

EXHIBIT E

**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.

**APPLE'S OBJECTIONS AND RESPONSES TO MOTOROLA MOBILITY AND
MOTOROLA'S FIRST SET OF REQUESTS FOR PRODUCTION (NOS. 1-88)**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Defendant and Counterclaim-Plaintiff Apple, Inc. ("Apple") objects and responds to the requests for production of documents and things served by Plaintiff and Counterclaim-Defendant Motorola Mobility, Inc. ("Motorola Mobility") and Counterclaim-Defendant Motorola, Inc. ("Motorola") (collectively, "Counterclaim-Defendants") as follows.

GENERAL OBJECTIONS

1. Apple objects to each and every document request, definition, and instruction to the extent it seeks to impose any burdens inconsistent with or in addition to Apple's obligations under the applicable rules, including the Federal Rules of Civil Procedure and the Local Rules for the Southern District of Florida, or any order of this Court.

2. Apple objects to each and every document request, definition, and instruction to the extent it seeks information that is protected under, without limitation, the attorney-client privilege, the work product immunity doctrine, and/or any other applicable privilege, prohibition, limitation, or immunity from disclosure. Inadvertent production of such information shall not constitute the waiver of any applicable privilege, doctrine, immunity, or objection, including, but not limited to, objections on the basis of competency, confidentiality, relevancy, materiality, work product, privilege, and/or admissibility as evidence.

3. Apple objects to each and every document request, definition, and instruction to the extent it calls for production of documents or things not in Apple's possession, custody, or control and/or not obtainable by means of a reasonably diligent search, including without limitation documents or things that are not maintained by Apple in the normal course of business or that are no longer maintained by Apple.

4. Apple objects to each and every document request, definition, and instruction to the extent it requires Apple to produce information in violation of a legal or contractual obligation of nondisclosure or confidentiality to a third party.

5. Apple objects to each and every document request, definition, and instruction to the extent it seeks information that is trade secret and/or confidential or proprietary business information of Apple.

6. Apple objects to each and every document request, definition, and instruction to the extent it seeks information that is already in Counterclaim-Defendants' possession or available from a public source as to which the burden of obtaining such information is the same for Counterclaim-Defendants as it would be for Apple. Apple further objects to each document request, definition, and instruction to the extent that it calls for Apple to produce back to Counterclaim-Defendants the same documents that Counterclaim-Defendants have produced to Apple.

7. Apple objects to each and every document request, definition, and instruction to the extent it is overly broad, unduly burdensome, oppressive, and/or irrelevant to the subject matter of this action. Apple further objects to each and every document request, definition, and instruction to the extent they are not reasonably calculated to lead to the discovery of admissible evidence.

8. Apple objects to each and every document request, instruction or definition to the extent that it requires Apple to draw or render a legal conclusion.

9. Apple objects to the definition of "Apple" and "you" to the extent that it seeks to compel Apple to collect or produce documents from parties from whom Apple has no right or obligation to collect documents. Apple also object to this definition insofar as it seeks information that is (a) not within Apple's possession, custody, or control, or (b) protected from discovery by the attorney-client privilege, work product doctrine, or any other applicable privilege, immunity, or protection.

10. Apple objects to the extent that the instructions seek to impose requirements beyond those established under the applicable Federal and Local statutes and rules.

11. By responding to Counterclaim-Defendants' First Set of Requests for Production, Apple does not waive any objection that may be applicable to: (a) the use, for any purpose, by Counterclaim-Defendants of any documents provided in response; or (b) the admissibility, relevance, or materiality of any of the documents to any issue in this case.

12. Each and every General Objection shall be deemed to be incorporated in full into each of the individual responses set forth below. Any specific objections to a document request are made in addition to the General Objections, not as a replacement for them.

13. Discovery is ongoing in this action, and Apple has not completed its discovery or investigation into the parties' claims and defenses. Apple therefore objects and responds to these document requests based upon information in its possession after diligent inquiry at the time of preparation of these responses. Apple reserves the right to amend, supplement, and/or correct its objections or responses as additional information becomes available to Apple in the course of its ongoing discovery and investigation.

14. Apple expects the parties to meet and confer regarding the scope of reasonable searches for documents in this litigation. In addition to its above objection to producing any documents not obtainable through a reasonable search, Apple objects to

producing any documents that are beyond the scope of any searches that are agreed to by the parties.

SPECIFIC OBJECTIONS AND RESPONSES TO REQUESTS FOR PRODUCTION

Subject to and without waiving the foregoing General Objections, Apple objects and responds to Counterclaim-Defendants' Requests for Production as follows:

REQUEST FOR PRODUCTION NO. 1

All documents concerning this Action.

RESPONSE TO REQUEST FOR PRODUCTION NO. 1

In addition to its General Objections, Apple objects to this request as vague, ambiguous, overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege and/or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; (f) duplicative of documents already in Counterclaim-Defendants' possession; and/or (g) public or readily available to Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

REQUEST FOR PRODUCTION NO. 2

All documents concerning each of the Apple Asserted Patents, the Subject Matter thereof, or any Related Applications.

RESPONSE TO REQUEST FOR PRODUCTION NO. 2

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege and/or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; (f) duplicative of documents already in Counterclaim-Defendants' possession; and/or (g) public or readily available to Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce responsive non-privileged documents concerning the prosecution of the Apple Asserted Patents, to the extent that such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 3

All documents concerning the research and development of the Subject Matter described in each of the Apple Asserted Patents, including without limitation laboratory

notebooks, schematics, drawings, specifications, source code, artwork, formulas, and prototypes.

RESPONSE TO REQUEST FOR PRODUCTION NO. 3

In addition to its General Objections, Apple objects to this request as unlimited in time, vague and ambiguous, overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege and/or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; and (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence. Apple further objects to the extent this request calls for a legal conclusion as "Subject Matter" has been defined by Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents concerning the conception and reduction to practice of the inventions claimed in the asserted claims of Apple Asserted Patents to the extent that such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 4

All documents concerning the first public use in the United States, first offer for sale or first sale in the United States, or first public disclosure of any Subject Matter claimed in each of the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 4

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege and/or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligations of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; and/or (f) public or readily available to Counterclaim-Defendants. Apple further objects to the extent this request calls for a legal conclusion as "Subject Matter" has been defined by Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents concerning the conception and reduction to practice of the inventions claimed in the asserted claims of Apple Asserted Patents and documents sufficient to describe the first public use, sale or disclosure of those inventions to the extent that such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 5

All documents and things concerning the preparation and prosecution of the patent applications for the Apple Asserted Patents or Related Applications, including without limitation draft applications, invention disclosures, search reports, all Prior Art whether cited in such applications or not, all copies of the file histories marked or annotated by Apple or the inventors, and other materials prepared for sending to the U.S. Patent and Trademark Office, papers sent to or received from the U.S. Patent and

Trademark Office, notes and memoranda of interviews (telephone or in person), correspondence, and attorney time records and bills.

RESPONSE TO REQUEST FOR PRODUCTION NO. 5

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege and/or work product doctrine; (b) confidential, proprietary, or trade secret; (c) not within Apple's possession, custody, or control; (d) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; and/or (e) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive non-privileged documents concerning the prosecution of the Apple Asserted Patents, to the extent that such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 6

All documents and things sent to or received from any patent agent, attorney, agent or representative of Apple concerning any of the Apple Asserted Patents or any Related Application.

RESPONSE TO REQUEST FOR PRODUCTION NO. 6

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege and/or work product doctrine; (b) confidential, proprietary, or trade secret; (c) not within Apple's possession, custody, or control; (d) not relevant to any claim or defense in this action or not

reasonably calculated to lead to the discovery of admissible evidence; and/or (e) public or readily available to Counterclaim-Defendants. Apple further objects to this request to the extent that it is duplicative of Request for Production No. 5.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged communications between an inventor and another person that refer to, describe, or summarize the applications for the Apple Asserted Patents or the inventions claimed in the asserted claims of Apple Asserted Patents to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 7

All documents and things exchanged with or in the possession of the prosecuting attorney(s) of each of the Apple Asserted Patents or Related Applications, or any attorney or agent or representative involved in the application process for each of the Apple Asserted Patents or Related Applications, which concern the Apple Asserted Patents or Related Applications, including without limitation documents and things concerning the prosecution of the Apple Asserted Patents or Related Applications or assignment of any rights in the Apple Asserted Patents or Related Applications.

RESPONSE TO REQUEST FOR PRODUCTION NO. 7

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege and/or work product doctrine; (b) confidential, proprietary, or trade secret; (c) not within Apple's possession, custody, or control; (d) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; and/or (e) public or

readily available to Counterclaim-Defendants. Apple further objects to this request to the extent that it is duplicative of Requests for Production Nos. 5 and 6.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged communications between an inventor and another person that refer to, describe, or summarize the applications for the Apple Asserted Patents or the inventions claimed in the asserted claims of Apple Asserted Patents to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 8

All documents and things in the possession of any of the inventors of any of the Apple Asserted Claims concerning the Apple Asserted Patents or Related Applications, including without limitation documents and things concerning the Subject Matter of the Apple Asserted Patents, prosecution of the Apple Asserted Patents, or assignment of any rights in the Apple Asserted Patents or Related Applications.

RESPONSE TO REQUEST FOR PRODUCTION NO. 8

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege and/or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; and/or (f) public or readily available to Counterclaim-Defendants. Apple further objects

to the extent this request calls for a legal conclusion as “Subject Matter” has been defined by Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce (a) responsive non-privileged documents concerning the prosecution of the Apple Asserted Patents; (b) responsive, non-privileged communications between an inventor and another person that refer to, describe, or summarize the applications for the Apple Asserted Patents or the inventions claimed in the asserted claims of Apple Asserted Patents; and (c) documents constituting assignments of any rights in the Apple Asserted Patents to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 9

All invention disclosures or other records, documents and things concerning the first conception of the alleged invention(s) covered by any of the Apple Asserted Patents or Related Applications.

RESPONSE TO REQUEST FOR PRODUCTION NO. 9

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege and/or work product doctrine; (b) confidential, proprietary, or trade secret; (c) not within Apple’s possession, custody, or control; and/or (d) public or readily available to Counterclaim-Defendants. Apple further objects to the extent this request calls for a legal conclusion.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents concerning the conception of the inventions claimed in the

asserted claims of Apple Asserted Patents to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 10

All documents and things concerning the reduction to practice of any alleged invention(s) covered by any of the Apple Asserted Patents, and all documents and things concerning any alleged diligence in reducing to practice the alleged invention(s) covered by any of the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 10

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege and/or work product doctrine; (b) confidential, proprietary, or trade secret; (c) not within Apple's possession, custody, or control; and/or (d) public or readily available to Counterclaim-Defendants. Apple further objects to the extent this request calls for a legal conclusion.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents concerning the reduction to practice of the inventions claimed in the asserted claims of Apple Asserted Patents to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 11

All documents showing the individual contribution of each inventor of the Accused Patents to the conception, design, development, diligence, or reduction to practice of the subject matter of the Apple Asserted Claims.

RESPONSE TO REQUEST FOR PRODUCTION NO. 11

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege and/or work product doctrine; (b) confidential, proprietary, or trade secret; (c) not within Apple's possession, custody, or control; and/or (d) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents concerning the conception and reduction to practice of the inventions claimed in the asserted claims of the Apple Asserted Patents to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 12

All documents that show any modes contemplated by any of the inventors for carrying out each invention claimed in each of the Apple Asserted Patents, including the best mode of carrying out the inventions claimed in each of the Apple Asserted Patents or related applications (as this phrase is used in 35 U.S.C. § 112, 1st Paragraph).

RESPONSE TO REQUEST FOR PRODUCTION NO. 12

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad and unduly burdensome. Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege and/or work product doctrine; (b) confidential, proprietary, or trade secret; (c) not within Apple's possession, custody, or control; and/or (d) public or readily available to Counterclaim-Defendants. Apple further objects to this request to the extent that it attempts to shift the burden of proof to Apple on any issue for which Apple does not bear the burden.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 13

All documents and things concerning any agreement between Apple and any of the named inventors of the Apple Asserted Patents, including but not limited to any assignment, contract, employment agreement or license.

RESPONSE TO REQUEST FOR PRODUCTION NO. 13

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege and/or work product doctrine; (b) confidential, proprietary, or trade secret; (c) not within Apple's possession, custody, or control; (d) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; and/or (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; and/or (f) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged agreements between Apple and any of the named inventors of the Apple Asserted Patents concerning rights to the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 14

All communications and correspondence between Apple and the named inventors of the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 14

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege and/or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; and/or (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged correspondence between Apple and the inventors of the Asserted Apple Patents: (a) regarding the conception and reduction to practice of the inventions claimed in the Apple Asserted Patents; (b) regarding the prosecution of the Apple Asserted Patents; and (c) constituting agreements between Apple and any of the named inventors of the Apple Asserted Patents concerning rights to the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 15

All documents concerning the scope, validity, or enforceability of any of the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 15

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) not within Apple's possession, custody, or control; (d) duplicative of documents already in Counterclaim-Defendants' possession; and/or (e) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 16

All documents concerning any secondary consideration or other objective evidence of non-obviousness of the Apple Asserted Claims, including commercial success, long-felt need, commercial acquiescence, expressions of skepticism, copying, teaching away, failed attempts by others, or simultaneous development and any nexus between such secondary consideration or other objective evidence of non-obviousness and the Apple Asserted Claims.

RESPONSE TO REQUEST FOR PRODUCTION NO. 16

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) not within Apple's possession, custody, or control; (d) duplicative of documents already in Counterclaim-Defendants' possession;

and/or (e) public or readily available to Counterclaim-Defendants. Apple further objects to the extent this request calls for a legal conclusion.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 17

All documents and things concerning Apple's contention as to what constituted the level of skill of a person of ordinary skill in the art to which the subject matter of each of the Apple Asserted Patents pertains, at the time of filing with the U.S. Patent and Trademark Office the original application resulting in each Apple Asserted Patent.

RESPONSE TO REQUEST FOR PRODUCTION NO. 17

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) not within Apple's possession, custody, or control; (c) duplicative of documents already in Counterclaim-Defendants' possession; and/or (d) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to show the level of skill of a person of ordinary skill in the art to which the subject matter of each of the Apple Asserted Patents pertains, at the time of filing of the original application resulting in each Apple Asserted Patent, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 18

All documents and things concerning any Prior Art relating to the Apple Asserted Patents, including any document or thing identified as potential Prior Art to Apple by any third party.

RESPONSE TO REQUEST FOR PRODUCTION NO. 18

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) duplicative of documents already in Counterclaim-Defendants' possession; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; (f) not within Apple's possession, custody, or control; and/or (g) public or readily available to Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents that may constitute prior art to the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 19

All documents and things concerning patents, publications, abstracts, papers, articles, presentations, or speeches invented, authored or given, in whole or in part, by

any of the inventors of the Apple Asserted Patents concerning the Subject Matter of the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 19

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; and/or (f) public or readily available to Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents authored or presented by any of the inventors of the Apple Asserted Patents concerning the claimed subject matter of the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 20

All documents concerning prior testimony of any of the inventors of the Apple Asserted Patents in the context of any adversarial proceeding in the United States or abroad.

RESPONSE TO REQUEST FOR PRODUCTION NO. 20

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; (f) duplicative of documents already in Counterclaim-Defendants' possession; and/or (g) public or readily available to Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce relevant prior testimony of any of the inventors of the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 21

Documents sufficient to show all United States and foreign patents, and all United States and foreign patent applications, where any named inventor of the Apple Asserted Patents is listed as a named inventor.

RESPONSE TO REQUEST FOR PRODUCTION NO. 21

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) not relevant to any claim or defense in this action or not reasonably

calculated to lead to the discovery of admissible evidence; (c) duplicative of documents already in Counterclaim-Defendants' possession; and/or (d) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive patents and patent applications.

REQUEST FOR PRODUCTION NO. 22

Each document concerning or relating to any search or study that concerns or relates to patentability, unpatentability, validity, invalidity, scope, infringement, non-infringement, enforceability, or unenforceability of one or more Apple Asserted Patents or claim thereof, or any Related Application.

RESPONSE TO REQUEST FOR PRODUCTION NO. 22

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple' legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; (f) duplicative of documents already in Counterclaim-Defendants' possession; and/or (g) public or readily available to Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 23

All documents relating to the payment of maintenance fees to the United States Patent and Trademark Office for the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 23

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 24

All documents concerning any errors or potential errors in any of the Apple Asserted Patents, including without limitation documents concerning any awareness of such errors or potential errors by Apple, any of the inventors, or anyone acting on their behalf, prior to the issuance of each of the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 24

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) not within Apple's possession, custody, or control; and/or (c) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 25

Documents sufficient to identify the steps that Apple has taken to ensure that products, software, processes, systems, methods, machines, or services covered by any of the Apple Asserted Patents, under license or otherwise, are adequately marked with each such patent.

RESPONSE TO REQUEST FOR PRODUCTION NO. 25

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control and/or (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to show Apple's marking practices, if any, with respect to the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 26

All documents and things concerning the research, design, development, manufacture, testing, operation, performance, installation, marketing, use, or sale of any

product of Apple which Apple alleges or has alleged embodies, falls within the scope of, or is made in accordance with any of the Apple Asserted Patents, including without limitation a copy of all source code, documentation, and design notes, instruction manuals, service manuals, schematics, customer instruction sheets or brochures, product specifications, data sheets, product announcements, press releases, text of explanatory articles, speeches, lectures, or product roadmaps (including, without limitation, information electronically disseminated or made available).

RESPONSE TO REQUEST FOR PRODUCTION NO. 26

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad, unduly burdensome, and constituting multiple requests for production. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) duplicative of documents already in Counterclaim-Defendants' possession; and/or (f) public or readily available to Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents concerning the conception and reduction to practice of the inventions claimed in the asserted claims of Apple Asserted Patents, to the extent that such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 27

All documents and things that refer or relate to any non-party's research, design, development, manufacture, testing, operation, assembly, packaging, use, testing, sampling, importation, sale, offer for sale, performance, or installation of any Apple or third-party product, device, apparatus, method, process, or system that Apple alleges or has alleged embodies, falls within the scope of, or is made in accordance with each Apple Asserted Claim. This request includes, but is not limited to:

- a. all original and all revised documents evidencing process architecture, process flow, process recipe, specification, and all manufacturing documents, including travelers, procurement documents (including all invoices), requests for proposals, requests for quotations, and correspondence for all versions of any prototype;
- b. all prototypes, engineering models or other physical models used, constructed, or made during the design or development of any of the products; and
- c. all documents dated prior to, or which existed prior to, the filing date of the application for each of the Apple Asserted Patents, including all agreements providing for compensation or financing of any work performed in connection with the design or development of any product embodying the invention claimed in any claim of any of the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 27

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad, unduly burdensome, and constituting multiple requests for production. Apple also objects to this request to the extent that it is duplicative of Request for Production No. 26, and to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) duplicative of documents already in Counterclaim-Defendants' possession; and/or (f) public or readily available to Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple is willing to meet and confer regarding narrowing the scope of this request.

REQUEST FOR PRODUCTION NO. 28

All documents and things concerning the infringement of any of the Apple Asserted Patents by any person.

RESPONSE TO REQUEST FOR PRODUCTION NO. 28

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad and unduly burdensome. Additionally, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's

legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of any admissible evidence; (f) duplicative of documents already in Counterclaim-Defendants' possession; and/or (g) public or readily available to Counterclaim-Defendants. Apple also objects to the extent that this request calls for a legal conclusion. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search, and to the extent permitted by any applicable protective orders or confidentiality agreements.

REQUEST FOR PRODUCTION NO. 29

All documents relating to the Accused Instrumentalities of Counterclaim-Defendants.

RESPONSE TO REQUEST FOR PRODUCTION NO. 29

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad, and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) not within Apple's possession, custody, or control; (c) duplicative of documents already in Counterclaim-Defendants' possession; and/or (d) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents that support Apple's contentions that the Accused Instrumentalities of Counterclaim-Defendants infringe the Apple Asserted Patents.

REQUEST FOR PRODUCTION NO. 30

All documents and things upon which Apple intends to rely (including without limitation all attorney opinion letters and memoranda) to support the claims of infringement alleged against Counterclaim-Defendants.

RESPONSE TO REQUEST FOR PRODUCTION NO. 30

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) duplicative of documents already in Counterclaim-Defendants' possession; and/or (c) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents.

REQUEST FOR PRODUCTION NO. 31

All documents which you claim will have any bearing whatsoever on the interpretation or construction of any of the claims or terms in the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 31

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d)

duplicative of documents already in Counterclaim-Defendants' possession and/or (e) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents.

REQUEST FOR PRODUCTION NO. 32

All documents and things concerning, reflecting, or constituting any communications or correspondence between Apple and any alleged infringer of any of the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 32

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; (f) duplicative of documents already in Counterclaim-Defendants' possession; and/or (g) public or readily available to Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents concerning communications with any person or entity

regarding infringement of the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search, and to the extent permitted by any applicable protective orders or confidentiality agreements.

REQUEST FOR PRODUCTION NO. 33

All documents sufficient to show Apple's first awareness of Counterclaim-Defendants' activities that form the basis of any allegation that Counterclaim-Defendants infringe any of the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 33

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) duplicative of documents already in Counterclaim-Defendants' possession and/or (d) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 34

Any document relating to any contention Apple has made that Counterclaim-Defendants' infringement of any of the Apple Asserted Patents was or was not willful, intentional, or knowing.

RESPONSE TO REQUEST FOR PRODUCTION NO. 34

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work

product doctrine; (b) duplicative of documents already in Counterclaim-Defendants' possession; and/or (c) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 35

Any document relating to any contention Apple has made that Counterclaim-Defendants did or did not knowingly contribute to the infringement of any of the Apple Asserted Patents or did or did not induce infringement of any of the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 35

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) duplicative of documents already in Counterclaim-Defendants' possession; and/or (c) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to support Apple' allegations that Counterclaim-Defendants contributed to and/or induced infringement of the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 36

All documents and things that support, contradict, refute, or otherwise relate to Apple's allegations and contentions contained within its Complaint in this Action, including without limitation any documents supporting Apple's allegations that

Counterclaim-Defendants have infringed or are infringing the Apple Asserted Patents, and any pre-litigation opinion letters or other documents concerning the same.

RESPONSE TO REQUEST FOR PRODUCTION NO. 36

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure of confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) duplicative of documents already in Counterclaim-Defendants' possession or produced in response to Counterclaim-Defendants' other requests for production; and/or (f) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents that support Apple's infringement contentions for the Apple Asserted Patents.

REQUEST FOR PRODUCTION NO. 37

All documents concerning any legal or administrative proceedings to which Apple was a party that concerned any of the Apple Asserted Patents or Related Applications, or the Subject Matter of any of the Apple Asserted Patents, other than the present matter, including without limitation pleadings, court filings, court orders, special master reports, transcripts (whether trial, hearing, or deposition), exhibits (whether trial, hearing, filing, or deposition), and descriptions of any product Apple contended infringed a patent.

RESPONSE TO REQUEST FOR PRODUCTION NO. 37

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's custody, possession, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; (f) duplicative of documents already in Counterclaim-Defendants' possession; and/or (g) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents concerning the Apple Asserted Patents or Related Applications, to the extent such documents exist and are located after a reasonable search and to the extent permitted by any applicable protective orders or confidentiality agreements.

REQUEST FOR PRODUCTION NO. 38

Documents sufficient to demonstrate every person or entity who has now, or previously had, a financial interest in any of the Apple Asserted Patents or Related Applications, other than Apple.

RESPONSE TO REQUEST FOR PRODUCTION NO. 38

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) confidential, proprietary, or trade secret; (b) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party;

(c) duplicative of documents already in Counterclaim-Defendants' possession; and/or (d) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to show whether any person or entity other than Apple has rights to the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 39

All documents that refer or relate to any security interest in or lien against any of the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 39

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) duplicative of documents already in Counterclaim-Defendants' possession; and/or (f) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to show any current security interests or liens against any of the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 40

All documents concerning Apple's involvement with, investment in, or payment of any monies to any company from whom you acquired or obtained any of the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 40

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) public or readily available to Counterclaim-Defendants; and/or (f) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to show any payments made by Apple for rights to the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 41

All communications concerning any one or more of the Apple Asserted Patents, including but not limited to communications between Apple and any third party.

RESPONSE TO REQUEST FOR PRODUCTION NO. 41

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad and unduly burdensome. Apple further objects to this request to the

extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; (f) duplicative of documents already in Counterclaim-Defendants' possession; and/or (g) public or readily available to Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged, constituting communications between Apple and any third party regarding the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search, and to the extent permitted by any applicable protective orders or confidentiality agreements.

REQUEST FOR PRODUCTION NO. 42

All documents concerning communications and meetings between Apple and Counterclaim-Defendants regarding the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 42

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) duplicative of

documents already in Counterclaim-Defendants' possession; and/or (d) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents constituting or relating to communications or meetings between Apple and Counterclaim-Defendants regarding the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 43

All documents concerning Apple business plans or meetings concerning any of the Apple Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 43

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple' legal or contractual obligation of nondisclosure or confidentiality to a third party; and/or (d) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents concerning business plans or meetings regarding the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 44

All documents concerning any practices or policies of Apple concerning pursuing patents, including policies or procedures concerning when to pursue patents, invention disclosures, patent prosecution, and the citation of prior art.

RESPONSE TO REQUEST FOR PRODUCTION NO. 44

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; and/or (c) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to describe Apple's patent policies, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 45

Any and all patent licenses, cross licenses, or other similar agreements, including without limitation covenants not to sue or non-assertion agreements, in the possession, custody, or control of Apple, which (a) concern patents in the same or similar areas of technology as the technology described in each of the Apple Asserted Patents, or (b) involve companies providing products similar to Counterclaim-Defendants.

RESPONSE TO REQUEST FOR PRODUCTION NO. 45

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal

or contractual obligation of nondisclosure or confidentiality to a third party; (d) public or readily available to Counterclaim-Defendants; and/or (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged licenses, to the extent such documents exist and are located after a reasonable search, and to the extent permitted by any applicable protective orders or confidentiality agreements.

REQUEST FOR PRODUCTION NO. 46

All documents supporting or contradicting Apple's contention it is entitled to any form of relief in this Action.

RESPONSE TO REQUEST FOR PRODUCTION NO. 46

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) duplicative of documents already in Counterclaim-Defendants' possession; and/or (f) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a

reasonable search, and to the extent permitted by any applicable protective orders or confidentiality agreements.

REQUEST FOR PRODUCTION NO. 47

All documents supporting or contradicting the amount of damages Apple will claim in this Action and the calculation thereof, including all documents relating to the type of and rate of damages that Apple contends it has suffered or is owed.

RESPONSE TO REQUEST FOR PRODUCTION NO. 47

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) duplicative of documents already in Counterclaim-Defendants' possession; and/or (f) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents relating to Apple's contentions as to the amount of damages Apple is entitled to receive from Counterclaim-Defendants for their infringement of the Apple Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 48

All documents concerning each of the Mobility Asserted Patents, Related Applications thereto, or the Subject Matter of the Mobility Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 48

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; (f) duplicative of documents already in Counterclaim-Defendants' possession; and/or (g) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents concerning each of the Mobility Asserted Patents and Related Applications thereto, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 49

All documents which you claim will have any bearing whatsoever on the interpretation or construction of any term of the Mobility Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 49

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) not within Apple's possession, custody, or control; (b) duplicative of documents already in Counterclaim-Defendants' possession; and/or (c) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents.

REQUEST FOR PRODUCTION NO. 50

All documents concerning any alleged Prior Art relating to the Mobility Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 50

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; (f) duplicative of documents already in Counterclaim-Defendants' possession; and/or (g) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents that support Apple's contentions that the Mobility Asserted Patents are invalid and/or unenforceable.

REQUEST FOR PRODUCTION NO. 51

All documents concerning the scope, validity, or enforceability of any of the claims in each of the Mobility Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 51

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) not within Apple's possession, custody, or control; (c) duplicative of documents already in Counterclaim-Defendants' possession; and/or (d) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 52

All documents concerning any secondary consideration or other objective evidence of non-obviousness of the Mobility Asserted Patents, including commercial success, long-felt need, commercial acquiescence, expressions of skepticism, copying, teaching away, failed attempts by others, or simultaneous development and any nexus between such secondary consideration or other objective evidence of non-obviousness and the Mobility Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 52

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) duplicative of documents already in Counterclaim-

Defendants' possession; and/or (f) public or readily available to Counterclaim-Defendants. Apple further objects to this request to the extent that it attempts to shift the burden of proof to Apple on any issue for which Apple does not bear the burden. Apple also objects to this request to the extent that it is duplicative of Request for Production No. 51.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 53

All documents and things concerning Apple's contention as to what constituted the level of skill of a person of ordinary skill in the art to which the Subject Matter of each of the Mobility Asserted Patents pertains.

RESPONSE TO REQUEST FOR PRODUCTION NO. 53

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) not within Apple's possession, custody, or control; (d) duplicative of documents already in Counterclaim-Defendants' possession; and/or (e) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to show the level of skill of a person of ordinary skill in the art to which the subject matter of each of the Mobility Asserted Patents pertains, at

the time of filing of the original application resulting in each Mobility Asserted Patent, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 54

Each document concerning or relating to any search or study that concerns or relates to patentability, unpatentability, validity, invalidity, scope, infringement, noninfringement, enforceability, or unenforceability of one or more Mobility Asserted Patents or claim thereof, or any Related Application.

RESPONSE TO REQUEST FOR PRODUCTION NO. 54

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) not within Apple's possession, custody, or control; (c) duplicative of documents already in Counterclaim-Defendants' possession; and/or (d) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 55

Each document constituting or describing any legal opinion that Apple received relating to the infringement, noninfringement, validity, invalidity, enforceability, or unenforceability of any of the Mobility Asserted Patents, together with documents sufficient to show the person(s) who received the opinion, the person(s) who requested the opinion, the date it was received by Apple, and the date Apple requested it.

RESPONSE TO REQUEST FOR PRODUCTION NO. 55

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are protected by the attorney-client privilege or work product doctrine.

REQUEST FOR PRODUCTION NO. 56

All documents related to whether or not Apple infringes the Mobility Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 56

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) duplicative of documents already in Counterclaim-Defendants' possession; and/or (f) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 57

Any document concerning whether Apple's infringement of any of the Mobility Asserted Patents was or was not willful, intentional, or knowing.

RESPONSE TO REQUEST FOR PRODUCTION NO. 57

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) not within Apple's possession, custody, or control; (c) duplicative of documents already in Counterclaim-Defendants' possession; and/or (d) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to rebut any argument made by Counterclaim-Defendants that Apple' alleged infringement of any of the Mobility Asserted Patents was willful, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 58

Any document concerning whether Apple did or did not knowingly contribute to the infringement of any of the Mobility Asserted Patents or did or did not induce infringement of any of the Mobility Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 58

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) duplicative of documents already in Counterclaim-Defendants' possession; and/or (f) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to rebut any argument made by Counterclaim-Defendants concerning Apple's alleged contribution to or inducement of any alleged infringement of any of the Mobility Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 59

All communications or documents referring to or otherwise evidencing any communication between Apple and a third party relating to a request for indemnification against infringement or possible infringement of any U.S. or foreign patent owned by Counterclaim-Defendants in the same area of technology or concerning the same Subject Matter as any of the Mobility Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 59

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad, and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; and/or (f) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to support any claims of indemnification made by Apple, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 60

All communications or documents referring to or otherwise evidencing any communication between Apple and a third party relating to infringement or possible infringement of any U.S. or foreign patent owned by Counterclaim-Defendants in the same area of technology or concerning the same Subject Matter as any of the Mobility Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 60

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad, and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; and/or (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents constituting communications between Apple and any third party regarding the Mobility Asserted Patents, to the extent such documents exist and are located after a reasonable search, and to the extent permitted by any applicable protective orders or confidentiality agreements.

REQUEST FOR PRODUCTION NO. 61

All communications or documents referring to or otherwise evidencing a statement concerning whether Apple can make, use, sell, offer for sale, or import any

Apple Accused Instrumentality without infringing any of the Mobility Asserted Patents or Related Applications.

RESPONSE TO REQUEST FOR PRODUCTION NO. 61

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are protected by the attorney-client privilege or work product doctrine.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 62

All documents and things concerning any notice given by Counterclaim-Defendants to Apple reflecting Counterclaim-Defendants' contention that Apple was and is infringing or possibly infringing any of the Mobility Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 62

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) not within Apple's possession, custody, or control; (c) duplicative of documents already in Counterclaim-Defendants' possession; and/or (d) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to show the dates on which Apple first became aware of the Mobility Asserted Patents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 63

All documents concerning any legal or administrative proceedings to which Apple was a party accused of patent infringement, other than the present matter, including without limitation pleadings, court filings, court orders, special master reports, transcripts (whether trial, hearing, or deposition), exhibits (whether trial, hearing, filing, or deposition), and descriptions of any allegedly infringing Apple product.

RESPONSE TO REQUEST FOR PRODUCTION NO. 63

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; (f) duplicative of documents already in Counterclaim-Defendants' possession; and/or (g) public or readily available to Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple is willing to meet and confer regarding narrowing the scope of this request.

REQUEST FOR PRODUCTION NO. 64

All documents and things that support, contradict, refute, or otherwise relate to Counterclaim-Defendants' allegations and contentions contained within the Counterclaims, including without limitation any documents supporting Mobility's allegations that Apple has infringed and is infringing the Mobility Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 64

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad, and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) duplicative of documents already in Counterclaim-Defendants' possession; and/or (f) public or readily available to Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 65

Documents sufficient to show the identity, including model numbers and any internal identifiers, of each Apple Accused Instrumentality.

RESPONSE TO REQUEST FOR PRODUCTION NO. 65

In addition to its General Objections, Apple objects to this request to the extent that it seeks documents that are (a) confidential, proprietary, or trade secret; and/or (b) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents from which the requested information may be ascertained for the Apple Accused Instrumentalities identified in Motorola's infringement contentions, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 66

All documents concerning the operation and design of any Apple Accused Instrumentality.

RESPONSE TO REQUEST FOR PRODUCTION NO. 66

In addition to its General Objections, Apple objects to this request as vague, ambiguous, unlimited in time, overly broad, and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) confidential, proprietary, or trade secret; (b) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; and/or (c) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents concerning the operation and design of Apple Accused Instrumentalities identified in Motorola's infringement contentions, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 67

All documents and things concerning the research, design, development, manufacture, testing, operation, performance, installation, marketing, use, or sale of any of Apple Accused Instrumentality, including without limitation all source code, documentation, manuals, and design notes, and all revisions thereof.

RESPONSE TO REQUEST FOR PRODUCTION NO. 67

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad, and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) confidential, proprietary, or trade secret; (b) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (c) not within Apple's possession, custody, or control; and/or (d) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to show the structure, function, operation, marketing and sales of the Apple Accused Instrumentalities identified in Motorola's infringement contentions, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 68

Documents sufficient to show all future plans or roadmaps for developing, designing, or producing any planned replacement product for any Apple Accused Instrumentality.

RESPONSE TO REQUEST FOR PRODUCTION NO. 68

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad, and unduly burdensome. Apple further objects to this request to the

extent that it seeks documents that are (a) confidential, proprietary, or trade secret; (b) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (c) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; and/or (d) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple is willing to meet and confer regarding narrowing the scope of this request.

REQUEST FOR PRODUCTION NO. 69

All documents and things concerning any conference, seminar, exhibition, convention, trade show, or the like, at which any Apple Accused Instrumentality is or was discussed, referred to, advertised, displayed, demonstrated, or shown, including, without limitation, advertisements, brochures, articles, pamphlets, price lists, product specifications, or other promotional, marketing, or presentation materials.

RESPONSE TO REQUEST FOR PRODUCTION NO. 69

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) confidential, proprietary, or trade secret; (b) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (c) duplicative of documents already in Counterclaim-Defendants' possession; and/or (d) public or readily available to Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents regarding the marketing of the Apple Accused Instrumentalities identified in Motorola's infringement contentions, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 70

All documents which constitute product definition sheets, trade literature, specification sheets, technical data sheets, papers, abstracts, speeches, descriptive documents of any kind concerning any Apple Accused Instrumentality.

RESPONSE TO REQUEST FOR PRODUCTION NO. 70

In addition to its General Objections, Apple objects to this as unlimited in time, overly broad, and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) confidential, proprietary, or trade secret; (b) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (c) duplicative of documents already in Counterclaim-Defendants' possession; and/or (d) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to show the structure, function, and operation of the Apple Accused Instrumentalities identified in Motorola's infringement contentions, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 71

Separately for each Apple Accused Instrumentality, a copy of each instruction manual, service manual, schematic, customer instruction sheet or brochure, product specification, data sheet, product announcement, press release, text of explanatory article,

speech, lecture, or product roadmap (including, without limitation, information electronically disseminated or made available).

RESPONSE TO REQUEST FOR PRODUCTION NO. 71

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad, and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) confidential, proprietary, or trade secret; (b) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (c) duplicative of documents already in Counterclaim-Defendants' possession; and/or (d) public or readily available to Counterclaim-Defendants. Apple also objects to this request to the extent that it is duplicative of Request for Production No. 70.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to show the structure, function, and operation of the Apple Accused Instrumentalities identified in Motorola's infringement contentions, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 72

All documents that are or have been included with the sale of any Apple Accused Instrumentality, including, but not limited to, instruction product manuals, data sheets, installation manuals, retail kits, diagnostic software, installation software, or specifications.

RESPONSE TO REQUEST FOR PRODUCTION NO. 72

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad, and unduly burdensome. Apple further objects to this request to the

extent that it seeks documents that are (a) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence and/or (b) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to show the structure, function, and operation of the Apple Accused Instrumentalities identified in Motorola's infringement contentions, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 73

All business plans including, but not limited to, strategic plans, operating plans, marketing plans, financial plans, production plans, sales plans and capital or investment plans that refer or relate to any Apple Accused Instrumentality.

RESPONSE TO REQUEST FOR PRODUCTION NO. 73

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) confidential, proprietary, or trade secret; (b) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; and/or (c) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to describe Apple's marketing, yearly sales, revenues, profits, and margins for the Apple Accused Instrumentalities identified in Motorola's infringement contentions, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 74

Two physical samples of each version or model of each Apple Accused Instrumentality, together with the packaging in which it has been sold or otherwise provided and all documentation and other things included therein or with it.

RESPONSE TO REQUEST FOR PRODUCTION NO. 74

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad, and unduly burdensome. Apple further objects to this request to the extent that it seeks products that are public or readily available to Counterclaim-Defendants.

Subject to its General Objections, Apple will make available for inspection the Apple Accused Instrumentalities identified in Motorola's infringement contentions.

REQUEST FOR PRODUCTION NO. 75

Documents sufficient to show Apple's gross and net sales of the Apple Accused Instrumentalities for the last seven years.

RESPONSE TO REQUEST FOR PRODUCTION NO. 75

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) confidential, proprietary, or trade secret; (b) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; and/or (c) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to show Apple's yearly sales and margins for the

Apple Accused Instrumentalities identified in Motorola's infringement contentions, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 76

All documents that Apple contends relate to the amount of damages that Motorola will claim in this Action and the calculation thereof, including all documents relating to the type of and rate of damages that Apple contends Motorola has suffered or is owed.

RESPONSE TO REQUEST FOR PRODUCTION NO. 76

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) confidential, proprietary, or trade secret; (b) not within Apple's possession, custody, or control; (c) duplicative of documents already in Counterclaim-Defendants' possession; and/or (d) public or readily available to Counterclaim-Defendants. Apple further objects to this request to the extent that it attempts to shift the burden of proof to Apple on any issue for which Apple does not bear the burden.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 77

All documents relating to or evidencing any license (whether express or implied), covenant not to sue, non-assertion agreement, or the like which Apple contends relates to the Mobility Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 77

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) duplicative of documents already in Counterclaim-Defendants' possession; and/or (f) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged licenses relating to the Mobility Asserted Patents, to the extent such documents exist and are located after a reasonable search, and to the extent permitted by any applicable protective orders or confidentiality agreements.

REQUEST FOR PRODUCTION NO. 78

All communications concerning one or more of the Mobility Asserted Patents or Related Applications, including but not limited to communications between Apple and any third party.

RESPONSE TO REQUEST FOR PRODUCTION NO. 78

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not

within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; (f) duplicative of documents already in Counterclaim-Defendants' possession; and/or (g) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents constituting communications between Apple and any third party regarding the Mobility Asserted Patents or Related Applications thereto, to the extent such documents exist and are located after a reasonable search, and to the extent permitted by any applicable protective orders or confidentiality agreements.

REQUEST FOR PRODUCTION NO. 79

All documents concerning Apple business plans or meetings concerning any of the Mobility Asserted Patents or Related Applications.

RESPONSE TO REQUEST FOR PRODUCTION NO. 79

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; and/or (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents concerning business plans or meetings regarding the Mobility Asserted Patents or Related Applications thereto, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 80

All documents relating to and/or reflecting communications and meetings between Apple and either Counterclaim-Defendants or any other similarly situated company, including, without limitation, Elan, HTC, Oracle, Toshiba, Qualcomm, Google, RIM, Microsoft, Nokia, any LG entity, Sony-Ericsson, Samsung, Kodak, Sharp, or Hitachi, regarding any Apple Asserted Patents or Mobility Asserted Patents.

RESPONSE TO REQUEST FOR PRODUCTION NO. 80

In addition to its General Objections, Apple objects to this request as vague, ambiguous, unlimited in time, overly broad, and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; (f) duplicative of documents already in Counterclaim-Defendants' possession; and/or (g) public or readily available to Counterclaim-Defendants. Apple further objects to this document request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents constituting communications between Apple and any third party regarding the Apple Asserted Patents, to the extent such documents exist and are

located after a reasonable search, and to the extent permitted by any applicable protective orders or confidentiality agreements.

REQUEST FOR PRODUCTION NO. 81

All documents and things concerning Motorola or Mobility.

RESPONSE TO REQUEST FOR PRODUCTION NO. 81

In addition to its General Objections, Apple objects to this request as vague, ambiguous, unlimited in time, overly broad, and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) not within Apple's possession, custody, or control; (e) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; (f) duplicative of documents already in Counterclaim-Defendants' possession; and/or (g) public or readily available to Counterclaim-Defendants. Apple further object to this request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple is willing to meet and confer regarding narrowing the scope of this request.

REQUEST FOR PRODUCTION NO. 82

Documents sufficient to show Apple's business structure, including but not limited to organizational charts and documents concerning the identity of any past or

present parent, division, subsidiary, affiliate, joint venture, partner or other associated organization.

RESPONSE TO REQUEST FOR PRODUCTION NO. 82

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad, and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) confidential, proprietary, or trade secret; (b) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; and/or (c) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents constituting organizational charts from which the requested information may be ascertained, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 83

Documents sufficient to describe Apple's policies or practices with respect to the retention or destruction of documents, and, if such policy or practice has been different with respect to any category of documents or over different times, documents sufficient to identify each such category or time period and to describe Apple's retention policy or practice with respect to each such category or time period.

RESPONSE TO REQUEST FOR PRODUCTION NO. 83

In addition to its General Objections, Apple objects to this request as unlimited in time, overly broad, and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine and/or (b) confidential, proprietary, or trade secret.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents sufficient to describe Apple's document retention policies, if any, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 84

The curriculum vitae of any expert witness that Apple expects to testify in this Action, review any of Defendants' confidential material, or provide an expert report in this Action.

RESPONSE TO REQUEST FOR PRODUCTION NO. 84

In addition to its General Objections, Apple objects to this request as premature.

Subject to its General Objections, Apple will provide the curriculum vitae of any expert witness expected to testify in this action when expert disclosures are exchanged in accordance with the deadlines in the Court's scheduling order.

REQUEST FOR PRODUCTION NO. 85

All documents responsive to, considered, or relied upon in a response to any Interrogatory served on Apple in this Action.

RESPONSE TO REQUEST FOR PRODUCTION NO. 85

In addition to its General Objections, Apple objects to this request to the extent that it is duplicative of Counterclaim-Defendants' other requests for production, and to the extent that it seeks documents that are (a) protected by the attorney-client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) duplicative of documents already in Counterclaim-Defendants' possession; and/or (e) public or readily available to Counterclaim-Defendants.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 86

All press releases, securities filings, or other documents directed to current or potential investors in Apple within the last five years.

RESPONSE TO REQUEST FOR PRODUCTION NO. 86

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) not relevant to any claim or defense in this action or not reasonably calculated to lead to the discovery of admissible evidence; and/or (b) public or readily available to Counterclaim-Defendants. Apple further object to this request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 87

All reports made by Apple to its stockholders within the past five years.

RESPONSE TO REQUEST FOR PRODUCTION NO. 87

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple also objects to this request to the extent that it seeks documents that are (a) not relevant to any claim or defense in this action or not

reasonably calculated to lead to the discovery of admissible evidence; and/or (b) public or readily available to Counterclaim-Defendants. Apple further objects to this request under Rule 26(b)(2)(iii) of the Federal Rules of Civil Procedure on the grounds that the burden and expense of the proposed discovery outweighs its likely benefits.

Subject to its General and Specific Objections, Apple will produce any responsive, non-privileged documents, to the extent such documents exist and are located after a reasonable search.

REQUEST FOR PRODUCTION NO. 88

All documents provided to any expert or consultant retained by or on behalf of Apple in connection with this Action.

RESPONSE TO REQUEST FOR PRODUCTION NO. 88

In addition to its General Objections, Apple objects to this request as overly broad and unduly burdensome. Apple further objects to this request to the extent that it seeks documents that are (a) protected by the attorney/client privilege or work product doctrine; (b) confidential, proprietary, or trade secret; (c) subject to Apple's legal or contractual obligation of nondisclosure or confidentiality to a third party; (d) duplicative of documents already in Counterclaim-Defendants' possession; and/or (e) public or readily available to Counterclaim-Defendants. Apple also objects to this request to the extent that this request attempts to impose obligations beyond those established in the Federal Rules of Civil Procedure.

Subject to its General and Specific Objections, Apple will produce responsive, non-privileged documents relied upon by any expert in rendering an opinion on behalf of

Apple in connection with this Action, to the extent such documents exist and are located after a reasonable search.

Dated: January 31, 2011

WEIL, GOTSHAL & MANGES LLP

By: /s/ Patricia Young

Patricia Young
Attorneys for Apple Inc.

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that on January 31, 2011, I served the foregoing document via electronic mail on all counsel of record identified on the attached Service List.

/s/Patricia Young

Patricia Young

SERVICE LIST
Motorola Mobility, Inc. versus Apple Inc.
Case No. 1:10cv023580-Civ-UU
United States District Court, Southern District of Florida

Edward M. Mullins
Fla. Bar No. 863920
emullins@astidavis.com
ASTIGARRAGA DAVIS MULLINS & GROSSMAN, P.A.
701 Brickell Avenue, 16th Floor
Miami, FL 33131
Telephone: (305) 372-8282
Facsimile: (305) 372-8202

Of Counsel:

Charles K. Verhoeven
charlesverhoeven@quinnemanuel.com
QUINN EMANUEL URQUHART & SULLIVAN, LLP
50 California Street, 22nd Floor
San Francisco, CA 93111
(415) 875-6600

Edward J. DeFranco
eddefranco@quinnemanuel.com
QUINN EMANUEL URQUHART & SULLIVAN, LLP
51 Madison Avenue, 22nd Floor
New York, NY 10010
(212) 849-7000

David A. Nelson
davenelson@quinnemanuel.com
Jennifer A. Bauer
jenniferbauer@quinnemanuel.com
QUINN EMANUEL URQUHART & SULLIVAN, LLP
500 West Madison Street, Suite 2450
Chicago, IL 60661
(312) 705-7400

Moto-Apple-745@quinnemanuel.com

Attorneys for Motorola Mobility, Inc. and Motorola, Inc.
Electronically served via email