

# EXHIBIT 26

# As It Gears Up For War With Samsung, Apple Adds To Its Patent Pile

Owen Thomas Nov. 15, 2012, 3:00 PM 3,919 7



AP

Apple is stocking up on patents.

CEO Tim Cook is still purchasing warheads in Apple's "thermonuclear" battle against Android.

The company has quietly snapped up more than a thousand patents in the past six months from Rockstar Consortium, a move that helps bolster it as it battles Google, Samsung, and other Android backers in the mobile-device market.

Apple's action came to light after a Korean regulator reported the transfer of 1,024 patents or patent applications from Rockstar to Apple, according to Yonhap News.

A search of the US Patent and Trademark Office database confirms that Rockstar has transferred more than 1,350 patents. In a random sampling, almost all of those appear to have been sent to Apple.

Apple already had access to these patents, since it owns a large stake in Rockstar Consortium. That venture, formerly known as Rockstar Bidco, bid \$4.5 billion, of which Apple provided \$2.6 billion, on a collection of 4,000 patents sold by Nortel. Microsoft, Sony, Ericsson, and RIM also backed Rockstar, which beat out Google in the bidding for the patent collection.

But getting full rights to the patent likely helps Apple use the patents offensively in its ongoing lawsuits. If you do not own a patent, but merely have licensed it, you can't go out and sue someone for using the patent. Having outright ownership of a patent allows Apple to use the patents offensively.

Apple spokesman Steve Dowling did not respond to an emailed request for comment. Microsoft, a minority partner in Rockstar, declined to comment.

Mike Dunleavy, Rockstar's general counsel, declined to comment on the Korean news report, but said that contrary to widespread reports that Apple had a majority stake in the company, "No one shareholder owns a controlling interest in Rockstar Consortium."