

1 [COUNSEL LISTED ON SIGNATURE  
2 PAGES]

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4 UNITED STATES DISTRICT COURT  
5 NORTHERN DISTRICT OF CALIFORNIA  
6 SAN JOSE DIVISION  
7

8 APPLE, INC., a California corporation,

9 Plaintiff,

10 v.

11 SAMSUNG ELECTRONICS CO., LTD., a  
12 Korean corporation, SAMSUNG  
13 ELECTRONICS AMERICA, INC., a New York  
14 corporation; SAMSUNG  
TELECOMMUNICATIONS AMERICA, LLC,  
a Delaware limited liability company,

15 Defendants.

Case No.: 11-CV-01846-LHK

**STATUS UPDATE REGARDING  
SEALED LICENSING TERMS BY NON-  
PARTIES NOKIA CORPORATION,  
MOTOROLA MOBILITY LLC,  
INTERNATIONAL BUSINESS  
MACHINES CORPORATION, DOLBY  
LABORATORIES LICENSING  
CORPORATION AND SIEMENS AG**

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17 Non-parties Nokia Corporation (“Nokia”), Motorola Mobility LLC (“Motorola”),  
18 International Business Machines Corporation (“IBM”), Dolby Laboratories Licensing  
19 Corporation (“Dolby”), and Siemens AG (“Siemens”) (collectively “non-parties”) respectfully  
20 provide the Court with the following status update regarding the parties’ communications  
21 regarding their sealed licensing terms. (*See* Dkt. Nos. 1328, 1378, 1400, 1486, 1498, 1649).

22 1. Early this morning, Samsung represented and agreed to the following:

23 The version of TX 630 that the jury will see will be unredacted and  
24 will include the “Payments” and “Monetary Considerations”  
25 columns. The version of TX 630 that will be made public will have  
the information in those columns redacted.

26 Samsung will follow the August 9 Order and, consistent with the  
27 Order, will not refer at trial or in any publicly available filing to the  
28 compensation terms and information that was sealed by the Court.  
Witnesses will not verbally disclose the license payment terms and

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Samsung will inform witnesses that they are not to talk about specific payment terms in order to comply with the Court's order.

Samsung expects to introduce TX 630 and 631 into evidence during the direct examination of Samsung's expert David Teece. We anticipate that Mr. Teece will testify by this Thursday, August 16, though it is possible he may testify late tomorrow afternoon. During Mr. Teece's testimony, Samsung intends to publish to the jury and Court only (and not to those seated in the courtroom) several demonstrative exhibits that refer to the payment terms that the Court has sealed. The demonstratives will not be admitted into evidence or made public. The demonstratives will facilitate the communication of necessary information to the jury without the necessity of detailed verbal responses from the witness on the record.

Email of Melissa Dalziel, Quinn Emanuel Urquhart & Sullivan, LLP, dated August 15, 2012, 1:18 AM PT. In addition, Samsung has agreed to treat TX 77 and 82 under the same conditions as stated above.

2. Non-parties have repeatedly contacted counsel for Apple about this issue without response. However, it is currently the non-parties' understanding that Apple will abide by the Court's orders and its confidentiality obligations and will not disclose any sealed licensing information in any trial exhibit to any members of the public or media. The non-parties also understand that Apple will not seek to elicit any testimony which would publicly reveal any such sealed licensing information.

3. In the event that either Samsung or Apple should change course and attempt to disclose to the public in open court any sealed licensing information in any trial exhibit and/or attempt to elicit testimony which would publicly reveal any such sealed licensing information, non-parties respectfully request that they be given sufficient advance notice to object, seek a stay, and seek any further relief necessary to protect against public disclosure of their sealed information which the Court has determined to constitute valuable trade secrets.

1 DATED: August 15, 2012

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**FILER'S ATTESTATION**

Pursuant to Local Rule 5-1(i)3 regarding signatures, I, Jennifer Liu, attest  
that concurrence in the filing of this document has been obtained.

  /s/ Jennifer Liu  
Jennifer Liu