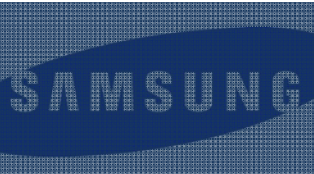


Pierce Declaration

EXHIBIT 42



March 8, 2006 Email from Richard Howarth

Subject: on: the sony vs apple competition
 Date: Wed, 08 Mar 2006 02:46:30 +0000
 From: "Richard Howarth" <howarth@apple.com>
 To: "Jonathan Ive" <ive@apple.com>
 Message-ID: <7A618265-4376-471D-B232-5DA75826BD17@apple.com>



From: "Richard Howarth" <howarth@apple.com>
 To: "Jonathan Ive" <ive@apple.com>

Hi Tony,

I'm worried about the extrudo shape we're using for P2 etc. looking at what shin's doing with the sony style chappy, he's able to achieve a much smaller-looking product with a much nicer shape to have next to your ear and in your pocket. also note that it's only half a step away from where we were with the metal band, black insides before we changed to the 3-regular-stripped sandwich which i show below. it looks a lot smaller to me and it makes the X a load narrower, which is something i've been going on about for ages because i'm worried that the round sides are so inefficient. i agree that the one we did below isn't right, and it looks odd next to the extrusion, but it does have the size and shape/comfort benefits i mentioned before and these are hard to ignore with a product we have to carry and use all day, every day. i'm really worried that we're making something that is going to look and be too wide.

i'm also worried that if we start cutting volume buttons on the side, then it removes some of the perks of the extrusion idea and seems like the wrong shape for the job. We can only add so much too it before it becomes a style 'n' shape, rather than the most efficient construction method and that would be bad.

E.

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i'm worried about the extrudo shape we're using for P2 etc. looking at what shin's doing with the sony-style chappy, he's able to achieve a much smaller-looking product with a much nicer shape to have next to your ear and in your pocket.

but it does have the size and shape/comfort benefits i mentioned before and these are hard to ignore with a product we have to carry and use all day, every day.

