

EXHIBIT 12

DiMuzio, Elena

From: Ben Quarmby <benquarmby@quinnemanuel.com>
Sent: Friday, December 16, 2011 7:34 AM
To: DiMuzio, Elena; David Perlson; Moto-Apple-SDFL
Cc: 'Weil_TLG Apple Moto FL External'; AppleCov
Subject: RE: Apple/Moto SDFL: Letter re Production of Embodying Products

Dear Elena –

I write in response to your letter dated December 14, 2011 regarding Apple's request that Motorola identify any its products that embody the inventions claimed in the asserted Motorola patents. We agree that this topic was discussed during a recent meet and confer, but disagree with your characterization of Motorola's representations. Motorola has consistently made clear that, to the extent it was to rely on any particular product or system as embodying its patents, it would identify such product or system to Apple. But there is no authority supporting your proposition that Motorola is under an obligation to conduct an exhaustive review of its many products to determine which, if any, embody any of the 6 asserted Motorola patents – and indeed your letter cites to none. We remain, however, willing to meet and confer on this matter. Please let us know whether you are available for a call early next week.

Best regards,

Ben Quarmby

From: DiMuzio, Elena [mailto:edimuzio@cov.com]
Sent: Wednesday, December 14, 2011 8:20 PM
To: David Perlson; Moto-Apple-SDFL
Cc: Weil_TLG Apple Moto FL External; AppleCov
Subject: Apple/Moto SDFL: Letter re Production of Embodying Products

David,

Please see attached letter.

Best Regards,
Elena.

Elena DiMuzio | Associate | **COVINGTON & BURLING LLP**
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