

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF WISCONSIN**

APPLE INC., and NEXT SOFTWARE,  
INC. (f/k/a NeXT COMPUTER, INC.),

Plaintiffs and  
Counterclaim-  
Defendants,

v.

Case No. 10-CV-662 (BBC)

MOTOROLA, INC. and MOTOROLA  
MOBILITY, INC.

Defendants and  
Counterclaim-  
Plaintiffs

**SUPPLEMENTAL DECLARATION OF WINSLOW B. TAUB  
IN SUPPORT OF APPLE INC. AND NEXT SOFTWARE, INC.'S MOTION  
FOR LEAVE TO FILE SUPPLEMENTAL CLAIMS CONSTRUCTION EVIDENCE**

I, Winslow B. Taub, hereby declare:

1. I am an attorney with the law firm of Covington & Burling LLP, counsel of record for Apple Inc. (“Apple”) and NeXT Software (“NeXT”) (collectively “Plaintiffs”) in the above-captioned matter. The matters referenced in this declaration are based on personal knowledge and if called as a witness I could, and would, testify competently to these matters.

2. Attached hereto as Exhibit 1 is a true and correct copy of excerpts from the certified translation of the prosecution file history of the Japanese counterpart to U.S. Patent No. 5,319,712, showing five pages that demonstrate that the Japanese counterpart claims priority through a PCT application to the application that issued as U.S. Patent No. 5,319,712.

3. Attached hereto as Exhibit 2 is a true and correct copy of an excerpt from the certified translation of the prosecution file history of the Japanese counterpart to U.S. Patent No. 5,319,712 showing claim 9 of the Japanese counterpart.

Executed on July 19, 2011 at San Francisco, California.

*/s/ Winslow B. Taub*

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Winslow B. Taub