

Exhibit 35

to Motorola's Responsive Claim Construction Brief

August 18, 2011

TERMINAL DISCLAIMER TO OBTAIN A DOUBLE PATENTING
REJECTION OVER A "PRIOR PATENT"

Docket Number (Optional)

P2232C2-996

BIR: 1001580-000996

In re Application of: Ian Hendry et al.
Application No.: 11/198,289
Filed: August 8, 2005
For: SYSTEM FOR REAL-TIME ADAPTATION TO CHANGES IN DISPLAY CONFIGURATION



The owner*, APPLE COMPUTER, INC., of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term of **prior patent** Nos. 6,282,646 and 6,928,543 as the term of said **prior patents** are defined in 35 U.S.C. §§ 154 and 173, and as the term of said **prior patents** are presently shortened by any terminal disclaimer. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the **prior patents** are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of the term of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. §§ 154 and 173 of the **prior patents**, as the term of either of said **prior patents** is presently shortened by any terminal disclaimer, in the event that either of said **prior patents** later:


- expires for failure to pay a maintenance fee;
- is held unenforceable;
- is found invalid by a court of competent jurisdiction;
- is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. § 1.321;
- has all claims canceled by a reexamination certificate;
- is reissued; or
- is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. For submissions on behalf of a business/organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the business/organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful statements may jeopardize the validity of the application or any patent issued thereon.

2. The undersigned is an attorney or agent of record. Registration No. 28632



Signature
James A. LaBarre

Typed or printed name
703 836 6620

Telephone Number

January 2, 2008

Date

- Terminal disclaimer fee under 37 C.F.R. § 1.20(d) is included.

*Statement under 37 C.F.R. § 3.73(b) is required if terminal disclaimer is signed by the assignee (owner). Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

01/03/2008 CHGUYEN2 00000003 11198289

01 FC:1814

130.00 0P