

**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

**DECLARATION OF CHRISTINE SAUNDERS HASKETT IN SUPPORT OF
PLAINTIFFS AND COUNTERCLAIM-DEFENDANTS APPLE INC. AND NEXT
SOFTWARE, INC.'S CLAIM CONSTRUCTION MEMORANDUM**

I, Christine Saunders Haskett, hereby declare:

1. I am a member of 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 of Exhibit A to Motorola’s Preliminary Infringement Contentions, served March 18, 2011.

3. Attached hereto as Exhibit 2 is a true and correct copy of U.S. Patent No. 4,817,157.

4. Attached hereto as Exhibit 3 is a true and correct copy of U.S. Patent No. 4,852,179.

5. Attached hereto as Exhibit 4 is a true and correct copy of U.S. Patent No. 4,301,329.

6. Attached hereto as Exhibit 5 is a true and correct copy of excerpts from the prosecution file history of U.S. Patent No. 5,490,230.

7. Attached hereto as Exhibit 6 is a true and correct copy of the definition of “extract” from the Oxford English Dictionary (2d ed. 1989).

8. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from the prosecution file history of U.S. Patent No. 6,175,559.

9. Attached hereto as Exhibit 8 is a true and correct copy of “The OSI Model,” *available at* http://www.washington.edu/lst/help/computing_fundamentals/networking/osi.

10. Attached hereto as Exhibit 9 is a true and correct copy of excerpts from the “International Standard, ISO/IEC 7498-1,” (2nd Ed., 1994), *available at* <http://www.ecma-international.org/activities/Communications/TG11/s020269e.pdf>.
11. Attached hereto as Exhibit 10 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.
12. Attached hereto as Exhibit 11 is a true and correct copy of excerpts from the certified translation of the prosecution appeal of the Japanese counterpart to U.S. Patent No. 5,319,712.
13. Attached hereto as Exhibit 12 is a true and correct copy of excerpts from the deposition transcript of Louis Finkelstein, taken on May 4, 2010, in ITC Investigation No. 337-TA-706. [Confidential - Filed Under Seal]
14. Attached hereto as Exhibit 13 is a true and correct copy of excerpts of Exhibit E to Motorola’s Preliminary Infringement Contentions, served March 18, 2011.
15. Attached hereto as Exhibit 14 is a true and correct copy of excerpts of the IEEE Std. 802.11™ 2007, *available at* <http://standards.ieee.org/getieee802/download/802.11-2007.pdf>.
16. Attached hereto as Exhibit 15 is a true and correct copy of U.S. Patent No. 4,535,333.
17. Attached hereto as Exhibit 16 is a true and correct copy of excerpts from the prosecution file history of patent application number 07/378,721.
18. Attached hereto as Exhibit 17 is a true and correct copy of excerpts from the prosecution file history of U.S. Patent No. 5,572,193.

19. Attached hereto as Exhibit 18 is a true and correct copy of excerpts of Exhibit F to Motorola's Preliminary Infringement Contentions, served March 18, 2011.

20. Attached hereto as Exhibit 19 is a true and correct copy of excerpts from Merriam-Webster's Collegiate Dictionary (10th Ed., 1995).

21. Attached hereto as Exhibit 20 is a true and correct copy of excerpts from Webster's New World Dictionary of Computer Terms (5th Ed., 1994).

22. Attached hereto as Exhibit 21 is a true and correct copy of excerpts from The IEEE Standard Dictionary of Electrical and Electronic Terms (5th Ed., 1993).

23. Attached hereto as Exhibit 22 is a true and correct copy of excerpts from the prosecution file history of U.S. Patent No. 6,212,575.

24. Attached hereto as Exhibit 23 is a true and correct copy of excerpts from the prosecution file history of U.S. Patent No. RE 39,486.

25. Attached hereto as Exhibit 24 is a true and correct copy of Order No. 18 from ITC Investigation No. 337-TA-706.

26. Attached hereto as Exhibit 25 is a true and correct copy of excerpts from the prosecution file history of U.S. Patent No. 5,969,705.

27. Attached hereto as Exhibit 26 is a true and correct copy of excerpts from the prosecution file history of U.S. Patent No. 5,946,647.

28. Attached hereto as Exhibit 27 is a true and correct copy of excerpts from Brad J. Cox, Object Oriented Programming: An Evolutionary Approach (1987).

29. Attached hereto as Exhibit 28 is a true and correct copy of excerpts from Microsoft Press Computer Dictionary (2d ed. 1994).

30. Attached hereto as Exhibit 29 is a true and correct copy of excerpts from the prosecution file history of U.S. Patent No. 6,493,002.

31. Attached hereto as Exhibit 30 is a true and correct copy of excerpts from the Dictionary of Computer Words (1993).

32. Attached hereto as Exhibit 31 is a true and correct copy of excerpts from the Computer Dictionary (3rd Ed. 1992).

33. Attached hereto as Exhibit 32 is a true and correct copy of excerpts from the Academic Press Dictionary of Science and Technology (1992).

34. Attached hereto as Exhibit 33 is a true and correct copy of excerpts from the IBM Dictionary of Computing (1992).

35. Attached hereto as Exhibit 34 is a true and correct copy of excerpts from Black's Law Dictionary (Abridged 6th Ed. 1991).

36. Attached hereto as Exhibit 35 is a true and correct copy of "About 3GPP", from <http://3gpp.org/About-3GPP> (last visited June 15, 2011).

37. Attached hereto as Exhibit 36 is a true and correct copy of U.S. Patent No. 7,173,919.

38. Attached hereto as Exhibit 37 is a true and correct copy of Provisional Application No. 60/138,713.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct to the best of my knowledge and belief.

Executed on June 17, 2011 at San Francisco, California.

/s/ Christine Saunders Haskett

Christine Saunders Haskett