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15 AMERICA, INC. and SAMSUNG
TELECOMMUNICATIONS AMERICA, LLC
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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

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
25 company,

26 Defendant.

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

**SAMSUNG’S REPLY IN FURTHER
SUPPORT OF ITS 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 Samsung respectfully submits this reply in further support of its application, pursuant to Fed.
2 R. Civ. P. 62.1(c), for the Court to issue a decision on its motion to dissolve the Galaxy Tab 10.1
3 preliminary injunction. In its Opposition, Apple rehashes arguments that the Court has already
4 rejected, arguing for at least the third time that dissolution of the preliminary injunction should be
5 delayed until resolution of the post-trial motions. But, as the Court correctly explained in its
6 indicative ruling, “[e]ven if Apple ultimately prevails on its post-trial motions, any permanent
7 injunction would be prospective and not retrospective” (ECF No. 1968, at 4), and thus the
8 possibility of *future* post-trial relief does not support continuing a preliminary injunction *now* where
9 the “sole basis for [the injunction] ... no longer exists” (*id.* at 3.) Samsung will respond to Apple’s
10 post-trial motions in due course but the fact that they have now been filed provides no support for
11 the continuance of the current injunction.

12 It has now been well over a month since the jury’s verdict of non-infringement on the D’889
13 patent; the time has come for the preliminary injunction to be dissolved. Samsung respectfully
14 requests that the Court do so without delay.

15 DATED: September 30, 2012

Respectfully submitted,

16 QUINN EMANUEL URQUHART &
17 SULLIVAN, LLP

18 By/s/ Victoria Maroulis

19 _____
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