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14 Attorneys for SAMSUNG ELECTRONICS  
CO., LTD., SAMSUNG ELECTRONICS  
15 AMERICA, INC. and SAMSUNG  
TELECOMMUNICATIONS AMERICA, LLC

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18  
19 APPLE INC., a California corporation,

Plaintiff,

20 vs.

21  
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  
25 company,

Defendant.

CASE NO. 11-cv-01846-LHK (PSG)

**SAMSUNG’S NOTICE OF REMAND AND  
APPLICATION PURSUANT TO FED. R.  
CIV. P. 62.1(c) FOR DECISION ON  
MOTION TO DISSOLVE THE JUNE 26,  
2012 PRELIMINARY INJUNCTION**

Date:  
Time:  
Place: Courtroom 8, 4th Floor  
Judge: Hon. Lucy H. Koh

1 Pursuant to Fed. R. Civ. P. 62.1(c), Defendants Samsung Electronics Co., Ltd., Samsung  
 2 Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively  
 3 “Samsung”) respectfully notify the Court that the United States Court of Appeals for the Federal  
 4 Circuit has remanded Samsung’s appeal of the June 26, 2012 preliminary injunction so that this  
 5 Court may rule on Samsung’s motion to dissolve (ECF No. 1936). The Federal Circuit’s order was  
 6 entered today and is attached hereto as Addendum A.<sup>1</sup>

7 Samsung’s motion to dissolve is fully briefed (*see* ECF Nos. 1936, 1963, 1967), and the  
 8 Court stated last week that, since “the sole basis for the June 26 Preliminary Injunction no longer  
 9 exists,” it would have “dissolve[d] the June 26 Preliminary Injunction if the Court had jurisdiction.”  
 10 (ECF No. 1968, at 3.) The Court now has jurisdiction, and there has been no change in the  
 11 circumstances since last week that would support any other result. Samsung therefore respectfully  
 12 requests, pursuant to Rule 62.1(c) and for the reasons set forth in Samsung’s prior papers, that the  
 13 Court dissolve the preliminary injunction forthwith.

14 DATED: September 28, 2012

Respectfully submitted,

15 QUINN EMANUEL URQUHART &  
 16 SULLIVAN, LLP

17 By/s/ Victoria Maroulis

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19 Kevin P.B. Johnson

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22 CO., LTD., SAMSUNG ELECTRONICS

23 AMERICA, INC. and SAMSUNG

24 TELECOMMUNICATIONS AMERICA, LLC

25 <sup>1</sup> Because the Federal Circuit granted a *limited* remand and retained jurisdiction over the  
 26 appeal, no mandate will issue and the order is effective immediately. *See* FED. R. APP. P. 12.1(b)  
 27 (“the court of appeals may remand for further proceedings but retains jurisdiction unless it expressly  
 28 dismisses the appeal”); FED. R. CIV. P. 62.1(c) (“The district court may decide the motion if the  
 court of appeals remands for that purpose.”).