

1 CHRISTINE S. HASKETT (Cal. Bar No. 188053)
 2 Email: haskettcs@cov.com
 3 COVINGTON & BURLING LLP
 4 One Front Street
 5 San Francisco, CA 94111
 6 Telephone: (415) 591-6000
 7 Facsimile: (415) 591-6091

8 UNITED STATES DISTRICT COURT
 9 FOR THE EASTERN DISTRICT OF TEXAS

11 *In re* Ex Parte Application of
 12 APPLE INC.; APPLE RETAIL GERMANY
 13 GMBH; and APPLE SALES
 14 INTERNATIONAL,
 15 Applicants,
 16 For an Order Pursuant to 28 U.S.C. § 1782
 17 Granting Leave to Obtain Discovery from
 Ericsson Inc. for Use in Foreign Proceedings.

Case No.:

**DECLARATION OF CHRISTINE S.
 HASKETT IN SUPPORT OF EX
 PARTE APPLICATION FOR AN
 ORDER PURSUANT TO 28
 U.S.C. § 1782 GRANTING LEAVE TO
 OBTAIN DISCOVERY FOR USE IN
 FOREIGN PROCEEDINGS**

18 I, Christine S. Haskett, an attorney admitted to practice in the State of California,
 19 declare as follows:

- 20 1. I am an attorney with Covington & Burling, LLP, counsel to Apple Inc.
 21 (“Apple”).
- 22 2. I am familiar with the facts set forth in this declaration from personal
 23 knowledge and documents I have reviewed.

DECLARATION OF HASKETT IN SUPPORT OF APPLICATION UNDER 28 U.S.C. § 1782 Case No.:		
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1 3. I submit this declaration in support of Apple's Ex Parte Application for
2 an Order Pursuant to 28 U.S.C. § 1782 Granting Leave to Obtain Discovery for Use In Foreign
3 Proceedings. The application relates to foreign proceedings in Germany before the Mannheim
4 District Court, the Dusseldorf District Court, and the Higher District Court of Karlsruhe.

5 4. Apple Retail Germany GmbH is the defendant in Case Nos. 4a O 69/11,
6 4a O 116/11, and 4a O 117/11 pending in the Dusseldorf District Court. These actions were all
7 filed by Motorola Mobility, Inc. on April 12, 2011.

8 5. Apple Sales International is the defendant in Case No. 6 U 136/11,
9 pending in the Higher District Court of Karlsruhe and filed on December 14, 2011, which is an
10 appeal of a decision of the Mannheim District Court in Case No. 7 O 122/11, filed by Motorola
11 Mobility, Inc. on April 1, 2011.

12 6. Apple Sales International is the defendant in Case Nos. 7 O 229/11 and 7
13 O 230/11, both filed by Motorola Mobility Inc. on April 1, 2011 in the Mannheim District
14 Court.

15 7. Apple, Inc. is the defendant in Case Nos. 7 O 169/11 and 7 O 443/11,
16 filed by Motorola Mobility, Inc. on April 26, 2011 in the Mannheim District Court.

17 8. The Mannheim and Dusseldorf District Courts determine liability and,
18 upon a finding of infringement, may enter an injunction and order the infringer to pay damages.

19 6. In Cases Nos. 4a O 69/11, 6 U 136/11, 7 O 122/11, 7 O 169/11 Motorola
20 asserts that Apple products infringe European Patent No. EP 1 010 336 ("the '336 cases"). In
21 Cases Nos. 4a O 117/11, 7 O 230/11, and 7 O 443/11, Motorola asserts that Apple products
22 infringe European Patent No. EP 1 053 613 ("the '613 cases").

23 8. Ericsson Inc.'s ("Ericsson") North American headquarters are in Plano,
24 Texas, which is within the Eastern District of Texas. *See* excerpt of Ericsson's webpage:

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DECLARATION OF HASKETT IN SUPPORT OF APPLICATION UNDER 28 U.S.C. § 1782 Case No.:		
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1 http://www.ericsson.com/thecompany/company_facts/worldwide/na/us., a true and correct copy
2 of which is attached hereto as Exhibit 1.

3 9. Ericsson is not a party to the German Actions.

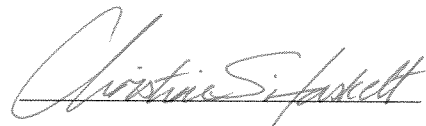
4 10. The functionalities accused by Motorola in the '336 cases and the '613
5 cases generally relate to the wireless functionality of the iPhone and iPad. According to its
6 website, Ericsson markets wireless communication devices.

7 11. Attached hereto as Exhibit 2 is a true and correct copy of an April 7, 2011
8 opinion in *In re Am. Petroleum Institute*, 11-80008-JF (PSG) (N.D. Cal.).

9 12. Attached hereto as Exhibit 3 is a true and correct copy of a September 19,
10 2008 opinion in *Mirana v. Battery Tai-Shing Corp.*, No. 08-80142 (N.D. Cal.).

11
12 I declare under penalty of perjury under the laws of the United States that the
13 foregoing is true and correct.

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15 Date: January 20, 2012



16 Christine S. Haskett

DECLARATION OF HASKETT IN SUPPORT OF APPLICATION UNDER 28 U.S.C. § 1782 Case No.:		
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