





EXHIBIT 5

Exhibit 5


**Personal Audio Exemplary Infringement Contentions for U.S. Patent No. 6,199,076
Samsung Continuum**

	Claim¹	Exemplary Infringement Support
1	A player for reproducing selected audio program segments comprising, in combination:	<p>The Samsung Continuum smart phone has a music player application, making it a player for reproducing selected audio program segments. A song is an example of an audio program segment.</p> <p>Front View</p>  <p>The image shows a front view of a Samsung Continuum smartphone. It has a black casing with a large touchscreen display. The screen displays a weather widget for 'MILWAUKEE' with a sun and clouds, and several application icons including Phone, Messages, Internet, and Apps. At the bottom of the screen is a dock with icons for Phone, Messages, Internet, and Apps. The Samsung logo is visible at the bottom of the phone. Numbered callouts (1-9) point to various parts: 1 points to the top bezel, 2 to the earpiece, 3 to the top edge of the screen, 4 to the bottom edge of the screen, 5 to the bottom bezel, 6 to the bottom of the phone, 7 to the right edge of the screen, 8 to the right edge of the phone, and 9 to the top edge of the phone.</p> <p><i>Samsung Continuum Smartphone User Manual at 16.</i></p>

¹ Claims are construed in view of the claim construction orders issued in the *Personal Audio LLC v. Apple Inc.* action, Civil Action No. 9:09CV111, dated December 21, 2010 (ECF No. 258), January 31, 2011 (ECF No. 292), and May 18, 2011 (ECF No. 358).

		<p>Section 8: Music</p> <hr/> <p>Music Player Music Player plays songs from an installed memory card.</p> <p>Playing Music</p> <ol style="list-style-type: none"> From the Home screen, select  Applications →  Music Player. Music Player scans your memory card and displays your songs on the All, Playlists, Albums, Artists, or Genres tabs. Touch a song or playlist to begin playback.  <p><i>Samsung Continuum Smartphone User Manual at 82</i></p>
1.a	means for storing a plurality of program segments, each of said program segments having a beginning and an end,	<p>The Continuum has a means for storing a plurality of program segments, each of said program segments having a beginning and an end. This limitation is governed by 35 U.S.C. § 112, para. 6. The Continuum literally performs the identical function with identical, or at least equivalent, structure.</p> <p>The “storing” structure in the Continuum is replaceable media, which is a microSD card. A microSD card is sold with the Continuum and comes in the box.</p>

		<p>Memory Card</p> <p>Your phone supports removable microSD™ or microSDHC™ memory cards of up to 32GB capacity, for storage of music, pictures, videos, and other files.</p> <p><i>Samsung Continuum Smartphone User Manual at 101</i></p> <p>The Continuum stores audio files on the microSD card.</p> <p>Music Player</p> <p>Music Player plays songs from an installed memory card.</p> <p><i>Samsung Continuum Smartphone User Manual at 82</i></p>
1.b	means for receiving and storing a file of data establishing a sequence in which said program segments are scheduled to be reproduced by said player,	<p>The Continuum has a means for receiving and storing a file of data establishing a sequence in which said program segments are scheduled to be reproduced by the player. This limitation is governed by 35 U.S.C. § 112, para. 6. The Continuum literally performs the identical function with identical and equivalent structure.</p> <p>The “receiving” structure in the Continuum is the micro USB port on the side of the device. The structure is equivalent to the construed IR structure.</p>

		<p><i>Transferring Files to a Memory Card</i></p> <p>Transferring files using the Media Player USB setting</p> <ol style="list-style-type: none">1. From the Home screen, touch  Menu → Settings → USB Settings → Media player.2. Attach your phone to the computer with a USB cable. Your phone recognizes the connection and displays Media sync: connected in the Annunciator Line and Notifications Panel.3. Transfer files to the memory card. When finished, you can disconnect the USB cable. <p><i>Samsung Continuum Smartphone User Manual at 102</i></p>
--	--	---

Side Views



1. **Strap holder:** Attach an optional carrying strap (not included).
2. **Volume Key:** From the Home screen, press to adjust Master Volume. During calls or music playback, press to adjust volume. Press to mute the ringtone of an incoming call.
3. **USB Power/Accessory Port:** Plug in a USB cable for charging or to sync music and files.
4. **Microphone:** Used during calls to allow callers to hear your voice, and when recording.
5. **Camera Key:** Press to launch the Camera. In Camera mode, press to take a picture. In Camcorder mode, press to start or stop recording.
6. **Memory Card Slot:** Install a memory card for file storage.

Samsung Continuum Smartphone User Manual at 17.

The “storing” structure in the Continuum is replaceable media, which is a microSD card. A microSD card is sold with the Continuum and comes in the box.

Memory Card

Your phone supports removable microSD™ or microSDHC™ memory cards of up to 32GB capacity, for storage of music, pictures, videos, and other files.

Samsung Continuum Smartphone User Manual at 101

		The file of data establishing a sequence in which the program segments are scheduled to be reproduced by the Continuum is the playlist file.
1.c	means for accepting control commands from a user of said player,	<p>The Continuum has a means for accepting control commands from a user of said player. This limitation is governed by 35 U.S.C. § 112, para. 6. The Continuum literally performs the identical function with equivalent structure.</p> <p>The “accepting” structure on the Continuum is the touch screen.</p> <p>Features</p> <ul style="list-style-type: none"> • 3.4-inch Super AMOLED™ touch screen plus 1.8-inch Super AMOLED Ticker Display <p><i>Samsung Continuum Smartphone User Manual at 15</i></p> <ul style="list-style-type: none"> • Playback controls: <ul style="list-style-type: none"> – Touch ►► to advance to the next song. Touch and hold ►► to scan forward through the current song. – Touch ◀◀ to go back to the previous song. Touch and hold ◀◀ to scan backward through the current song. – Touch ■■ to pause playback. Touch ► to resume playback. <p><i>Samsung Continuum Smartphone User Manual at 82</i></p>
1.d	means for continuously reproducing said program segments in the order established by said sequence in the absence of a control command,	<p>The Continuum has a means for continuously reproducing said program segments in the order establish by said sequence in the absence of a control command. This limitation is governed by 35 U.S.C. § 112, para. 6. The Continuum performs the identical function using equivalent structure.</p> <p>The “continuously reproducing” structure in the Continuum comprises hardware and software components programmed to continuously reproduce program segments in the absence of a control</p>

		<p>command.</p> <p>Hardware components are the Continuum's general purpose computer circuitry (processor, RAM, power supply, and bus), audio codec, and speaker.</p> <p>Memory / Processor 1GHz application processor 2GB internal memory</p> <p><i>Samsung Continuum product specification</i>, available at www.verizonwireless.com</p> <p>4. Touch the Summary tab for RAM and Storage memory statistics.</p> <p><i>Samsung Continuum User Manual</i> at 11.</p> <p>Battery Your phone is powered by a rechargeable, standard Li-Ion battery. A Wall/USB Charger (Charging Head and USB cable) are included with the phone, for charging the battery.</p> <p><i>Samsung Continuum User Manual</i> at 6.</p>
--	--	--

Installing and Removing the Battery

Installing the battery

1. Remove the battery cover by placing your fingernail in the opening and popping the cover off the device (1).



2. Insert the battery into the phone housing, aligning both sets of gold contacts, and press down (2 and 3).



3. Replace the battery cover by pressing down on the corners to snap it into place (4).



Removing the Battery

1. Remove the battery cover.
2. Lift the battery up and out of the phone, using the slot provided.
3. Replace the battery cover.

Getting Started 7

Samsung Continuum User Manual at 7.

The Continuum has an audio codec as show by the Continuum’s capability to play digitally compressed audio files.

- Music Player, supporting WAV, MP3, AAC, AAC+, eAAC+, AMR-NB, AMR-WB, WMA (v9/10), EVRC, QCELP, MIDI, and SP-MIDI formats

Samsung Continuum User Manual at 15.

Back View












1. **Speakers:** Play ringtones, call audio when in Speakerphone mode, music and other sounds.
2. **Camera Flash:** Used when taking photos.
3. **Camera Lens:** Used when taking photos or recording videos.







Samsung Continuum User Manual at 18.

Once a user has started listening to a playlist on the Continuum, the device automatically plays the audio file next in the playlist sequence after the previous audio file ends. The Continuum reproduces the audio file in the order established by the playlist without the need for the user to entering a control command. Once a playlist has been selected, no further control command is required for continuously reproducing said program segments in the order establish by said playlist sequence.

The Continuum can be set to play songs in order and repeat songs

		<p>Section 8: Music</p> <p>Music Player</p> <p>Music Player plays songs from an installed memory card.</p> <p>Playing Music</p> <ol style="list-style-type: none"> From the Home screen, select  Applications →  Music Player. Music Player scans your memory card and displays your songs on the All, Playlists, Albums, Artists, or Genres tabs. Touch a song or playlist to begin playback.  <ol style="list-style-type: none"> During playback, use the sound and playlist controls: <ul style="list-style-type: none"> Volume: Touch to activate on-screen volume control, then touch and drag on the scale to set volume. You can also press the Volume Key on the side of the phone to adjust playback volume. Shuffle: When enabled, songs play in random order. When disabled, songs play in the order they appear in List view. Repeat: Touch to repeat the current song, repeat all songs, or disable repeat mode. List / Now Playing: Touch List to switch to a list view of songs. Touch Now Playing to display the current song title and details. 5.1 Channel Mode: Touch to enable or disable 5.1 Channel Mode for stereo sound. Playback controls: <ul style="list-style-type: none"> Touch  to advance to the next song. Touch and hold  to scan forward through the current song. Touch  to go back to the previous song. Touch and hold  to scan backward through the current song. Touch  to pause playback. Touch  to resume playback. <p><i>Samsung Continuum Smartphone User Manual at 82</i></p>
1.e	means for detecting a first command indicative of a request to skip forward, and	<p>The Continuum has a means for detecting a first command indicative of a request to skip forward. This limitation is governed by 35 U.S.C. § 112, para. 6. The Continuum performs the identical function using identical, or at least equivalent, structure.</p> <p>The “detecting” structure in the Continuum comprises hardware and software components programmed to detect a first command indicative of a request to skip forward.</p> <p>The hardware component is the general purpose computer circuitry, identified in row 1.d above.</p> <p>Once a user presses the “next” key the Continuum responds to the selected command by discontinuing playback of the current audio file and begins playing the next audio file in the playlist. This operation shows there is software that detects the skip forward command.</p>

		<ul style="list-style-type: none"> • Playback controls: <ul style="list-style-type: none"> – Touch ►► to advance to the next song. Touch and hold ►► to scan forward through the current song. – Touch ◀◀ to go back to the previous song. Touch and hold ◀◀ to scan backward through the current song. – Touch ■■ to pause playback. Touch ► to resume playback. <p><i>Samsung Continuum Smartphone User Manual at 82</i></p>
1.f	<p>means responsive to said first command for discontinuing the reproduction of the currently playing program segment and instead continuing the reproduction at the beginning of a program segment which follows said currently playing program in said sequence.</p>	<p>The Continuum has a means responsive to said first command for discontinuing the reproduction of the currently playing program segment and instead continuing the reproduction at the beginning of a program segment which follows said currently playing program in said sequence. This limitation is governed by 35 U.S.C. § 112, para. 6. The Continuum performs the identical function using identical, or at least equivalent, structure.</p> <p>The “responsive” structure in the Continuum comprises hardware and software components programmed to detect a first command indicative of a request to skip forward.</p> <p>The hardware component is the general purpose computer circuitry, identified in row 1.d above.</p> <p>Once a user presses the “next” key the Continuum discontinues playing the current audio file and skips ahead and begins playing the next audio file in the playlist.</p> <ul style="list-style-type: none"> • Playback controls: <ul style="list-style-type: none"> – Touch ►► to advance to the next song. Touch and hold ►► to scan forward through the current song. – Touch ◀◀ to go back to the previous song. Touch and hold ◀◀ to scan backward through the current song. – Touch ■■ to pause playback. Touch ► to resume playback.

		<i>Samsung Continuum Smartphone User Manual at 82</i>
2	A player as set forth in claim 1 further comprising	Every claim limitation of claim 1 is present in the Continuum as described above.
2.a	means for detecting a second command indicative of a request to skip backward, and	<p>The Continuum has a means for detecting a second command indicative of a request to skip backward. This limitation is governed by 35 U.S.C. § 112, para. 6. The Continuum performs the identical function using identical, or at least equivalent, structure.</p> <p>The “detecting” structure in the Continuum comprises hardware and software components programmed to detect a second command indicative of a request to skip backward.</p> <p>The hardware component is the general purpose computer circuitry, identified in row 1.d above.</p> <p>Once a user presses the “previous” key the Continuum responds to the selected command by discontinuing playback of the current audio file and begins playing the same audio file in the playlist at its beginning. This operation shows there is software that detects the skip backward command.</p> <ul style="list-style-type: none"> • Playback controls: <ul style="list-style-type: none"> – Touch  to advance to the next song. Touch and hold  to scan forward through the current song. – Touch  to go back to the previous song. Touch and hold  to scan backward through the current song. – Touch  to pause playback. Touch  to resume playback. <p><i>Samsung Continuum Smartphone User Manual at 82</i></p>
2.b	means responsive to a single one of said second commands for discontinuing the reproduction of the	The Continuum has a means responsive to a single one of said second commands for discontinuing the reproduction of the currently playing program segment and instead continuing the reproduction at the beginning of the currently playing program. This limitation is governed by 35 U.S.C. § 112, para. 6. The Continuum performs the identical function using identical, or at least equivalent, structure.

	<p>currently playing program segment and instead continuing the reproduction at the beginning of said currently playing program.</p>	<p>The “responsive” structure in the Continuum comprises hardware and software components programmed to detect a first command indicative of a request to skip forward.</p> <p>The hardware component is the general purpose computer circuitry, identified in row 1.d above.</p> <p>Once a user presses the “previous” key the Continuum discontinues playing the current audio file and begins playing the current audio file from the beginning.</p> <ul style="list-style-type: none"> • Playback controls: <ul style="list-style-type: none"> – Touch ►► to advance to the next song. Touch and hold ►► to scan forward through the current song. – Touch ◀◀ to go back to the previous song. Touch and hold ►► to scan backward through the current song. – Touch ■■ to pause playback. Touch ► to resume playback. <p><i>Samsung Continuum Smartphone User Manual at 82</i></p>
3	<p>A player as set forth in claim 2 further comprising</p>	<p>Every claim limitation of claim 2 is present in the Continuum as described above.</p>
3.a	<p>means responsive to the detection of two consecutive ones of said second commands for discontinuing the reproduction of the currently playing program segment and instead continuing the reproduction at the beginning of a program segment which</p>	<p>The Continuum has a means responsive to the detection of two consecutive ones of said second commands for discontinuing the reproduction of the currently playing program segment and instead continuing the reproduction at the beginning of a program segment which precedes the currently playing program. This limitation is governed by 35 U.S.C. § 112, para. 6. The Continuum performs the identical function using identical, or at least equivalent, structure.</p> <p>The “responsive” structure in the Continuum comprises hardware and software components programmed to detect a first command indicative of a request to skip forward.</p> <p>The hardware component is the general purpose computer circuitry, identified in row 1.d above.</p>

	<p>precedes the currently playing program segment.</p>	<p>Once a user presses the “previous” key twice the Continuum discontinues playing the current audio file and begins playing the previous audio file in the playlist.</p> <ul style="list-style-type: none"> • Playback controls: <ul style="list-style-type: none"> – Touch ►► to advance to the next song. Touch and hold ►► to scan forward through the current song. – Touch ◀◀ to go back to the previous song. Touch and hold ◀◀ to scan backward through the current song. – Touch ■■ to pause playback. Touch ► to resume playback. <p><i>Samsung Continuum Smartphone User Manual at 82</i></p>
4	<p>A player as set forth in claim 3 further comprising</p>	<p>Every claim limitation of claim 1 is present in the Continuum as described above.</p>
4.a	<p>wherein said sequence established by said data forms an endless circular sequence of program segments.</p>	<p>In the Continuum the sequence established by said data forms an endless circular sequence of audio files.</p> <p>Once a user selects Repeat All mode the playlist plays in an endless circular sequence.</p> <ul style="list-style-type: none"> • Repeat: Touch to repeat the current song, repeat all songs, or disable repeat mode. <p><i>Samsung Continuum Smartphone User Manual at 82</i></p>