

# 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 NOTICE OF DEPOSITION OF APPLE INC.**  
**PURSUANT TO FEDERAL RULE OF CIVIL PROCEDURE 30(b)(6)**

PLEASE TAKE NOTICE THAT, pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Defendant Motorola Mobility, Inc. ("Mobility") will depose Plaintiff Apple Inc. ("Apple") on August 26, 2011, beginning at 9:30 A.M. and continuing from day-to-day thereafter, excluding Saturdays, Sundays, and holidays, until completed. The deposition shall take place at Quinn Emanuel Urquhart & Sullivan, LLP, 555 Twin Dolphin Drive, Fifth Floor,

Redwood Shores, CA 94065, or according to alternative arrangements upon which counsel jointly agree. The deposition shall be recorded by videotape, audiotape, and stenographic recording.

Apple shall designate one or more of its officers, directors, managing agents, or other persons who consent to testify on Apple's behalf as to all matters known or reasonably available to Apple with respect to the Topics of Examination set forth in the attached Exhibit. For each person designated, Apple shall advise counsel for Mobility of the identity of that person and the topic(s) on which that person shall testify at least one week in advance of the deposition. Apple shall also produce all relevant documents in that person's possession at least one week in advance of the deposition.

## **EXHIBIT**

### **DEFINITIONS AND INSTRUCTIONS**

1. The terms "Apple," "Defendant," "you," and "your" refers collectively and individually to Apple Inc., and all its predecessors or successors (merged, acquired, or otherwise), parents, divisions, subsidiaries, and affiliates thereof, and all officers, agents, employees, counsel and other persons acting on their behalf.

2. The term "Mobility" refers to Motorola Mobility, Inc., and all its predecessors or successors (merged, acquired, or otherwise), parents, divisions, subsidiaries, and affiliates thereof, and all officers, agents, employees, counsel and other persons acting on its behalf.

3. The term "Solutions" refers to Motorola Solutions, Inc. (f/k/a Motorola, Inc.), and all its predecessors or successors (merged, acquired, or otherwise), parents, divisions, subsidiaries, and affiliates thereof, and all officers, agents, employees, counsel and other persons acting on its behalf.

4. The term "Plaintiffs" or "Motorola" refers collectively to Mobility and Solutions.

5. The term “Complaint” refers to Motorola’s Complaint filed in this matter on October 6, 2010.
6. The term “Apple Counterclaims” refers to Apple’s Counterclaims filed in this matter on November 18, 2010.
7. The term “Motorola Counterclaims” refers to Motorola’s Joint Counterclaims filed in this matter on December 13, 2010.
8. The term “Action” shall mean the case entitled Motorola Mobility, Inc. v. Apple Inc., Case No. 1:10cv23580-UU, pending in the United States District Court for the Southern District of Florida.
9. The term “’119 Patent” refers to U.S. Patent No. 5,574,119, as issued, corrected, reissued and/or reexamined.
10. The term “’987 Patent” refers to U.S. Patent No. 5,710,987, as issued, corrected, reissued and/or reexamined.
11. The term “’006 Patent” refers to U.S. Patent No. 5,958,006 as issued, corrected, reissued and/or reexamined.
12. The term “’737 Patent” refers to U.S. Patent No. 6,008,737, as issued, corrected, reissued and/or reexamined.
13. The term “’531 Patent” refers to U.S. Patent No. 6,101,531, as issued, corrected, reissued and/or reexamined.
14. The term “’161 Patent” refers to U.S. Patent No. 6,377,161, as issued, corrected, reissued and/or reexamined.
15. The term “Mobility Asserted Patents” refers to the ’119, ’987, ’006, ’737, ’531, and ’161 Patents, collectively.

16. The term “Mobility Asserted Claims” refers to any claim of the Mobility Asserted Patents asserted in this Action.

17. The terms “Apple Accused Instrumentality,” “Apple Accused Instrumentalities,” or “Apple’s Accused Instrumentalities” means any offering, process, method, product, system, device, apparatus, network, software or other instrumentality of Apple that Mobility contends infringes any claim of the Mobility Asserted Patents, including, but not limited to, the Apple iPhone 4, MobileMe, Apple iPhone 3G, Apple iPhone 3G S, Apple iPhone 4G, Apple iPad, Apple iPad with 3G, Apple iPad 2, Apple iPad 2 with 3G, Apple iPod Touch, Apple MacBook, Apple MacBook Pro, Apple iMac, Apple Mac Mini, Apple MacBook Air, Apple Mac Pro, and AppleTV.

18. The term “‘560 Patent” refers to U.S. Patent No. 5,583,560, as issued, corrected, reissued and/or reexamined.

19. The term “‘509 Patent” refers to U.S. Patent No. 5,594,509, as issued, corrected, reissued and/or reexamined.

20. The term “‘456 Patent” refers to U.S. Patent No. 5,621,456, as issued, corrected, reissued and/or reexamined.

21. The term “RE ‘646 Patent” refers to U.S. Patent No. 6,282,646, as issued, corrected, reissued, and/or reexamined.

22. The term “‘116 Patent” refers to U.S. Patent No. 7,380,116, as issued, corrected, reissued, and/or reexamined.

23. The term “‘849 Patent” refers to U.S. Patent No. 7,657,849, as issued, corrected, reissued, and/or reexamined.

24. The term “Apple Asserted Patents” refers to the ’560, ’509, ’456, ’646, ’116, and ’849 Patents, collectively.

25. The term “Apple Asserted Claims” refers to any claim of the Apple Asserted Patents asserted in this Action.

26. “Embodying Product(s)” means any offering, product, device, apparatus, process, method, act, or other instrumentality that, when made, used, offered for sale, sold, or practiced (either by itself or in conjunction with other products, methods, or processes), Apple contends or has contended constitutes, practices, incorporates or embodies an apparatus, system, method, or process claimed in any of the Apple Asserted Patents, whether or not Apple is asserting that claim is infringed in this litigation.

27. “Accused Set-Top Boxes” means the DCT700, DCT2500, DCT3400, DCT3412, DCT3080, DCT6200, DCT6208, DCT6400, DCT6412, DCX700, DCX3200, DCX3200 P2, DCX3400, DCH70, DCH100, DCH200, DCH3200, DCH3416, DCH6200, DCH6416, DTA100, QIP2500, QIP2708, QIP6200, QIP6416, QIP7100 and QIP7216.

28. “Accused Mobile Devices” means the Bravo, Charm, Citrus, Cliq, Cliq XT, Cliq 2, Defy, Devour, Droid, Droid 2, Droid 2 Global, Droid X, Droid Pro, BackFlip, Flipout, Flipside, i1, Atrix 4G, and Xoom.

29. The terms “Accused Instrumentality of Defendants” or “Accused Instrumentalities of Defendants” means any offering, process, method, product, system, device, apparatus, network, software or other instrumentality of Mobility or Solutions that Apple contends infringes any claim of the Apple Asserted Patents, including, but not limited to, the Accused Set-Top Boxes and the Accused Mobile Devices.

30. When used in relation to a patent, “Subject Matter” means all products, processes, services, implementations, uses, or other matter covered by one or more claims of that patent.

31. “Apple Related Application(s)” means any patent or application related to an Apple Asserted Patent, including foreign counterpart patents or applications, whether by means of a continuation, continuation-in-part, division, reexamination, correction or re-issue, whether issued, pending, or abandoned.

32. “Mobility Related Application(s)” means any patent or application related to a Mobility Asserted Patent, including foreign counterpart patents or applications, whether by means of a continuation, continuation-in-part, division, reexamination, correction or re-issue, whether issued, pending, or abandoned.

33. The term “Prior Art” means all publications, patents, physical devices, prototypes, products, uses, sales, offers for sale, or other activity concerning the Subject Matter of the Apple or Mobility Asserted Patents, as the case may be, or related United States or foreign patents, and existing on, or occurring at, a date such as to be relevant under any subdivision of 35 U.S.C. §§ 102 or 103.

34. “Operation Code” means the code stored or executed, in whole or in part, on an Apple Accused Instrumentality (or any integrated circuit therein or utilized therewith), or that Apple used or made available to third parties in order to carry out an operation or operations (as may be more particularly described below), including, without limitation, the source code and associated notes and annotations; object code or machine language; executable code; assembly code; hardware design language; and any higher level language code from which any object code was assembled or compiled, together with the mnemonics and microinstruction set for the computer code, as well as firmware, related documents, and all revisions. Operation Code

includes, but is not limited to, software, firmware, operating systems, applications, programs, or widgets running on the Apple Accused Instrumentality. With regard to Operation Code, “Related Documentation” means the architecture designs, logic diagrams, flow diagrams, technical descriptions and flowcharts associated with, or used in the design of, such Operation Code, and all descriptive or explanatory documentary documents relating to it.

35. The terms “product” or “products” shall mean any product, apparatus, system or service.

36. The term “infringe” or any variant thereof, including but not limited to “infringing” and “infringement,” refers to any type of patent infringement, whether direct, indirect, by equivalents, contributory, or by inducement.

37. The term “concerning,” in addition to its usual and customary meaning, shall also mean relating to, alluding to, referring to, constituting, describing, discussing, evidencing, or regarding.

38. The term “relating to,” in addition to its usual and customary meaning, shall also mean alluding to, referring to, constituting, describing, discussing, evidencing, or regarding.

39. The words “pertain to” or “pertaining to” mean: relates to, refers to, contains, concerns, describes, embodies, mentions, constitutes, constituting, supports, corroborates, demonstrates, proves, evidences, shows, refutes, disputes, rebuts, controverts or contradicts.

40. The term “identify” shall mean (1) when referring to a person, the person’s full name, present or last known address, and the last known title and place of employment; (2) when referring to a business, legal, or governmental entity or association, the name and address of the main office; (3) when referring to a fact, the fact and the documentary or testimonial support for that fact; (4) when referring to a product or thing, the title or model name/number, any code or

project name, or other name by which it has been referred, and a general description of the product or thing; (5) when referring to a written communication, identity of the document(s) in which the communication was made; (6) when referring to an oral communication, the identity of persons participating in the communication; (7) when referring to nonpatent documents, the Bates number, type of document, its general nature and subject matter, date of creation, and all author(s), addressee(s), and recipient(s); and (8) when referring to patent documents, the country, patent and/or application number, dates of filing, publication, and grant, the names of patentees or applicants.

41. The term “describe” shall mean, in addition to its usual and customary meaning, the identity of all persons with knowledge of the information sought in the interrogatory, and the identity of all documents referring, regarding, or relating to the information sought in the interrogatory.

42. The term “date” shall mean the exact date, month and year, if ascertainable or, if not, the best approximation of the date (based upon relationship with other events).

43. The terms “document” and “documents” shall be construed to include, without limitation, any computer disk, diskette, tape, card or any other form of computer data storage, electronic data, or electronically stored information, existing or deleted files, metadata, data collected and stored through use of the Internet, including “bookmarks” and browser history identifying Web sites visited, voice-mail messages and identifying information (including information stored on cell phones and hand-held communication devices), digital photographs, charts and graphs stored electronically, writings, drawings, graphs, chart photographs, sound recordings, images, and all other data or data compilations stored in any medium from which information can be obtained, however produced or reproduced, of any kind or description,

whether sent or received, including original copies, drafts and both sides thereof, regardless of their author or origin, or however denominated by the recipient of this Request. In all instances in which a document, or a series of documents, has been prepared on a periodic basis (such as monthly, quarterly, semiannually, annually, etc.) the document reflecting each such period is requested.

44. The terms “communication” and “communications” shall refer to all written, oral, telephonic or other inquiries, dialogues, discussions, conversations, interviews, correspondence, consultations, negotiations, agreements, understandings, meetings, letters, notes, telegrams, advertisements, computer mail, e-mail and all other documents evidencing any verbal or nonverbal interaction between persons and entities.

45. The term “agent” shall mean any agent, employee, officer, director, attorney, independent contractor or any other person acting at the direction of or on behalf of another.

46. The terms “person” and “persons” refers to any natural persons, corporate or other business entities, and all other forms of legal entities, and shall include the following: corporations, proprietorships, associations, joint ventures, companies, partnerships or other business or legal entities, trade organizations, standards organizations, including governmental bodies and agencies.

47. The term “third party” or “third parties” refers to individuals, persons, or entities that are not a party to this Action.

48. The word “or” shall also include within its meaning the word “and,” and vice versa; each shall be read in the conjunctive and in the disjunctive wherever each appears, and neither of these words shall be interpreted to limit the scope of these Interrogatories.

49. The terms “any” and “all” shall each mean and include the other.

50. The use of a verb in any tense shall be construed as the use of the verb in all other tenses.

51. The singular shall include the plural and vice versa; the terms “and” or “or” shall be both conjunctive and disjunctive; and the term “including” mean “including without limitation.”

### **TOPICS OF EXAMINATION**

1. The filing and prosecution of each of the Apple Asserted Patents.
2. The person most knowledgeable about the ‘560 Patent, including the subject matter covered by the asserted claims.
3. The person most knowledgeable about the ‘509 Patent, including the subject matter covered by the asserted claim.
4. The person most knowledgeable about the ‘456 Patent, including the subject matter covered by the asserted claims.
5. The person most knowledgeable about the ‘646 Patent, including the subject matter covered by the asserted claims.
6. The person most knowledgeable about the ‘116 Patent, including the subject matter covered by the asserted claim.
7. The person most knowledgeable about the ‘849 Patent, including the subject matter covered by the asserted claims.
8. The conception, reduction to practice and diligence toward reduction to practice of the subject matter of each Apple Asserted Claim, including without limitation the identity of each person involved in its conception, reduction to practice and any diligence toward reduction to practice; all circumstances regarding conception, reduction to practice and any diligence; and the specific date and location of each such conception and reduction to practice.

9. The research, design, development, testing, structure and operation of any Apple product or prototype, whether or not commercially released, that embodies or practices the technology or inventions disclosed and/or described in the Apple Asserted Patents.

10. The type of and amount of costs incurred by Apple in the research and development of each of Apple's Accused Instrumentalities.

11. The first public use in the United States, first offer for sale or first sale in the United States, or first public disclosure of the subject matter claimed in each Apple Asserted Claim.

12. All Prior Art to the Apple Asserted Patents that Apple now has or once had knowledge about; any Apple Products or systems that are Prior Art to the Apple Asserted Patents; any Apple publications that are Prior Art to the Apple Asserted Patents; and any Apple patents that are Prior Art to the Apple Asserted Patents.

13. The scope, methodology (including identification of search terms), and results of any prior art searches or analysis related to the Apple Asserted Patents conducted by Apple, Apple's prosecuting attorneys, or anyone substantially involved with the prosecution of the Apple Asserted Patents, whether prior to the issuance of the respective Apple Asserted Patents or since that time.

14. Apple's testing, reverse engineering, study, experimentation, evaluation, or analysis concerning any Motorola product using any version of the Android™ platform or any Accused Mobile Device.

15. Apple's testing, reverse engineering, study, experimentation, evaluation or analysis concerning any set-top box designed or manufactured by Motorola or any Accused Set-Top Box.

16. Facts concerning any secondary indicia of non-obviousness of the Apple Asserted Claims on which Apple may rely, including but not limited to any facts allegedly supporting any of the following: (1) commercial success; (2) long-felt need; (3) failed attempts by others; (4) copying; (5) unexpected results; (6) praise; (7) the taking of licenses by others; (8) expressions of surprise by experts and those skilled in the art; (9) evidence of the patentee proceeding contrary to the accepted wisdom of the Prior Art; (10) unsuccessful attempts by others to solve the relevant problem; and (11) the connection or nexus between each of factors (1) through (10) and such claimed subject matter.

17. The actual, projected, expected or potential benefits or advantages for users of the subject matter of the Apple Asserted Claims.

18. All studies, analyses, investigations, or opinions concerning the scope, novelty, non-obviousness, validity, enforceability or infringement of any of the Apple Asserted Patents or Apple Related Applications.

19. All communications wherein the validity and/or enforceability of any claim of the Apple Asserted Patents or any Apple Related Applications is contested.

20. Any challenges, whether formal or informal, to the validity or enforceability of any of the Apple Asserted Patents or any Apple Related Applications.

21. The identity of, and Apple's relationship with, any person who has now, or previously had, a financial interest in any of the Apple Asserted Patents, including any information concerning acquisition and/or assignment of each of the Apple Asserted Patents.

22. All sales, assignments and/or transfers of ownership of each of the Apple Asserted Patents.

23. Past and present ownership of the Apple Asserted Patents.

24. Any agreements concerning any of the Apple Asserted Patents. Apple's efforts to license any claim of the Apple Asserted Patents or Apple Related Applications, whether or not such efforts were successful.

25. Apple's efforts to license any patent or group of patents that includes one or more of the Apple Asserted Patents or Apple Related Applications, whether or not such efforts were successful.

26. The terms of all licenses to the Apple Asserted Patents including, but not limited to, the identity of all licensees, the scope of the licenses, the duration of the licenses, and any royalty revenue that Apple has received from licenses to the Apple Asserted Patents.

27. All facts and circumstances surrounding any efforts by or on behalf of Apple to investigate, evaluate, study, test, analyze, reverse engineer, compare, inspect, report, or prepare an opinion of counsel as to any Apple Accused Instrumentality.

28. The identity of each person (other than Defendants) that you believe is, was, may be, or may have been making, using, selling, offering to sell, or importing any product that infringes either directly or indirectly, any Apple Asserted Claim; all legal and factual bases of your beliefs; identification of each product (other than Defendants') that you believe is, was, may be, or may have infringed either directly or indirectly any Apple Asserted Claim; and identification and description of the facts and circumstances of each communication to or from each such person regarding such alleged infringement, or the manufacture, use, sale, offer to sell or importation of such product.

29. Attempts by Apple to enforce any claim of the Apple Asserted Patents or Apple Related Applications and any communications with any entity concerning such efforts.

30. All prior and pending investigations, litigations or proceedings in the United States and abroad involving the Apple Asserted Patents or Apple Related Applications, including, but not limited to court actions, reexaminations, arbitrations or mediations.

31. Apple's decision to initiate this lawsuit against Defendants.

32. Apple's investigation of Defendants' products prior to filing Apple's initial complaint in this matter.

33. Any challenges, whether formal or informal, to the validity or enforceability of each of the Apple Asserted Patents.

34. The identification of all product(s), product design(s), or methods, whether designed or manufactured by Apple or by others, which Apple believes practice or embody any claim of the Apple Asserted Patents.

35. For each product identified in response to Paragraph 61, the manner in which the product embodies each alleged Apple Asserted Claim.

36. Apple's first awareness of Defendants' Products accused of infringement.

37. All efforts undertaken by Apple to design around or otherwise avoid infringement of any of the Motorola Asserted Patents.

38. The facts and circumstances concerning any efforts which Apple contends it made to provide notice to alleged infringers of the Apple Asserted Patents.

39. All factual bases which support Apple's contention that Defendants have infringed each asserted claim of the Apple Asserted Patents.

40. Acceptable, non-infringing substitutes for the claimed inventions of the Apple Asserted Patents.

41. Apple's claim that monetary damages are an inadequate remedy for the alleged infringement of the Apple Asserted Patents.

42. Apple's claim for damages or other remedies against Defendants and the amount and bases of any alleged damages, including any claim for an established royalty, reasonable royalty, lost profits, conveyed or derivative sales, and including the alleged outcome of any hypothetical negotiation to determine a reasonable royalty under each of the Apple Asserted Patents.

43. Any and all lost sales, lost profits or price erosion Apple contends it has suffered as a result of any of Defendants' products or services, including but not limited to the identification of each of Defendants' products or services as to which Apple contends that it lost a sale, lost profits or suffered price erosion as a result of any of the Defendants' products or services, the identification of which of Defendants' products or services that Apple contends caused such alleged losses with respect to which Apple products, each customer as to which Apple contends it has lost a sale, lost profits or suffered price erosion, due to the sale of an allegedly competing Apple product or service, the number of units that comprised such lost sale and the revenue on each such lost sale.

44. For each alleged invention in each of the Apple Asserted Patents, the monetary or economic value of such alleged invention.

45. For each alleged invention in the Apple Asserted Patents, the actual, projected, expected, or potential benefits or advantages users of the alleged inventions of each of the Apple Asserted Patents experience.

46. Apple's marking practices and policies, including Apple's marking, if any, related to the Apple Asserted Patents.

47. Apple's licensing practices and policies.
48. Apple's efforts to license any claim of the Apple Asserted Patents, whether successful or not.
49. The royalties extracted by Apple from licensees for each of the Apple Asserted Patents.
50. The royalties extracted by Apple from licensees for comparable patent licenses.
51. The royalty or licensing rates customary in the industry that each of the Apple Asserted Patents relate to for use of the patented or licensed technology.
52. Licenses taken or given by Apple for technology similar to or related to the claims of the Apple Asserted Patents.
53. The past (since 2000) and present organizational structure of Apple and its related subsidiaries, as well as Apple's and its related subsidiaries' respective roles and responsibilities.
54. The method of manufacture of Apple's Accused Instrumentalities and any subcomponents (e.g. chipsets or integrated circuits) incorporated therein.
55. The commercialization of Apple's Accused Instrumentalities and any subcomponents (e.g. chipsets or integrated circuits) incorporated therein.
56. The sales process and/or distribution path of Apple's Accused Instrumentalities, from the initial manufacture by Apple (and/or any other entity) to the final sale to an end user in the United States.
57. Advertising, promotion, and marketing of Apple's Accused Instrumentalities and any subcomponents (e.g. chipsets or integrated circuits) incorporated therein.
58. All testing conducted in cooperation with third parties for Apple's Accused Instrumentalities.

59. The operation, structure, function, and implementation of capabilities in Apple's Accused Instrumentalities, including the source, operation, and implementation of Operation Code therein.

60. The file name(s) and directory location(s) for the source code referenced in Topic 59.

61. The design, development, certification, and testing of any antennas that are in, connected to, integrated into, included with, or otherwise part of Apple's Accused Instrumentalities.

62. The synchronization of messages, contacts, addresses, and other data between multiple Apple devices including but not limited to Apple's Accused Instrumentalities.

63. The physical infrastructure of the data network that Apple's Accused Instrumentalities, and users of Apple's Accused Instrumentalities, use to transmit and receive data.

64. The filtering of data by Apple's Accused Instrumentalities, including optional filtering initiated by a user of Apple's Accused Instrumentalities.

65. The authorization, validation, or other authentication of any applications opened, uploaded to, downloaded from, or otherwise existing on, executable by users of, used by, or purchased for use on Apple's Accused Instrumentalities.

66. Digital certificates, including but not limited to certificate-based authentication for access to Microsoft Exchange ActiveSync, VPN, and Wi-Fi networks; distribution certificates used for distribution of enterprise applications; and Apple-issued certificates signed by application developers, used by Apple's Accused Instrumentalities to enable, authorize, validate, or authenticate any applications.

67. The existence and use of event-driven data sessions, including but not limited to data transmissions over wired and/or wireless networks between one or more of Apple's Accused Instrumentalities, and/or one or more servers.

68. The existence and use of HTML, junkmail and spam filters by Apple's Accused Instrumentalities.

69. The design, development, operation, structure, testing, and function of Apple's Accused Instrumentalities and any subcomponents (e.g., chipsets or integrated circuits) incorporated therein, including any model or version thereof, including but not limited to the following:

- a. iPhone
- b. Apple iPhone 4
- c. MobileMe
- d. Apple iPhone 3G
- e. Apple iPhone 3G S
- f. Apple iPhone 4G
- g. Apple iPad
- h. Apple iPad with 3G
- i. Apple iPad 2
- j. Apple iPad 2 with 3G
- k. Apple iPod Touch
- l. Apple MacBook
- m. Apple MacBook Pro
- n. Apple iMac

- o. Apple Mac Mini
- p. Apple MacBook Air
- q. Apple Mac Pro
- r. Apple TV

70. The design, development, testing, structure, operation, and functionality of products or prototypes that Apple is currently testing, evaluating, qualifying, or otherwise considering as a replacement or revision to any model or version of Apple's Accused Instrumentalities, including any plans by Apple, whether or not such plans have been adopted, to implement newer or modified versions of an Apple Accused Instrumentality.

71. The design, research, development, testing, implementation, and production history for each version or model of Apple's Accused Instrumentalities, and the current status of any design, development, and manufacturing activities relating to each Apple Accused Instrumentality.

72. The types of documentation created during the conception, design, development, research, testing, simulation, reduction to practice, fabrication, manufacturing, packaging, and analysis of Apple's Accused Instrumentalities.

73. For each model or version of Apple's Accused Instrumentalities, the identity, operation, and implementation of all types and versions of Operation Code stored or executed on each Apple Accused Instrumentality.

74. The identity, operation, and implementation of all versions or builds of any application or other user software that is provided with an Apple Accused Instrumentality.

75. The process by which Operation Code for Apple's Accused Instrumentalities is designed, written, tested, created, licensed, implemented, and incorporated for storage or execution on Apple's Accused Instrumentalities.

76. The process by which any application or other user software that is provided with Apple's Accused Instrumentalities is designed, written, tested, created, licensed, implemented, and incorporated for storage or execution on Apple's Accused Instrumentalities.

77. The process by which changes or updates are made to the Operation Code, applications, or other user software for Apple's Accused Instrumentalities that have been sold, leased, or otherwise distributed to third parties.

78. Sales and distribution, revenues, costs, and profitability of Apple's Accused Instrumentalities and any subcomponents (e.g. chipsets or integrated circuits) incorporated therein.

79. Price of Apple's Accused Instrumentalities and any subcomponents (e.g. chipsets or integrated circuits) incorporated therein, including how prices are set and the pricing of Apple's Accused Instrumentalities and any subcomponents (e.g. chipsets or integrated circuits) incorporated therein.

80. The market for Apple's Accused Instrumentalities and any subcomponents (e.g. chipsets or integrated circuits) incorporated therein, including competitors and competitors' products.

81. Apple's investigation or consideration of any modification to, or adaptation of, Apple's Accused Instrumentalities and any subcomponents (e.g. chipsets or integrated circuits) incorporated therein for the purpose of avoiding the claims of the Mobility Asserted Patents, regardless of whether such modification or adaptation was ever implemented.

82. Apple's alleged noninfringing substitutes for any of Apple's Accused Instrumentalities and any subcomponents (e.g. chipsets or integrated circuits) incorporated therein.

83. Apple's first awareness of the Mobility Asserted Patents and claims.

84. All factual bases for Apple's contention that it does not infringe the Mobility Asserted Patents, either literally or under the doctrine of equivalents.

85. Investigations, analyses, or legal opinions concerning the scope, validity, infringement and enforceability of the Mobility Asserted Patents, including but not limited to any reliance by Apple on investigations, analyses or legal opinions concerning the Mobility Asserted Patents.

86. The prior art to the Mobility Asserted Patents relied upon by Apple for any of Apple's defenses.

87. The authenticity of documents produced by Apple in this action.

88. All facts and documents supporting Apple's First through Fourteenth Affirmative Defenses asserted in Apple's November 18, 2010 Answer, Affirmative Defenses and Counterclaims.

89. All facts and documents supporting Apple's First through Sixth Counterclaims asserted in Apple's January 6, 2011 Answer to Motorola, Inc. and Motorola Mobility, Inc.'s Joint Counterclaims.

90. Licenses taken or given by Apple for software or hardware used in Apple's Accused Instrumentalities.

91. Any third party indemnity obligations in favor of Apple concerning one or more asserted claims of the Mobility Asserted Patents and causes of action asserted by Defendants.

92. Any joint defense or common interest agreements related to Defendants, this Action, or the Mobility Asserted Patents.

93. Any meeting of Your board of directors during which the Apple Asserted Patents, the Motorola Asserted Patents, this litigation, or any of Apple's Accused Instrumentalities or the Accused Instrumentalities of Defendants was discussed or considered.

94. Apple's first knowledge of Motorola's alleged infringement of the Apple Asserted Patents.

95. Your policies, practices, and procedures for the retention, preservation, and destruction of documents (including electronic documents and e-mails) related to the foregoing deposition topics, including the actual steps taken to retain and preserve documents relevant to this litigation as well as the location, organization, and custodians of such documents.

Dated: July 27, 2011

Edward M. Mullins (863920)  
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Respectfully submitted,

MOTOROLA MOBILITY, INC.

By: /s/ Anthony Pastor

Edward J. DeFranco

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