

Exhibit A

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF FLORIDA**

Case No. 1:10cv023580-Civ-UU

MOTOROLA MOBILITY, INC.,

Plaintiff,

v.

APPLE INC.,

Defendant.

JURY TRIAL DEMANDED

APPLE INC.,

Counterclaim Plaintiff,

v.

MOTOROLA, INC. and
MOTOROLA MOBILITY, INC.,

Counterclaim Defendants.

**MOTOROLA MOBILITY, INC.’S RESPONSES TO
APPLE’S FIRST SET OF INTERROGATORIES (NOS. 1-10)**

Pursuant to Federal Rules of Civil Procedure 26 and 33, Plaintiff and Counterclaim-Defendant Motorola Mobility, Inc. (“Mobility”) responds to Defendant and Counterclaim-Plaintiff Apple Inc’s (“Apple”) Interrogatories Nos. 1-10 (“Interrogatories”).

PRELIMINARY STATEMENT

Mobility has made a reasonable investigation for information responsive to Apple’s Interrogatories based upon its current knowledge, information, and belief. Mobility is still

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pursuing its investigation and analysis of the facts and law pertaining to this action, and has not yet completed its investigation. Mobility's responses are made without prejudice to its right to revise, correct, supplement, or clarify its responses at any time pursuant to Federal Rule of Civil Procedure 26(e). Mobility reserves the right to make any use of, or to introduce at any hearing, and at trial, information and/or documents responsive to the Interrogatories but discovered subsequent to the date of this response. Mobility reserves all objections or other questions as to the competency, relevance, materiality, privilege, or admissibility in any proceeding or trial for any purpose whatsoever of its responses herein and any document or thing identified or provided in response to the Interrogatories.

Mobility provides these written responses to the Interrogatories subject to the general and specific objections stated below.

GENERAL OBJECTIONS

Mobility incorporates by reference the following general objections to Apple's Interrogatories into Mobility's responses to each of the individual interrogatories as if fully set forth therein:

1. Mobility objects to the Interrogatories, and the Definitions and Instructions therein, on the ground and to the extent that they purport to impose any obligation on Mobility that is beyond the scope of Rules 26 and 33 of the Federal Rules of Civil Procedure or the Court's Preliminary Pretrial Conference Order.

2. Mobility bases the following responses on discovery available as of the date hereof. Discovery is just beginning, and these responses are subject to change accordingly. Mobility anticipates that further discovery, independent investigation, and analysis may lead to the discovery of additional information or documents, supply additional facts and add meaning to

known facts, as well as establish entirely new factual conclusions and legal contentions, all of which may lead to additions to, changes to, or variations from the responses set forth here.

3. Mobility gives the following responses without prejudice to its right to produce or rely on subsequently discovered information, facts, or documents. Mobility accordingly reserves the right to change the response herein or produce or rely on subsequently discovered documents as additional facts are ascertained, analysis is made, legal research is completed and contentions are made. Mobility has given responses as contained herein in a good faith effort to comply with Rules 26 and 33 of the Federal Rules of Civil Procedure, and to supply such responsive information as exists and is presently within Mobility's possession, custody, or control, but are in no way to be deemed to be to the prejudice of Mobility in relation to further discovery, research, and analysis.

4. Mobility, by responding to these Interrogatories, does not make any admissions relative to the existence of any document or information, to the relevance or admissibility of any documents or information, or to the truth or accuracy of any statement or characterization contained in Apple's requests. Mobility expressly reserves all objections as to relevance, authenticity, or admissibility of any document or information.

5. Mobility responds subject to and without prejudicing the positions it has taken in its pending motion to dismiss certain counts of Apple's and NeXT's Amended Complaint in the Western District of Wisconsin, Case No. 1:10-cv-00662-slc, its opposition to Apple's and NeXT's pending motion to dismiss in the District of Delaware, Case No. 1:10-cv-00867, and its opposition to Apple's pending motion to transfer in this action. Mobility reserves the right to supplement or amend its responses after these pending motions are ruled upon.

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6. Mobility objects to the Interrogatories to the extent they are vague, ambiguous, overbroad, unduly burdensome, incomprehensible, harassing, duplicative, and/or cumulative of other discovery.

7. Mobility objects to the Interrogatories to the extent they seek information neither relevant to a claim or defense of any party in this action or reasonably calculated to lead to the discovery of admissible evidence.

8. Mobility objects to these Interrogatories to the extent they seek information from outside a reasonable time period or from a point other than a reasonable time. Mobility also objects generally to the Interrogatories to the extent the time period in question is vague, ambiguous, or undefined. Mobility is willing to meet and confer with Apple regarding reasonable time periods and cutoffs.

9. Mobility objects to the Interrogatories to the extent they seek information subject to the attorney-client privilege, attorney work product immunity, the common interest doctrine and/or other privilege or immunity. The inadvertent disclosure of information protected by such privileges and protections shall not constitute waiver of the applicable privilege and/or protection either as to the information inadvertently disclosed or as to any other information related thereto. If any privileged or protected information were to be disclosed by Mobility in the absence of a Court order compelling such disclosure, such disclosure would be inadvertent, and in such event, Mobility requests the immediate return of any such information and all documents or tangible things containing such inadvertently disclosed information upon notification to Apple. Mobility will exchange with Apple a list of withheld documents at a time agreed to by counsel for the parties. Mobility objects to the logging of privileged documents over an indefinite time period and is willing to meet and confer with Apple regarding an appropriate scope for logging.

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10. Mobility objects to the Interrogatories to the extent that they seek information and/or documents not within the possession, custody, or control of Mobility. An objection on this ground does not constitute a representation or admission that such information and/or documents do, in fact, exist.

11. Mobility objects to the Interrogatories to the extent that they seek information and/or documents that are as accessible to Apple as they are to Mobility because it is unreasonably burdensome to compel Mobility to obtain such information and/or documents for Apple.

12. Mobility objects to the Interrogatories to the extent they seek discovery that is more appropriately sought by other means and to the extent they seek information that is cumulative or duplicative of information already provided through other forms of discovery.

13. Mobility objects to Apple's "Definitions" and "Instructions" to the extent that they purport to enlarge, expand, or alter in any way the plain meaning and scope of the Interrogatories where such enlargement, expansion, or alteration renders said Interrogatories vague, ambiguous, overbroad, unduly burdensome, harassing, incomprehensible, and/or causes said Interrogatories to seek information that is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence.

14. Mobility objects to the Interrogatories to the extent they call for information that is confidential, commercially sensitive, or which constitutes confidential financial or proprietary information, economic relationships, or trade secrets, which would impinge upon the constitutionally protected right to privacy of individuals, or which is protected from disclosure by law or contract, including but not limited to information subject to confidentiality agreements or protective orders with third parties, without the prior consent of those third parties. Mobility

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will make reasonable efforts to request the consent of third parties to produce such confidential, proprietary information, and absent consent, reserves the right to withhold such third-party confidential information from production. Furthermore, Mobility will not provide such information until a suitable Protective Order is entered by the Court. At such time and to the extent Mobility provides such information, the information will be provided pursuant to the Protective Order.

15. Mobility objects to the Interrogatories to the extent they call for a legal conclusion or opinion, or call for expert testimony. Mobility's responses should not be construed to provide legal conclusions or opinions.

16. Mobility objects to these Interrogatories to the extent they seek to compel Mobility to create or generate information and or documents that do not already exist.

17. Mobility objects to the Interrogatories on the ground that they are unduly burdensome and oppressive to the extent that they purport to require Mobility to search facilities or inquire of employees other than those facilities or employees that would reasonably be expected to have responsive information. Mobility's responses are based upon (1) a reasonable search of facilities and file that could reasonably be expected to contain responsive information, and (2) inquiries of Mobility's employees or representatives who could reasonably be expected to possess responsive information.

18. Mobility objects to the Interrogatories insofar as they are premature in light of the parties Joint Planning and Scheduling Report filed in this action on December 29, 2010. The parties have asked the Court to set a date on which the parties will disclose initial infringement contentions and asserted claims, a date on which the parties will disclose initial invalidity contentions and unenforceability contentions, and a date on which the parties will exchange

claim terms and proposed constructions. Additionally, the parties have asked the Court to set dates for opening and rebuttal expert reports. To the extent these Interrogatories call for or require information the parties have agreed to exchange on a date set by the Court, they are premature. Mobility will supplement its responses to premature Interrogatories at the appropriate time.

19. Mobility objects to these Interrogatories to the extent that they prematurely call for Mobility's contentions. Mobility is still investigating the claims and defenses at issue in this case. Mobility will provide responses to contention Interrogatories at an appropriate time.

20. Mobility objects that the definitions of the terms "Motorola," "You," "Your," "Defendant," and "Defendants" are overbroad. The definitions include persons and entities not within Mobility's control, and necessarily encompass attorneys or their agents, that have provided legal advice to Mobility. Mobility also objects to the definitions to the extent they purport to include "all predecessors, subsidiaries, parents, and affiliates, including without limitation the Mobile Devices segment of Motorola, Inc. and Motorola SpinCo Holdings Corp., and all past or present directors, officers, agents, representatives, employees, consultants, attorneys, entities acting in joint-venture or partnership relationships with the aforementioned entities, and others acting on their behalf." Mobility further objects to these definitions insofar as they purport to define Motorola Solutions, Inc. (f/k/a Motorola, Inc.) and Motorola Mobility, Inc. as the same legal entity. Additionally, Mobility objects to these definitions to the extent they presuppose, assume or imply a relationship between Motorola Solutions, Inc. (f/k/a Motorola, Inc.) and Motorola Mobility, Inc. that is inconsistent with the Amended and Restated Master Separation and Distribution Agreement filed by Motorola Mobility Holdings, Inc. (f/k/a Motorola SpinCo Holdings Corp.) with the Securities Exchange Commission on August 31,

2010. Mobility will construe these terms to mean only Motorola Solutions, Inc. (f/k/a Motorola, Inc.) and Motorola Mobility, Inc., respectively, as is called for by the meaning and context of the request in question.

21. Mobility objects to the definition of the term “Apple” as overly broad and unduly burdensome to the extent it includes “all predecessors, subsidiaries, parents, and affiliates, and all past or present directors, officers, agents, representatives, employees, consultants, attorneys, entities acting in joint-venture or partnership relationships, and other acting on behalf of Apple.” Mobility will construe the term “Apple” to mean “Apple Inc.”

22. Mobility objects to the extent that the definition of the term “Apple Patent(s)-in-Suit” presupposes, assumes or implies that Apple owns or has standing to assert any of the enumerated patents. Mobility does not admit that Apple owns or has standing to assert any patent in this action. Mobility further objects that the definition of the term “Apple Patent(s)-in-Suit” is overly broad, unduly burdensome and not relevant to the claims or defenses of any party to the extent it includes Apple patents beyond U.S. Patents Nos. 5,583,560, 5,594,509, 5,621,456, 6,282,646, 7,380,116, and 7,657,849.

23. Mobility objects to the definition of the term “Motorola Accused Set-Top Box(es)” to the extent it presupposes, assumes or implies a relationship between Motorola Solutions, Inc. (f/k/a Motorola, Inc.), Motorola Mobility, Inc. and any product or service that is inconsistent with the Amended and Restated Master Separation and Distribution Agreement filed by Motorola Mobility Holdings, Inc. (f/k/a Motorola SpinCo Holdings Corp.) with the Securities Exchange Commission on August 31, 2010. Mobility further objects to the definition to the extent it relies upon claim terms to define the universe of set-top boxes allegedly encompassed by the definition. The Court has not yet construed these claim terms. In responding to

Interrogatories incorporating this definition, Mobility does not admit any of the enumerated devices function as described in the definition, including as described by claim terms not yet defined. Mobility further objects to the definition to the extent it calls for legal conclusions regarding the functionality of the enumerated devices and the activities of Mobility and Motorola Solutions, Inc. as regards the enumerated devices. Mobility further objects to the definition to the extent it identifies devices that do not exist. In responding to Interrogatories incorporating this definition, Mobility will only respond as to the specifically enumerated devices, to the extent such devices exist.

24. Mobility objects to the definition of the term “Motorola Accused Mobile Device(s)” to the extent it presupposes, assumes or implies a relationship between Motorola Solutions, Inc. (f/k/a Motorola, Inc.), Motorola Mobility, Inc. and any product or service that is inconsistent with the Amended and Restated Master Separation and Distribution Agreement filed by Motorola Mobility Holdings, Inc. (f/k/a Motorola SpinCo Holdings Corp.) with the Securities Exchange Commission on August 31, 2010. Mobility further objects to the definition to the extent it relies upon claim terms to define the universe of mobile devices allegedly encompassed by the definition. The Court has not yet construed these claim terms. In responding to Interrogatories incorporating this definition, Mobility does not admit any of the enumerated devices function as described in the definition, including as described by claim terms not yet defined. Mobility further objects to the definition to the extent it calls for legal conclusions regarding the functionality of the enumerated devices and the activities of Mobility and Motorola Solutions, Inc. as regards the enumerated devices. In responding to Interrogatories incorporating this definition, Mobility will only respond as to the specifically enumerated devices.

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25. Mobility objects to the definition of the term “Motorola Patent(s)-in-Suit” to the extent it presupposes, assumes or implies a relationship between Motorola Solutions, Inc. (f/k/a Motorola, Inc.), Motorola Mobility, Inc. and any patent that is inconsistent with the Amended and Restated Intellectual Property Assignment Agreement filed by Motorola Mobility Holdings, Inc. (f/k/a Motorola SpinCo Holdings Corp.) with the Securities Exchange Commission on August 31, 2010. Mobility further objects to the extent that the definition presupposes, assumes or implies that Motorola Mobility, Inc. does not own all right, title and interest in U.S. Patents 5,710,987, 5,765,119, 5,958,006, 6,008,737, 6,101,531, and 6,377,161. Motorola Solutions, Inc. (f/k/a Motorola, Inc.) assigned each of these patents to Motorola Mobility, Inc. Mobility will use the term “Mobility Patent(s)-in-Suit” to refer to these patents.

26. Mobility objects to the definition of the term “Related Patent(s)” as overly broad and unduly burdensome to the extent it includes foreign patents or applications. Mobility objects to the definition as vague and ambiguous. For example, the terms “indirectly,” “any ancestor,” “any such patents or the applications thereof” are vague and ambiguous in the context of this definition. Mobility will construe this term to be limited to U.S. patent applications and patents at issue in this action.

27. Mobility objects to the definition of “Prior Art” to the extent it calls for a legal conclusion as to what “fall[s] within the scope of 35 U.S.C. §§ 102 and/or 103.

28. Mobility objects that the definition of “Person” and “acts of a Person” are overly broad, unduly burdensome, vague, ambiguous and confusing. For example, the terms and phrases “association,” “organization,” “other legal entity,” “members,” “agents,” and “other representatives acting on the Person’s behalf” are vague and ambiguous in the context of this definition.

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29. Mobility objects to the definitions of “Document,” “Thing,” “Communication,” and “Information” to the extent they purport to impose any obligation on Mobility that is beyond the scope of the Federal Rules of Civil Procedure.

30. Mobility objects to Apple’s definition of “Identify” and “Identity” as overly broad, unduly burdensome, vague, ambiguous and confusing.

31. Mobility objects to Apple’s definition of “Describe” as overly broad, unduly burdensome, vague, ambiguous and confusing.

32. Mobility objects to Apple’s definition of “Relate to,” “Related to,” “Relating to,” or “Concerning” as overly broad, unduly burdensome, vague, ambiguous and confusing.

33. Mobility objects to each interrogatory that asks Mobility to identify all documents, any document, each document, or every document referring to some subject matter because such interrogatories are overly broad and unduly burdensome. Such requests are more appropriately served as requests for production.

34. Mobility objects to each interrogatory that asks Mobility to identify all persons, any person, each person, or every person on the grounds that such interrogatories are overly broad and unduly burdensome, not relevant and not reasonably calculated to lead to the discovery of admissible evidence.

35. Mobility objects to Apple’s Instruction to identify documents and things no longer in Mobility’s possession, custody, and control, including Apple’s Instruction to “identify such documents and things, and the person who has possession, custody or control of the documents or things.” Mobility cannot answer the Interrogatories with information it does not currently possess. Mobility will answer each Interrogatory to the best of its ability with the information in its possession, custody, and control.

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36. Mobility objects that the Interrogatories are overly broad and unduly burdensome to the extent they seek information that is already in the possession of Apple, publicly available, or as readily available to Apple as it is to Mobility.

37. Mobility objects to each Interrogatory to the extent it is duplicative or cumulative of another Interrogatory.

38. Mobility objects to each Interrogatory to the extent it is compound and/or comprises multiple Interrogatories.

39. Mobility objects to these Interrogatories to the extent they purport to require Mobility to anticipate Apple's future claims or defenses and/or other developments in this Action. Mobility has not completed its discovery, investigation, research, and trial preparation, and provides these responses to the Interrogatories based solely on the information presently available and known to it.

40. Mobility objects to these Interrogatories to the extent that they purport to require Mobility to analyze, interpret, or summarize information for Apple that is contained in documents responsive to Apple requests for the production of documents.

41. Mobility expressly reserves the right to respond to any or all of the Interrogatories by specifying the documents wherein the responsive information may be ascertained pursuant to Federal Rule of Civil Procedure 33(d).

42. Mobility has responded to the Interrogatories as it interprets and understands it. If Apple subsequently asserts an interpretation of any Interrogatory or sub-part thereof that differs from Mobility's understanding of that Interrogatory or sub-part thereof, Mobility reserves the right to supplement, revise, amend, or modify its objections and/or responses.

Report. Mobility also objects that this interrogatory is unduly burdensome because it comprises at least five distinct interrogatories.

Mobility is still investigating the claims and defenses at issue in this case and will provide responses regarding its asserted claims proposed constructions at the time set by the Court, pursuant to the parties' request in the December 29, 2010 Joint Planning and Scheduling Report. Pursuant to that request, Mobility is not yet required to identify the claims it asserts in this action, its infringement contentions regarding the Apple Accused Products, or the claims for which it will seek construction by the Court.

INTERROGATORY NO. 6:

Separately for each asserted claim of each of the Motorola Mobility Patents-in-Suit, describe the circumstances of alleged conception and reduction to practice, including without limitation an identification of: Motorola Mobility's alleged priority date for that claim; the alleged dates, locations of, and individuals involved in conception and reduction to practice; whether the alleged reduction to practice was actual or constructive; and each document and witness Motorola Mobility alleges can substantiate or corroborate such conception or reduction to practice and/or the exercise of diligence, if any, in reduction to practice, including a full description of how each document and witness allegedly substantiates or corroborates Motorola Mobility's allegations; and each document, electronically stored information, thing, or person that Motorola Mobility relies on in support of its answer.

RESPONSE TO INTERROGATORY NO. 6:

Mobility incorporates its Preliminary Statement and General Objections set forth above as though set forth fully herein. Mobility objects to this interrogatory to the extent that it seeks to elicit information subject to and protected by the attorney-client privilege, the attorney work-

product doctrine, the joint defense privilege, the common interest doctrine, and/or any other applicable privilege or immunity. Mobility further objects to this interrogatory to the extent it calls for a legal conclusion or presents a question of law. To the extent this interrogatory calls for expert testimony or opinion, Mobility objects that this interrogatory is premature in light of the parties' December 29, 2010 Joint Planning and Scheduling Report in which the parties request that the Court set deadlines for expert disclosures. Similarly, to the extent this interrogatory calls for Mobility's infringement contentions or asserted claims, Mobility objects that this interrogatory is premature because the parties have requested that the Court set dates for the exchange of such information in the December 29, 2010 Joint Planning and Scheduling Report. Mobility further objects that this interrogatory is overly broad, unduly burdensome and not relevant to the claims of defenses of any party to the extent it is not limited to asserted claims. Mobility also objects that this interrogatory is unduly burdensome because it comprises at least six distinct interrogatories.

Mobility is still investigating the claims and defenses at issue in this case and will provide responses regarding its asserted claims at the time set by the Court, pursuant to the parties' request in the December 29, 2010 Joint Planning and Scheduling Report. Pursuant to that request, Mobility is not yet required to identify the claims it asserts in this action or its infringement contentions regarding the Apple Accused Products.

Subject to and without waiving its General Objections and the foregoing specific objections, Mobility states as follows:

As currently advised and based on Mobility's investigation to date, the following individuals were involved in the conception and reduction to practice:

U.S. Patent No.	Individuals
6,008,737	[REDACTED]
5,765,119	[REDACTED]
5,710,987	[REDACTED]
6,377,161	[REDACTED]
6,101,531	[REDACTED]
5,958,006	[REDACTED]

As currently advised and based on Mobility’s investigation to date, the priority dates for the Mobility Patents-in-Suit are as follows:

U.S. Patent No.	Priority Date
6,008,737	[REDACTED]
5,765,119	[REDACTED]
5,710,987	[REDACTED]
6,377,161	[REDACTED]
6,101,531	[REDACTED]
5,958,006	[REDACTED]

Mobility has not yet completed its discovery and investigation of the facts relating to this interrogatory. Mobility will supplement this response at the appropriate time and as its investigation continues, in accordance with Federal Rule of Civil Procedure 26(e) and the schedule ordered by the Court.

INTERROGATORY NO. 7:

For each asserted claim of each of the Motorola Mobility Patents-in-Suit, describe all facts and circumstances relating to the first manufacture of the claimed invention, the first use of