

EXHIBIT 8

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CO., LTD., SAMSUNG ELECTRONICS
14 AMERICA, INC. and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC
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16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
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19 APPLE INC., a California corporation,
20 Plaintiff,
21 vs.
22 SAMSUNG ELECTRONICS CO., LTD., a
Korean business entity; SAMSUNG
23 ELECTRONICS AMERICA, INC., a New
York corporation; SAMSUNG
24 TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,
25 Defendant.
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CASE NO. 11-cv-01846-LHK
**SAMSUNG'S SUPPLEMENTAL
OBJECTIONS AND RESPONSES TO
APPLE'S SEVENTH SET OF
INTERROGATORIES (NO. 16)**

**HIGHLY CONFIDENTIAL –
ATTORNEYS' EYES ONLY**
UNDER THE PROTECTIVE ORDER

SUBJECT TO PROTECTIVE ORDER
CONTAINS HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY INFORMATION

1 already in the possession of Apple, publicly available, or as readily available to Apple as it is to
2 Samsung.

3 24. Samsung objects to each interrogatory to the extent that it seeks information before
4 Samsung is required to disclose such information in accordance with any applicable law, such as
5 the Northern District of California Patent Local Rules.

6 25. Samsung objects to the interrogatories on the grounds and to the extent that they
7 seek legal conclusions or call for expert testimony. Samsung’s responses should not be
8 construed to provide legal conclusions.

9 Subject to and without waiving the foregoing General Statement and General Objections,
10 Samsung responds as follows:

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12 **INTERROGATORY NO. 16:**

13 Specifically for each Utility Patent at Issue, identify and explain in detail each design-
14 around and/or alleged alternative technology or method that can be used as an alternative to the
15 patented technology, including but not limited to: (1) a description of the alleged design-around;
16 (2) a description of when and how the alleged design-around was developed; (3) the identity of
17 individuals involved in developing the alleged design-around, including their titles and
18 departments if they are or were Samsung employees; and (4) dates when the alleged design-around
19 was incorporated in Samsung’s products.

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21 **SUPPLEMENTAL RESPONSE TO INTERROGATORY NO. 16:**

22 In addition to its General Objections above, which it hereby incorporated by reference,
23 Samsung objects to this interrogatory on the grounds that it is vague, ambiguous, and overbroad,
24 and not reasonably calculated to lead to the discovery of admissible evidence. Samsung further
25 objects to this interrogatory to the extent that it seeks to elicit information subject to and protected
26 by the attorney-client privilege, the attorney work-product doctrine, the joint defense privilege, the
27 common interest doctrine, and/or any other applicable privilege or immunity. Samsung further
28 objects to this interrogatory as premature to the extent it requests information regarding

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1 ‘915 Patent: Design arounds or non-infringing alternatives, either known to Samsung or
2 implemented by Samsung, include not using event objects, not distinguishing between a single
3 input point/scroll operation and a two or more input point/gesture operation, utilizing techniques
4 that remove any association between the view with the event object that invokes the command;
5 implementing something other than the event object associated with the view to invoke the
6 scrolling or gesture command, implementing a scrolling method that utilizes more than one finger,
7 and not stopping a scroll at a predetermined position in relation to the user input.

8 ‘381 Patent: Design arounds or non-infringing alternatives, either known to Samsung or
9 implemented by Samsung, include using techniques such as blue glow (or edge glow or yellow
10 glow), tilt, partial bounce back, spring back, or no bounce back. The “blue glow” functionality
11 can be used as an alternative to at least one of the accused features. Pursuant to Rule 33(d),
12 Samsung refers to the source code produced by Samsung on January 23, 2012 regarding the blue
13 glow technique. The functionality was incorporated into Samsung's code for the Samsung
14 accused products with the assistance of Wookyun Kho, Kihyung Nam, Dooju Byun, Jaegwan
15 Shin, and Seunghwan Han on or around September 2011.

16 ‘163 Patent: Design arounds or non-infringing alternatives, either known to Samsung or
17 implemented by Samsung, include not enlarging and translating a web page to substantially center
18 a first box, not expanding the first box so that the width of the first box is substantially the same as
19 the width of the touch screen display, not resizing text in an enlarged first box to meet or exceed a
20 predetermined minimum text size on the touch screen display, and not translating a web page so as
21 to substantially center a second box on the touch screen display while a first box is
22 enlarged. Additionally, the ‘163 patent is not infringed when, upon a “second” gesture from the
23 user, either (1) the structured electronic document returns to its original size; and/or (2) no further
24 actions are performed. This design eliminates any actions that could be interpreted to “when the
25 first box is enlarged, detect a second gesture on a second box other than the first box,” and/or “in
26 response to detecting the second gesture, translate the structured electronic document so that the
27 second box is substantially centered on the touch screen display.” Samsung has modified or is
28 modifying the functionality of its products including its Galaxy Attain 4G, Galaxy Tab 10.1, Epic

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1 4G, Galaxy S II Epic 4G Touch, and Galaxy S II Skyrocket devices. Samsung has or is presently
2 preparing to produce the source code for the design around on the source code computer, and will
3 produce such source code as soon as possible.

4 ‘607 Patent: Design arounds or non-infringing alternatives, either known to Samsung or
5 implemented by Samsung, include the use of AMOLED screens which are already incorporated
6 into many of Samsung’s products, the use of non-transparent conductors, not using conductive
7 lines, and not using conductors that are transverse, and using a single layer instead of first and
8 second layers.

9 ‘129 Patent: Design arounds or non-infringing alternatives, either known to Samsung or
10 implemented by Samsung, include the use of AMOLED screens which are already incorporated
11 into many of Samsung’s products, the use of conductors that are not on a two-dimensional
12 coordinate system, the use of a second set of conductors having a widths that are not substantially
13 greater than the widths of a first set of conductors, and using a single layer instead first and second
14 layers spatially separated by a dielectric.

15 Samsung’s investigation is ongoing and Samsung will provide further alternatives in its
16 expert report(s) to be submitted in accordance with the Court’s Minute Order and Case
17 Management Order, dated August 25, 2011, and after Apple has provided a detailed explanation of
18 the basis for its infringement positions with regard to the Utility Patents at Issue. Samsung also
19 may supplement this interrogatory after the Court enters an order construing the claims of the
20 Utility Patents at Issue.

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