

# **EXHIBIT 9**

**CONTAINS CONFIDENTIAL BUSINESS INFORMATION,  
SUBJECT TO PROTECTIVE ORDER--  
NOT FOR PUBLIC INSPECTION**

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Attorneys for Plaintiff and  
Counterclaim-Defendant Apple Inc.

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION**

APPLE INC., a California corporation,

Plaintiff,

vs.

SAMSUNG ELECTRONICS CO., LTD., a  
Korean business entity, SAMSUNG  
ELECTRONICS AMERICA, INC., a New  
York corporation, and SAMSUNG  
TELECOMMUNICATIONS AMERICA,  
LLC, a Delaware limited liability company,

Defendants.

SAMSUNG ELECTRONICS CO., LTD., a  
Korean business entity, SAMSUNG  
ELECTRONICS AMERICA, INC., a New  
York corporation, and SAMSUNG  
TELECOMMUNICATIONS AMERICA,  
LLC, a Delaware limited liability company,

Counterclaim-Plaintiffs,

vs.

APPLE INC., a California corporation,

Civil Action No. 11-CV-01846-LHK

**AFFIDAVIT OF LEE HILL**

**PLAINTIFF'S EXHIBIT NO. 113**

United States District Court  
Northern District of California  
No. 11-CV-01846-LHK (PSG)

Apple Inc. v. Samsung Elecs.

Date Admitted: \_\_\_\_\_ By: \_\_\_\_\_

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Counterclaim-Defendant.

**AFFIDAVIT OF LEE HILL**

I, Lee Hill, declare as follows:

1. I am General Counsel for Sony Mobile Communications (USA) Inc. ("Sony Mobile U.S."). Sony Mobile U.S. was known as Sony Ericsson Mobile Communications (USA) Inc. ("SEUS") until a name change in February 2012 at which time SEUS was renamed "Sony Mobile Communications (USA) Inc." I joined SEUS at its formation in October 2001 and have been continuously employed at SEUS (and the renamed entity Sony Mobile U.S.) since that date.
2. Sony Mobile U.S. is not a party to the above-captioned litigation.
3. On February 24, 2012 Sony Mobile U.S. produced certain documents to Apple Inc.'s counsel in response to a subpoena dated February 3, 2012. Those documents include a document bearing production numbers SEUS000001 through SEUS000002 ("the Sales Report").
4. The Sales Report shows the first month in which Sony Ericsson cellular phone models K700i and W800i were sold in the United States and the number of phones sold in that month.
5. Page SEUS000001 of the Sales Report discloses that the K700i cellular phone was first sold in the United States in period 9 of 2004 (i.e., September 2004) and 460 K700i cellular phones were sold in the U.S. during that month.
6. Page SEUS000002 of the Sales Report discloses that the W800i cellular phone was first sold in the United States in period 8 of 2005 (i.e., August 2005) and 920 W800i cellular phones were sold in the U.S. during that month. The designation "W800i/HPE-14" indicates that

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the 920 W800i cellular phones were sold together with an accessory device designated "HPE-14". The HPE-14 accessory is an audio headset accessory.

7. The Sales Report was generated from a database of sales information that is maintained and relied on in the ordinary course of business as an accurate record of United States sales.

8. As to the matters stated in this Affidavit and the data set forth in the Sales Report, I am informed and believe that they are true and correct.

Executed on this 6<sup>th</sup> day March 2012, in Atlanta, GA.

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<b>Sum of No of Units</b>			
<b>Commercial model</b>	<b>Year</b>	<b>Period</b>	<b>Total</b>
<b>K700I</b>		<b>2004</b>	9 460
	<b>2004 Total</b>		<b>460</b>
<b>K700I Total</b>			<b>460</b>
<b>Grand Total</b>			<b>460</b>

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SEUS000001

<b>Sum of No of Units</b>				
<b>Commercial model</b>	<b>Year</b>	<b>Period</b>	<b>Total</b>	
<b>W800I/HPE-14</b>		<b>2005</b>	<b>8</b>	<b>920</b>
	<b>2005 Total</b>			<b>920</b>
<b>W800I/HPE-14 Total</b>				<b>920</b>
<b>Grand Total</b>				<b>920</b>

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SEUS000002