

April 10, 2012

V JAMES ADDUCI II  
LOUIS S MASTRIANI  
TOM M SCHAUMBERG  
WILL E LEONARD  
MUNFORD PAGE HALL II  
MICHAEL L DOANE  
SARAH E HAMBUN  
ANDREW F PRATT \*  
WILLIAM C SJOBERG  
JONATHAN J ENGLER  
DAVID H HOLLANDER JR  
DEBORAH S STRAUSS  
GIAN SHENG \*  
KATHERINE R LAHNSTEIN  
DANIEL F SMITH  
ASHA ALLAM  
BEAU A JACKSON \*  
THOMAS R BURNS JR  
ROWAN E MORRIS  
EVAN H LANGDON \*  
PAUL M BARTKOWSKI  
EMI J E ITO \*  
GREGORY F GEARY  
DANA L WATTS  
  
OF COUNSEL  
JOHN C STEINBERGER  
PAUL G HEGLAND  
\*admitted to a bar other  
than DC; practice limited  
to federal courts & agencies  
HARVEY B FOX (1941-2010)  
  
AFFILIATE  
AM&S TRADE SERVICES LLC  
CARLOS MOORE, PRESIDENT

**VIA FEDERAL EXPRESS**

Cambridge Silicon Radio International LLC  
National Registered Agents, Inc.  
160 Greentree Drive, Suite 101  
Dover, DE 19904

Re: Certain Electronic Devices with Communication Capabilities,  
Components Thereof and Related Software, Inv. No. 337-TA-808

To Whom It May Concern:

Enclosed please find a Subpoena *Ad Testificandum* and *Duces Tecum* and the Application for Issuance of Subpoena issued by Administrative Law Judge Thomas B. Pender of the International Trade Commission regarding the above-referenced investigation.

Please contact me at (202) 467-6300 or Pratt@adduci.com, if you have any questions regarding this matter.

Sincerely,  
  
/s/ Andrew F. Pratt  
  
Andrew F. Pratt

AFP:tse  
Enclosures  
cc: See Certificate of Service  
APPLE302312-15.doc

UNITED STATES INTERNATIONAL TRADE COMMISSION  
WASHINGTON, D.C. 20436

Before The Honorable Thomas B. Pender  
Administrative Law Judge

In the Matter of

CERTAIN ELECTRONIC DEVICES  
WITH COMMUNICATION  
CAPABILITIES, COMPONENTS  
THEREOF, AND RELATED SOFTWARE

Investigation No. 337-TA-808

SUBPOENA DUCES TECUM

TO: CAMBRIDGE SILCON RADIO INTERNATIONAL LLC  
NATIONAL REGISTERED AGENTS, INC.  
160 GREENTREE DRIVE SUITE 101  
DOVER, DE 19904

**TAKE NOTICE:** By authority of section 337 of the Tariff Act of 1930, as amended 19 U.S.C. § 1337, 5 U.S.C. § 556(c)(2), and pursuant to 19 C.F.R. § 210.32 of the Rules of Practice and Procedure of the United States International Trade Commission, and upon application for subpoena made by Respondent Apple Inc.

**YOU ARE HEREBY ORDERED:** to produce at Adduci, Mastriani & Schaumberg, LLP, 1133 Connecticut Avenue, N.W., Washington, D.C. 20036, on April <sup>20</sup>/~~19~~, 2012, or at such other time and place agreed upon, all of the documents and things in your possession, custody or control which are listed and described in Attachment A hereto. Such production will be for the purpose of the inspection and copying as desired.

If the production of any document listed and described in Attachment A hereto 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/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 recipient is an attorney or foreign patent agent, he or she shall so be 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.

If any of the documents or things listed and described in Attachment A hereto are considered "confidential business information" as that term is defined in the Protective Order attached hereto as Attachment C, such documents or things shall be produced subject to the terms and provisions of the Protective Order.

Any motion to limit or quash this subpoena shall be filed with **ten (10) days** after the receipt hereof. At the time of filing of any motion concerning this subpoena, two courtesy copies shall be served concurrently on the Administrative Law Judge at his office.

IN WITNESS WHEREOF the undersigned of the United States International Trade Commission has hereunto set his hand and caused the seal of said United States International Trade Commission to be affixed at Washington, D.C. on this 9 day of April, 2012.



\_\_\_\_\_  
Thomas B. Pender  
Administrative Law Judge  
United States International Trade Commission

UNITED STATES INTERNATIONAL TRADE COMMISSION  
WASHINGTON, D.C. 20436

Before The Honorable Thomas B. Pender  
Administrative Law Judge

In the Matter of

CERTAIN ELECTRONIC DEVICES WITH  
COMMUNICATION CAPABILITIES,  
COMPONENTS THEREOF, AND RELATED  
SOFTWARE

Investigation No. 337-TA-808

**SUBPOENA AD TESTIFICANDUM**

TO: CAMBRIDGE SILICON RADIO INTERNATIONAL LLC  
NATIONAL REGISTERED AGENTS, INC.  
160 GREENTREE DRIVE SUITE 101  
DOVER, DE 19904

**TAKE NOTICE:** By authority of section 337 of the Tariff Act of 1930, as amended 19 U.S.C. § 1337, 5 U.S.C. § 556(c)(2), and pursuant to 19 C.F.R. § 210.32 of the Rules of Practice and Procedure of the United States International Trade Commission, and upon application for subpoena made by Respondent Apple Inc.,

**YOU ARE HEREBY ORDERED:** to produce yourself for purposes of our deposition upon oral examination on May 3, 2012, at the offices of Adduci, Mastriani & Schaumberg, LLP, 1133 Connecticut Avenue, N.W., Washington, D.C. 20036, or at such other time and place agreed upon, concerning the subject matter set forth in Attachment B hereto.

The deposition will be taken before a Notary Public or other person authorized to administer oaths and will continue from day to day until completed.

If any of your testimony is considered "confidential business information" as that term is defined in the Protective Order attached hereto as Attachment C, such testimony shall be so designated and treated according to the terms and provisions of the Protective Order.

Any motion to limit or quash this subpoena shall be filed with **ten (10) days** after the receipt hereof. At the time of filing of motion concerning this subpoena, two courtesy copies shall be served concurrently on the Administrative Law Judge at his office.

IN WITNESS WHEREOF the undersigned of the United States International Trade Commission has hereunto set his hand and caused the seal of said United States International Trade Commission to be affixed at Washington, D.C. on this 7 day of April, 2012.



Thomas B. Pender  
Administrative Law Judge  
United States International Trade Commission

## ATTACHMENT A

### DEFINITIONS

1. "CSR" means Cambridge Silicon Radio International LLC and each predecessor, successor, division, subsidiary, parent or related company thereof, whether or not organized under the laws of the United States.

2. "HTC" means HTC Corp. and each predecessor, successor, division, subsidiary, parent or related company thereof, whether or not organized under the laws of the United States.

3. "You," "your," or "yours" means CSR.

4. "The '414 Patent" shall mean U.S. Patent No. 7,765,414, entitled "Circuit and Operating Method for Integrated Interface of PDA and Wireless Communication System" and issued on July 27, 2010.

5. "The '944 Patent" shall mean U.S. Patent No. 7,417,944, entitled "Method For Orderwire Modulation" and issued on August 26, 2008.

6. "The '219 Patent" shall mean U.S. Patent No. 7,672,219, entitled "Multipoint-to-Point Communication Using Orthogonal Frequency Division Multiplexing" and issued on March 2, 2010.

7. "The '214 Patent" shall mean U.S. Patent No. 6,708,214, entitled "Hypermedia Identifier Input Mode for a Mobile Communication Device" and issues March 16, 2004.

8. "The '006 Patent" shall mean U.S. Patent No. 6,473,006, entitled "Method and Apparatus for Zoomed Display of Characters Entered From a Telephone Keypad" and issued October 29, 2002.

9. "The '772 Patent" shall mean U.S. Patent No. 7,289,772, entitled "Technique Allowing a Status Bar User Response On A Portable Device Graphic User Interface" and issued October 30, 2007.

10. "The '283 Patent" shall mean U.S. Patent No. 6,868,283, entitled "Technique Allowing a Status Bar User Response on a Portable Device Graphic User Interface" and issued March 15, 2005.

11. "The '849 Patent" shall mean U.S. Patent No. 7,020,849, entitled "Dynamic Display for Communication Devices" issued March 28, 2006.

12. "HTC Patents-In-Suit" shall mean the '414 Patent, the '944 Patent, the '219 Patent, the '214 Patent, the '006 Patent, the '772 Patent, the '283 Patent and the '849 Patent.

13. "Complaint" shall mean the Complaint under Section 337 of the Tariff Act of 1930, As Amended of HTC Corp, filed September 7, 2011 including, and as supplemented by, a letter from counsel for HTC Corp to the James R. Holbein, dated September 23, 2011.

14. "Present Investigation" shall mean In the Matter of Certain Electronic Devices with Communication Capabilities, Components Thereof, and Related Software, ITC Inv. No. 337-TA-808.

15. "Document" is defined broadly to be given the full scope of that term contemplated in Federal Rule of Civil Procedure 34, and includes all tangible things, all originals (or, if originals are not available, identical copies thereof), all non-identical copies of a document, all drafts of final documents, all other written, printed, or recorded matter of any kind, and all other data compilations from which information can be obtained and translated if necessary, that are or have been in your actual or constructive possession or control, regardless of the medium on which they are produced, reproduced, or stored (including without limitation

computer programs and files containing requested information), and any recording or writing, as these terms are defined in Rule 1001, Federal Rules of Evidence. Any document bearing marks, including without limitation, initials, stamped initials, comments, or notations not a part of the original text or photographic reproduction thereof, is a separate document.

16. "Person" means any individual or firm, association, joint venture, trust, partnership, corporation, or other collective organization or entity.

17. "Product" means a machine, manufacture, apparatus, device, instrument, mechanism, appliance, or assemblage of components/parts (either individually or collectively), which are designed to function together electronically, mechanically, chemically, or otherwise, to achieve a particular function or purpose, including those offered for sale, sold, or under development.

18. "Relating to" and "relate to" include referring to, concerning, alluding to, responding to, connected with, commenting on, in respect of, about, regarding, explaining, supporting, discussing, showing, describing, reflecting, analyzing, constituting, or setting forth.

19. "Any" and "all" shall be construed to mean both any and all.

20. The words "and" and "or" shall be construed conjunctively or disjunctively, whichever makes the request most inclusive.

21. The singular form of a word should be interpreted in the plural as well.

22. "PDA" means Personal Digital Assistant, and, for purposes of this subpoena, should be read to include systems that access, store, and organize information including, without limitation, systems that provide telephone number lists and/or calendars.

23. "Integrated PDA/Wireless Product" refers to any product including an integrated PDA system and wireless communication system that was publicly displayed, demonstrated,



released, sold or offered for sale in the United States on or before April 2003 including, without limitation, products that uses CSR's BlueCore™ 01 chip.

24. "Mobile Device" means any portable electronic device, including but not limited to, cell phones, smart phones, handheld computers, and PDAs.

25. "HTC Mobile Device" means any Mobile Device sold or offered for sale by HTC.

### **INSTRUCTIONS**

1. These requests shall apply to all documents in your possession, custody or control at the present time or coming into your possession, custody or control prior to the date of the production. If you know of the existence, past or present, of any documents or things requested below, but are unable to produce such documents or things because they are not presently in your possession, custody, or control, you shall so state and shall identify such documents or things, and the person who has possession, custody or control of the documents or things.

2. For any responsive documents or tangible things that have been lost, destroyed or withheld from production based on any ground, provide a written statement setting forth:

- (a) the identity of the document;
- (b) the nature of the document (e.g., letter, memorandum, chart);
- (c) the identity of the person(s) who received copies of the document;
- (d) the date of the document;
- (e) a brief description of the subject matter of the document; and
- (f) the circumstances of the loss or destruction of the document and any fact, statute, rule or decision upon which you rely in withholding the document.

3. If you withhold from production any document or part thereof based upon a claim of privilege or any other claim, describe the nature and basis of your claim and the information withheld in a manner sufficient to:

- (a) disclose the facts upon which you rely in asserting your claim;
- (b) permit the grounds and reasons for withholding the information to be identified unambiguously; and
- (c) permit the information withheld to be identified unambiguously.

4. All documents requested are to be produced in the same file or other organizational environment in which they are maintained in the normal course of business. For example, a document that is part of a file, docket, or other grouping, should be physically produced together with all other documents from said file, docket or grouping, in the same order or manner of arrangement as the original. Alternatively, as to each document and thing produced in response hereto, you shall identify the request for production and where applicable, the interrogatory number, in response to which the document or thing is being produced.

5. These requests seek all responsive documents in their original language and, if such original language is not English, these requests also seek all English-language translations that may exist for any such documents.

6. You shall keep and produce a record of the source of each document produced. This shall include the name and location of the file where each document was located and the name of the person, group or department having possession, custody or control of each document.

7. Each document is to be produced along with all drafts, without abbreviation or redaction.

## DOCUMENT REQUESTS

1. Documents sufficient to show the date when the CSR's BlueCore™ 01 chip was first publicly displayed, demonstrated, released, sold or offered for sale in the United States.

2. Documents sufficient to show the date when any Integrated PDA/Wireless Product using CSR's BlueCore™ 01 chip was first publicly displayed, demonstrated, released, sold or offered for sale in the United States.

3. Documents sufficient to show the structure, operation, and implementation of any pins, interfaces, connections, signal lines, buses and/or ports of any components of the CSR's BlueCore™ 01 chip, including but not limited to user guides, data sheets, developer's manuals, service manuals, developer board user guides, articles, presentations, memoranda, technical reports, specifications, schematics, diagrams, flow charts, reference designs, design guides, application notes.

4. Documents sufficient to show the structure, operation, and implementation of any audio data, control signals, status signals, or any other information communicated between the PDA system and CSR's BlueCore™ 01 chip in each Integrated PDA/Wireless Product.

5. Documents sufficient to identify any Mobile Devices that incorporated CSR's BlueCore™ 01 chip for use in providing PDA functionality and/or wireless communication.

6. Documents sufficient to identify any CSR's products incorporated into HTC Mobile Devices for use in providing PDA functionality and/or wireless communication.

7. Documents sufficient to show the structure, operation, and implementation of any pins, interfaces, connections, signal lines, buses and/or ports of each CSR's product that is incorporated into HTC Mobile Devices for use in providing PDA functionality and/or wireless communication, including but not limited to data sheets, developer's manuals, service manuals,

developer board user guides, articles, presentations, memoranda, technical reports, specifications, schematics, diagrams, flow charts, and reference designs.

8. Documents sufficient to show the structure, operation, and implementation of any audio data, control signals, status signals, or any other information intended to be communicated to or from each CSR's product that is incorporated into Mobile Devices for use in providing PDA functionality and/or wireless communication.

9. Documents sufficient to show the structure, operation, and implementation of the turning on and resetting processes of each CSR's product that is incorporated into Mobile Devices for use in providing PDA functionality and/or wireless communication.

10. Documents sufficient to show the structure, operation, and implementation of the turning on and resetting processes of each CSR's product that is incorporated into Mobile Devices for use in providing PDA functionality and/or wireless communication.

11. Documents constituting or evidencing communications with HTC regarding the HTC Patents-In-Suit, the Complaint, or the Present Investigation.

APPLE601012-Ex. A&B-15.doc

## ATTACHMENT B

### DEFINITIONS

1. "CSR" Analog Devices Inc. and each predecessor, successor, division, subsidiary, parent or related company thereof, whether or not organized under the laws of the United States.
2. "HTC" means HTC Corp. and each predecessor, successor, division, subsidiary, parent or related company thereof, whether or not organized under the laws of the United States.
3. "You," "your," or "yours" means CSR.
4. "The '414 Patent" shall mean U.S. Patent No. 7,765,414, entitled "Circuit and Operating Method for Integrated Interface of PDA and Wireless Communication System" and issued on July 27, 2010.
5. "The '944 Patent" shall mean U.S. Patent No. 7,417,944, entitled "Method For Orderwire Modulation" and issued on August 26, 2008.
6. "The '219 Patent" shall mean U.S. Patent No. 7,672,219, entitled "Multipoint-to-Point Communication Using Orthogonal Frequency Division Multiplexing" and issued on March 2, 2010.
7. "The '214 Patent" shall mean U.S. Patent No. 6,708,214, entitled "Hypermedia Identifier Input Mode for a Mobile Communication Device" and issues March 16, 2004.
8. "The '006 Patent" shall mean U.S. Patent No. 6,473,006, entitled "Method and Apparatus for Zoomed Display of Characters Entered From a Telephone Keypad" and issued October 29, 2002.
9. "The '772 Patent" shall mean U.S. Patent No. 7,289,772, entitled "Technique Allowing a Status Bar User Response On A Portable Device Graphic User Interface" and issued October 30, 2007.

10. "The '283 Patent" shall mean U.S. Patent No. 6,868,283, entitled "Technique Allowing a Status Bar User Response on a Portable Device Graphic User Interface" and issued March 15, 2005.

11. "The '849 Patent" shall mean U.S. Patent No. 7,020,849, entitled "Dynamic Display for Communication Devices" issued March 28, 2006.

12. "HTC Patents-In-Suit" shall mean the '414 Patent, the '944 Patent, the '219 Patent, the '214 Patent, the '006 Patent, the '772 Patent, the '283 Patent and the '849 Patent.

13. "Complaint" shall mean the Complaint under Section 337 of the Tariff Act of 1930, As Amended of HTC Corp, filed September 7, 2011 including, and as supplemented by, a letter from counsel for HTC Corp to the James R. Holbein, dated September 23, 2011.

14. "Present Investigation" shall mean In the Matter of Certain Electronic Devices with Communication Capabilities, Components Thereof, and Related Software, ITC Inv. No. 337-TA-808.

15. "Document" is defined broadly to be given the full scope of that term contemplated in Federal Rule of Civil Procedure 34, and includes all tangible things, all originals (or, if originals are not available, identical copies thereof), all non-identical copies of a document, all drafts of final documents, all other written, printed, or recorded matter of any kind, and all other data compilations from which information can be obtained and translated if necessary, that are or have been in your actual or constructive possession or control, regardless of the medium on which they are produced, reproduced, or stored (including without limitation computer programs and files containing requested information), and any recording or writing, as these terms are defined in Rule 1001, Federal Rules of Evidence. Any document bearing marks,

including without limitation, initials, stamped initials, comments, or notations not a part of the original text or photographic reproduction thereof, is a separate document.

16. "Person" means any individual or firm, association, joint venture, trust, partnership, corporation, or other collective organization or entity.

17. "Product" means a machine, manufacture, apparatus, device, instrument, mechanism, appliance, or assemblage of components/parts (either individually or collectively), which are designed to function together electronically, mechanically, chemically, or otherwise, to achieve a particular function or purpose, including those offered for sale, sold, or under development.

18. "Relating to" and "relate to" include referring to, concerning, alluding to, responding to, connected with, commenting on, in respect of, about, regarding, explaining, supporting, discussing, showing, describing, reflecting, analyzing, constituting, or setting forth.

19. "Any" and "all" shall be construed to mean both any and all.

20. The words "and" and "or" shall be construed conjunctively or disjunctively, whichever makes the request most inclusive.

21. The singular form of a word should be interpreted in the plural as well.

22. "PDA" means Personal Digital Assistant, and, for purposes of this subpoena, should be read to include systems that access, store, and organize information including, without limitation, systems that provide telephone number lists and/or calendars.

23. "Integrated PDA/Wireless Product" refers to any product including an integrated PDA system and wireless communication system that was publicly displayed, demonstrated, released, sold or offered for sale in the United States on or before April 2003 including, without limitation, products that uses CSR's BlueCore™ chip.

24. "Mobile Device" means any portable electronic device, including but not limited to, cell phones, smart phones, handheld computers, and PDAs.

25. "HTC Mobile Device" means any Mobile Device sold or offered for sale by HTC.

### **DEPOSITION TOPICS**

1. The date when the CSR's BlueCore™ 01 chip was first publicly displayed, demonstrated, released, sold or offered for sale in the United States.

2. The date when any Integrated PDA/Wireless Product using CSR's BlueCore™ 01 chip was first publicly displayed, demonstrated, released, sold or offered for sale in the United States.

3. Documents produced pursuant to the Apple's subpoena *duces tecum* to CSR.

4. The identification of all documents relevant to the topics above.

5. The authenticity, source and meaning of the documents produced by CSR in response to this subpoena.

6. CSR's search for and collection of documents responsive to this subpoena.

7. The date when each Integrated PDA/Wireless Product that incorporated CSR's BlueCore™ 01 chip was first publicly displayed, demonstrated, released, sold or offered for sale in the United States.

8. The structure, function and operation of any pins, interfaces, connections, signal lines, buses and/or ports of any components of the CSR's BlueCore™ 01 chip, including but not limited to descriptions contained in any user guides, data sheets, developer's manuals, service manuals, developer board user guides, articles, presentations, memoranda, technical reports, specifications, schematics, diagrams, flow charts, reference designs, design guides, and application notes.



9. The structure, function and operation of each Mobile Device product that incorporated CSR's BlueCore™ 01 chip for use in providing PDA functionality and/or wireless communication.

10. The structure, function and operation of each CSR product that is incorporated into HTC Mobile Devices for use in providing PDA functionality and/or wireless communication.

11. The structure, function and operation of any pins, interfaces, connections, signal lines, buses and/or ports of any components of each CSR product that is incorporated into Mobile Devices for use in providing PDA functionality and/or wireless communication, including but not limited to descriptions contained in any data sheets, developer's manuals, service manuals, developer board user guides, articles, presentations, memoranda, technical reports, specifications, schematics, diagrams, flow charts, and reference designs.

12. The manner in which audio data, control signals, status signals, or any other information is to be communicated to or from each CSR product that is incorporated into Mobile Devices for use in providing PDA functionality and/or wireless communication.

13. Turning on and resetting processes of each CSR product that is incorporated into Mobile Devices for use in providing PDA functionality and/or wireless communication

14. Communications with HTC regarding the HTC Patents-In-Suit, the Complaint, or the Present Investigation.

# **ATTACHMENT C**

UNITED STATES INTERNATIONAL TRADE COMMISSION

Washington, D.C.

In the Matter of

CERTAIN ELECTRONIC DEVICES WITH  
COMMUNICATION CAPABILITIES,  
COMPONENTS THEREOF, AND RELATED  
SOFTWARE

Inv. No. 337-TA-808

ORDER NO. 1: PROTECTIVE ORDER

(September 30, 2011)

WHEREAS, documents and information may be sought, produced or exhibited by and among the parties to the above captioned proceeding, which materials relate to trade secrets or other confidential research, development or commercial information, as such terms are used in the Commission's Rules, 19 C.F.R. § 210.5;

IT IS HEREBY ORDERED THAT:

1. Confidential business information is information which concerns or relates to the trade secrets, processes, operations, style of work, or apparatus, or to the production, sales, shipments, purchases, transfers, identification of customers, inventories, amount or source of any income, profits, losses, or expenditures of any person, firm, partnership, corporation, or other organization, or other information of commercial value, the disclosure of which is likely to have the effect of either (i) impairing the Commission's ability to obtain such information as is necessary to perform its statutory functions; or (ii) causing substantial harm to the competitive position of the person, firm, partnership, corporation, or other organization from which the information was obtained, unless the Commission is required by law to disclose such information. The term "confidential business information" includes "proprietary information" within the meaning of section 777(b) of

the Tariff Act of 1930 (19 U.S.C. § 1677f(b)).

2(a). Any information submitted, in pre hearing discovery or in a pleading, motion, or response to a motion either voluntarily or pursuant to order, in this investigation, which is asserted by a supplier to contain or constitute confidential business information shall be so designated by such supplier in writing, or orally at a deposition, conference or hearing, and shall be segregated from other information being submitted. Documents shall be clearly and prominently marked on their face with the legend: "[supplier's name] CONFIDENTIAL BUSINESS INFORMATION, SUBJECT TO PROTECTIVE ORDER," or a comparable notice. Such information, whether submitted in writing or in oral testimony, shall be treated in accordance with the terms of this protective order.

(b). The Administrative Law Judge or the Commission may determine that information alleged to be confidential is not confidential, or that its disclosure is necessary for the proper disposition of the proceeding, before, during or after the close of a hearing herein. If such a determination is made by the Administrative Law Judge or the Commission, opportunity shall be provided to the supplier of such information to argue its confidentiality prior to the time of such ruling.

3. In the absence of written permission from the supplier or an order by the Commission or the Administrative Law Judge, any confidential documents or business information submitted in accordance with the provisions of paragraph 2 above shall not be disclosed to any person other than: (i) outside counsel for parties to this investigation, including necessary secretarial and support personnel assisting such counsel; (ii) qualified persons taking testimony involving such documents or information and necessary stenographic and clerical personnel thereof; (iii) technical experts and their staff who are employed for the purposes of this litigation (unless they are otherwise

employed by, consultants to, or otherwise affiliated with a non-governmental party, or are employees of any domestic or foreign manufacturer, wholesaler, retailer, or distributor of the products, devices or component parts which are the subject of this Investigation); (iv) the Commission, the Administrative Law Judge, the Commission Investigative Staff, and personnel of any governmental agency as authorized by the Commission; and (v) the Commission, its employees, and contract personnel who are acting in the capacity of Commission employees, for developing or maintaining the records of this Investigation or related proceedings for which this information is submitted, or in internal audits and investigations relating to the programs and operations of the Commission pursuant to 5 U.S.C. Appendix 3.<sup>1</sup>

4. Confidential business information submitted in accordance with the provisions of paragraph 2 above shall not be made available to any person designated in paragraph 3(i)<sup>2</sup> and (iii) unless he or she shall have first read this order and shall have agreed, by letter filed with the Secretary of this Commission: (i) to be bound by the terms thereof; (ii) not to reveal such confidential business information to anyone other than another person designated in paragraph 3; and (iii) to utilize such confidential business information solely for purposes of this investigation.

5. If the Commission or the Administrative Law Judge orders, or if the supplier and all parties to the Investigation agree, that access to, or dissemination of information submitted as confidential business information shall be made to persons not included in paragraph 3 above, such matter shall only be accessible to, or disseminated to, such persons based upon the conditions pertaining to, and obligations arising from this order, and such persons shall be considered subject

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<sup>1</sup> See Commission Administrative Order 97-06 (Feb. 4, 1997).

<sup>2</sup> Necessary secretarial and support personnel assisting counsel need not sign onto the protective order themselves because they are covered by counsel's signing onto the protective order.

to it, unless the Commission or the Administrative Law Judge finds that the information is not confidential business information as defined in paragraph 1 hereof.

6. Any confidential business information submitted to the Commission or the Administrative Law Judge in connection with a motion or other proceeding within the purview of this Investigation shall be submitted under seal pursuant to paragraph 2 above. Any portion of a transcript in connection with this Investigation containing any confidential business information submitted pursuant to paragraph 2 above shall be bound separately and filed under seal. When any confidential business information submitted in accordance with paragraph 2 above is included in an authorized transcript of a deposition or exhibits thereto, arrangements shall be made with the court reporter taking the deposition to bind such confidential portions and separately label them "[supplier's name] CONFIDENTIAL BUSINESS INFORMATION, SUBJECT TO PROTECTIVE ORDER." Before a court reporter or translator receives any such information, he or she shall have first read this order and shall have agreed in writing to be bound by the terms thereof. Alternatively, he or she shall sign the agreement included as Attachment A hereto. Copies of each such signed agreement shall be provided to the supplier of such confidential business information and the Secretary of the Commission.

7. The restrictions upon, and obligations accruing to, persons who become subject to this order shall not apply to any information submitted in accordance with paragraph 2 above to which the person asserting the confidential status thereof agrees in writing, or the Commission or the Administrative Law Judge rules, after an opportunity for hearing, was publicly known at the time it was supplied to the receiving party or has since become publicly known through no fault of the receiving party.

8. The Commission, the Administrative Law Judge, and the Commission Investigative

Staff acknowledge that any document or information submitted as confidential business information pursuant to paragraph 2 above is to be treated as such within the meaning of 5 U.S.C. § 552(b)(4) and 18 U.S.C. § 1905, subject to a contrary ruling, after hearing, by the Commission or its Freedom of Information Act Officer, or the Administrative Law Judge. When such information is made part of a pleading or is offered into the evidentiary record, the data set forth in 19 C.F.R. § 201.6 must be provided except during the time that the proceeding is pending before the Administrative Law Judge. During that time, the party offering the confidential business information must, upon request, provide a statement as to the claimed basis for its confidentiality.

9. Unless a designation of confidentiality has been withdrawn, or a determination has been made by the Commission or the Administrative Law Judge that information designated as confidential, is no longer confidential, the Commission, the Administrative Law Judge, and the Commission Investigative Staff shall take all necessary and proper steps to preserve the confidentiality of, and to protect each supplier's rights with respect to, any confidential business information designated by the supplier in accordance with paragraph 2 above, including, without limitation: (a) notifying the supplier promptly of (i) any inquiry or request by anyone for the substance of or access to such confidential business information, other than those authorized pursuant to this order, under the Freedom of Information Act, as amended (5 U.S.C. § 552) and (ii) any proposal to redesignate or make public any such confidential business information; and (b) providing the supplier at least seven days after receipt of such inquiry or request within which to take action before the Commission, its Freedom of Information Act Officer, or the Administrative Law Judge, or otherwise to preserve the confidentiality of and to protect its rights in, and to, such confidential business information.

10. If while the investigation is before the Administrative Law Judge, a party to this order

who is to be a recipient of any business information designated as confidential and submitted in accordance with paragraph 2 disagrees with respect to such a designation, in full or in part, it shall notify the supplier in writing, and they will thereupon confer as to the status of the subject information proffered within the context of this order. If prior to, or at the time of such a conference, the supplier withdraws its designation of such information as being subject to this order, but nonetheless submits such information for purposes of the Investigation, such supplier shall express the withdrawal, in writing, and serve such withdrawal upon all parties and the Administrative Law Judge. If the recipient and supplier are unable to concur upon the status of the subject information submitted as confidential business information within ten days from the date of notification of such disagreement, any party to this order may raise the issue of the designation of such a status to the Administrative Law Judge who will rule upon the matter. The Administrative Law Judge may *sua sponte* question the designation of the confidential status of any information and, after opportunity for hearing, may remove the confidentiality designation.

11. No less than 10 days (or any other period of time designated by the Administrative Law Judge) prior to the initial disclosure to a proposed expert of any confidential information submitted in accordance with paragraph 2, the party proposing to use such expert shall submit in writing the name of such proposed expert and his or her educational and detailed employment history to the supplier. If the supplier objects to the disclosure of such confidential business information to such proposed expert as inconsistent with the language or intent of this order or on other grounds, it shall notify the recipient in writing of its objection and the grounds therefor prior to the initial disclosure. If the dispute is not resolved on an informal basis within ten days of receipt of such notice of objections, the supplier shall submit immediately each objection to the Administrative Law Judge for a ruling. If the Investigation is before the Commission the matter shall be submitted



to the Commission for resolution. The submission of such confidential business information to such proposed expert shall be withheld pending the ruling of the Commission or the Administrative Law Judge. The terms of this paragraph shall be inapplicable to experts within the Commission or to experts from other governmental agencies who are consulted with or used by the Commission.

12. If confidential business information submitted in accordance with paragraph 2 is disclosed to any person other than in the manner authorized by this protective order, the party responsible for the disclosure must immediately bring all pertinent facts relating to such disclosure to the attention of the supplier and the Administrative Law Judge and, without prejudice to other rights and remedies of the supplier, make every effort to prevent further disclosure by it or by the person who was the recipient of such information.

13. Nothing in this order shall abridge the right of any person to seek judicial review or to pursue other appropriate judicial action with respect to any ruling made by the Commission, its Freedom of Information Act Officer, or the Administrative Law Judge concerning the issue of the status of confidential business information.

14. Upon final termination of this investigation, each recipient of confidential business information that is subject to this order shall assemble and return to the supplier all items containing such information submitted in accordance with paragraph 2 above, including all copies of such matter which may have been made. Alternatively, the parties subject to this order may, with the written consent of the supplier, destroy all items containing confidential business information and certify to the supplier (or his counsel) that such destruction has taken place. This paragraph shall not apply to the Commission, including its investigative attorney, and the Administrative Law Judge, which shall retain such material pursuant to statutory requirements and


for other recordkeeping purposes, but may destroy those additional copies in its possession which it regards as surplusage.

Notwithstanding the above paragraph, confidential business information may be transmitted to a district court pursuant to Commission Rule 210.5(c).

15. If any confidential business information which is supplied in accordance with paragraph 2 above is supplied by a nonparty to this investigation, such a nonparty shall be considered a "supplier" as that term is used in the context of this order.

16. Each nonparty supplier shall be provided a copy of this order by the party seeking information from said supplier.

17. The Secretary shall serve a copy of this order upon all parties.

  
E. James Gildea  
Administrative Law Judge

UNITED STATES INTERNATIONAL TRADE COMMISSION  
WASHINGTON, D.C.

Before the Honorable Thomas B. Pender  
Administrative Law Judge

In the Matter of

CERTAIN ELECTRONIC DEVICES  
WITH COMMUNICATION  
CAPABILITIES, COMPONENTS  
THEREOF, AND RELATED SOFTWARE

Investigation No. 337-TA-808

**APPLICATION FOR ISSUANCE OF SUBPOENA *DUCES TECUM* AND  
*AD TESTIFICANDUM* TO CAMBRIDGE SILCON RADIO INTERNATIONAL LLC**

Respondent Apple Inc. ("Apple"), under 19 C.F.R. § 210.32, hereby applies for the issuance of the attached subpoena *duces tecum* and subpoena *ad testificandum* to:

CAMBRIDGE SILCON RADIO INTERNATIONAL LLC  
NATIONAL REGISTERED AGENTS, INC.  
160 GREENTREE DRIVE, SUITE 101  
DOVER, DE 19904

The subpoena requires Cambridge Silicon Radio International LLC to produce documents described in Attachment A to the subpoena at the time and place indicated on the subpoena. The subpoena also requires Cambridge Silicon Radio International LLC to produce a witness who will appear and testify at a deposition regarding the matters identified in Attachment B to the subpoena at the time and place indicated on the subpoena.

Apple believes that Cambridge Silicon Radio International LLC has information relevant to this investigation. Complainant HTC Corp. alleges in its Complaint that various Apple Accused Products infringe the HTC Patents-in-Suit. Apple believes that Cambridge Silicon Radio International LLC, as a designer and manufacturer of electronic devices with communication capabilities, components thereof, and related software in the years before the publication of the HTC Patents-in-Suit, possesses unique and significant information concerning

technology of electronic devices with communication capabilities, components thereof, and related software as they existed before the HTC Patents-in-Suit were published.

Apple's requests for documents and testimony relate to matters directly relevant to the HTC Patents-in-Suit and Apple's defenses in this Investigation, and they are not unduly burdensome because they will not require an extensive production of documents or require extensive time. Given the high relevance and importance of this information uniquely within Cambridge Silicon Radio International LLC's possession, and the limited nature of the subpoena and the documents sought, Apple requests that its application for subpoena be granted and the attached subpoenas be issued.

Cambridge Silicon Radio International LLC will receive the application and subpoena by overnight delivery, if not sooner, and all other parties to this Investigation will receive them on the next business day, at the latest, after the subpoena has issued.

Dated: April 5, 2012

Respectfully submitted,

/s/ Andrew F. Pratt

V. James Adduci, II

Andrew F. Pratt

Daniel F. Smith

ADDUCI, MASTRIANI & SCHAUMBERG, LLP

1133 Connecticut Avenue, NW, Twelfth Flr.

Washington, DC 20036

Telephone: (202) 467-6300

Facsimile: (202) 466-2006

*Counsel for Respondent Apple Inc.*

*a/k/a Apple Computer, Inc*

**CERTIFICATE OF SERVICE**

I hereby certify that a copy of the foregoing **SUBPOENA DUCES TECUM AND SUBPOENA AD TESTIFICANDUM TO CAMBRIDGE SILCON RADIO INTERNATIONAL LLC** was served to the parties, in the manner indicated below, this 10th day of April 2012:

Cambridge Silcon Radio International LLC             **VIA FEDERAL EXPRESS**  
National Registered Agents, Inc.  
160 Greentree Drive, Suite 101  
Dover, DE 19904

R. Whitney Winston, Esq.                                     **VIA HAND DELIVERY**  
Office of Unfair Import Investigations             **VIA ELECTRONIC MAIL**  
U.S. INTERNATIONAL TRADE COMMISSION  
500 E Street, S.W., Room 401-F  
Washington, DC 20436

**COUNSEL FOR COMPLAINANTS HTC CORP.**

Thomas L. Jarvis     **VIA ELECTRONIC MAIL**  
Thomas W. Winland     **VIA HAND DELIVERY**  
John R. Alison  
Steven M. Anzalone  
Houtan K. Esfahani  
Paul C. Goulet  
FINNEGAN, HENDERSON, FARABOW,  
GARRETT & DUNNER, LLP  
901 New York Avenue, N.W.  
Washington, DC 20001-4413

/s/ Kevin M. Brzozowski  
ADDUCI, MASTRIANI & SCHAUMBERG, L.L.P.  
1133 Connecticut Avenue, NW, Twelfth Floor  
Washington, DC 20036