original of all documents or things responsive to any of the requests herein, but also all copies of such documents or things which bear any notes or markings not found on the originals and all preliminary, intermediate, final, and revised drafts or embodiments of such documents or things. You are also required to produce all versions of the foregoing documents stored by a computer internally, on disk, on CD-ROM, or on tape.
6. You are to produce any purportedly privileged document containing non-privileged matter, with the purportedly privileged portion excised or redacted.
7. If any of the documents requested herein are no longer in your possession, custody, or control, you are requested to identify each such requested document by date, type of document, person(s) from whom sent, person(s) to whom sent, and person(s) receiving copies, and to provide a summary of its pertinent contents.

8. If any document responsive to these requests has been destroyed, describe the content of such document, the location of any copies of such document, the date of such destruction, and the name of the person who ordered or authorized such destruction.
9. Electronic and computerized materials must be produced in an intelligible format or together with a description of the system from which it was derived sufficient to permit tendering of the material intelligible.
10. If production of any document listed and described herein is withheld on the basis of a claim of privilege, each withheld document shall be separately identified in a privileged document list. The privileged document list must identify each document separately, specifying for each document at least: (1) the date; (2) author(s)/sender(s); (3) recipient(s), including copy recipients; and (4) general subject matter of the document. The sender(s) and recipient(s) shall be identified by position and entity (corporation or firm, etc.) with which they are employed or associated. If the sender or the recipient is an attorney or a foreign patent agent, he or she shall be so identified. The type of privilege claimed must also be stated, together with a certification that all elements of the claimed privilege have been met and have not been waived with respect to each document.

DOCUMENT REQUESTS

REQUEST FOR PRODUCTION NO. 1:

All patent license agreements that Apple has entered into (either as licensor or licensee) that grant a license to one or more patents or patent applications, including but not limited to those that have been declared essential to any Standard and that are or were subject to a FRAND or RAND commitment made by the licensor to an SSO.

REQUEST FOR PRODUCTION NO. 2:

Documents that reflect negotiations between Apple and any third party over a license to one or more patents or patent applications, including but not limited to those that have been declared essential to any Standard and that are or were subject to a FRAND or RAND commitment made by the licensor to an SSO.

REQUEST FOR PRODUCTION NO. 3:

Documents sufficient to show the royalties that Apple has paid or received under each IPR license agreement that includes one or more patents or patents that have been declared essential to any Standard and that are or were subject to a FRAND or RAND commitment made by the licensor to an SSO.

REQUEST FOR PRODUCTION NO. 4:

All documents regarding any patent license negotiations between Nokia and Apple.

REQUEST FOR PRODUCTION NO. 5:

A copy of any license agreement where Apple has licensed any of its nonessential patents to a third party.

REQUEST FOR PRODUCTION NO. 6:

Documents that reflect or discuss Apple's willingness or lack of willingness to license any of its non-essential patents to a third party, including but not limited to documents that reflect or discuss any plans or program established or contemplated by Apple to license such non-essential patents.

REQUEST FOR PRODUCTION NO. 7:

All Documents that refer or relate to any licensing offer for standards-essential patents in which Apple offered to provide a third party with a "grantback" or reciprocal pick of non-essential patents.

REQUEST FOR PRODUCTION NO. 8:

All Documents that refer or relate to any licensing offer for standards-essential patents in which a third party requested from Apple a "grantback" or reciprocal pick of non-essential patents.

REQUEST FOR PRODUCTION NO. 9:

Documents that refer or relate to Apple's understanding of a party's rights and obligations under FRAND including but not limited to what constitutes a FRAND undertaking and what rate constitutes a FRAND rate, and why.

REQUEST FOR PRODUCTION NO. 10:

Documents that refer or relate to your understanding of a party's rights and obligations under FRAND including but not limited to what constitutes a FRAND undertaking and what rate constitutes a FRAND rate, and why.

REQUEST FOR PRODUCTION NO. 11:

Documents that refer or relate to This Litigation, including but not limited to communications or agreements between Apple and Nokia, you and Apple, or you and Nokia related to This Litigation.