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14	UNITED STATES DI	STRICT COURT
15	NORTHERN DISTRICT OF CALIFORNIA	
16	SAN JOSE D	IVISION
17	APPLE INC.,	Case No. 11-cv-01846-LHK (PSG)
18	Plaintiff,	DECLARATION OF JASON R. BARTLETT IN SUPPORT OF
19	V.	APPLE'S OPPOSITION TO SAMSUNG'S MOTION TO
20	SAMSUNG ELECTRONICS CO., LTD., a	ENFORCE VARIOUS COURT
21	Korean business entity; SAMSUNG ELECTRONICS AMERICA, INC., a New York	ORDERS
22	corporation; SAMSUNG TELECOMMUNICATIONS AMERICA, LLC, a	
23	Delaware limited liability company,	
24	Defendants.	
25		
26	SUBMITTED UN EXHIBITS B, D, F, G and H SU	
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II	DECLARATION OF JASON R. BARTLETT ISO APPLE'S OPPOSITI	ON TO SAMSUNG'S MOTION TO ENFORCE

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I, JASON R. BARTLETT, declare as follows:

1. I am a partner at the law firm of Morrison & Foerster LLP, counsel for Apple Inc. 3 ("Apple"). I am licensed to practice law in the State of California. I have personal knowledge of 4 the matters stated herein or understand them to be true from members of my litigation team. I 5 make this declaration in support of Apple's Opposition to Samsung's Motion to Enforce Various Court Orders. 6

7 2. Apple finished producing all designer sketchbooks it could find relating to the 8 patents-in-suit by December 30, 2011. Apple discovered five additional sketchbooks belonging 9 to Apple designer Bart Andre after December 30, and immediately inspected the sketchbooks to 10 identify pages relevant to the asserted designs. Apple produced the twenty-two unredacted pages 11 of content it identified as relevant, as well as additional redacted pages and covers, on January 9, 12 2012. On information and belief, Apple has now produced sketchbooks relating to all design 13 patents-in-suit.

14 3. Apple disclosed on November 15, 2011 that it used a 2003 date cut-off in 15 connection with Industrial Designer document productions. A true and correct copy of portions of Apple's transparency disclosures is attached as Exhibit A, showing that individuals Samsung 16 17 knew to be industrial designers were given a search term list with a date limitation of "June 1, 18 2003 to April 30, 2011." A true and correct copy of a letter sent by Apple to Samsung on January 19 5, 2012 summarizing Apple's position on a number of discovery issues, including a summary of 20 the correspondence and discussions on sketchbook productions, is attached as Exhibit B. 21 Irrelevant information relating to a license agreement and internal code names for projects has 22 been redacted to avoid unnecessary issues in Apple's motion to file under seal in both Exhibits A 23 and B.

24 4. Apple began producing computer-aided design ("CAD") files during the 25 preliminary injunction phase of this case. On information and belief, Apple has produced all 26 CAD files, including all drafts, all sketches, and all design models that it has been able to find that 27 industrial designers created or had created when they were designing the products at issue. By 28 December 31, Apple had produced industrial design CAD files covering all announced DECLARATION OF JASON R. BARTLETT ISO APPLE'S OPPOSITION TO SAMSUNG'S MOTION TO ENFORCE 1 CASE NO. 11-CV-01846 LHK (PSG) sf-3094606

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generations of iPhone, iPod touch, and iPad, as well as CAD relating to the 035 model that
 Samsung requested. Attached as Exhibit C is a true and correct copy of an Apple CAD file that
 was produced to Samsung bearing the Bates label APLNDC-NCC00000119.

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5. Samsung notified Apple on January 4, 2012 that it was unable to open two CAD files that Apple had produced. On January 7, 2012, Apple responded that while it was investigating the issue, it would provide the CAD in PDF form. A true and correct copy of this e-mail exchange is attached as Exhibit D.

8 6. Apple sent a letter to Samsung on January 13, 2012 explaining that the above9 referenced CAD files should be opened by choosing File→Open from the relevant software
10 application, as opposed to double-clicking the file icons. A true and correct copy of this letter is
11 attached as Exhibit E.

12 7. On January 9, 2012, Apple provided notice to Samsung that it would make its 13 design models available for inspection on January 13. A true and correct copy of this letter is 14 attached as Exhibit F. On information and belief, the production was unprecedented in Apple's 15 experience. More than a thousand models, plus assorted partial models and parts, were boxed, 16 covered in shrouds, and transported by a team of movers to a guarded hotel conference room for 17 Samsung's inspection. Apple included an enormous variety of models in the production. Some 18 models were only incrementally different from Apple's iconic products. Others were vastly 19 different mockups of products that only vaguely resemble anything Apple has released in the past. 20 Samsung attended this inspection and Apple agreed via e-mail to provide additional days for 21 inspection. A true and correct copy of this e-mail exchange is attached as Exhibit G.

8. Apple has canvassed individuals working on touch hardware, design, operating
system software, core driver software, and product design to identify any working prototypes, and
has asked that Samsung do the same. Samsung has not responded to this request. On information
and belief, many Apple engineers have old dead parts sitting in desk drawers, on shelves, or in
boxes. It would be an enormous burden to Apple to collect, transport, and present for inspection
non-working prototype pieces and parts.

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1	9. On information and belief, Mechanical outlines, or MCOs, are schematics	
2	primarily directed to the internal mechanics of a device. An example MCO is attached as Exhibit	
3	H. Apple has estimated that Apple device at issue is likely to have hundreds if not thousands of	
4	MCOs relating to it, and that Samsung's request would require production of more than 16,000	
5	MCO documents. On information and belief, Apple has no automatic process for exporting	
6	MCOs, so an employee would have to manually export them one-by-one from Apple's database.	
7	10. Samsung has requested that Apple de-designate photographs of the Model 035	
8	tablet taken by Samsung. Concurrently with this filing, Apple is producing to Samsung de-	
9	designated photographs with scale and size information redacted and no confidentiality	
10	designations. Attached as Exhibit I is a true and correct copy of the cover letter to this	
11	production.	
12	11. On November 28, Apple identified for Samsung what files it searched to find	
13	photographs submitted to the USPTO during the prosecution of the D'889 patent. A true and	
14	correct copy of this correspondence is attached as Exhibit J.	
15	12. Attached as Exhibit K is a true and correct copy of selections from the January 6,	
16	2012 deposition in connection with Investigation No. 337-TA-796 before the U.S. International	
17	Trade Commission.	
18	I declare under penalty of perjury that the foregoing is true and correct. Executed this 17th	
19	day of January, 2012 at San Francisco, California.	
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21	/s/ Jason R. Bartlett	
22	Jason R. Bartlett	
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	DECLARATION OF JASON R. BARTLETT ISO APPLE'S OPPOSITION TO SAMSUNG'S MOTION TO ENFORCE 3 CASE NO. 11-CV-01846 LHK (PSG) sf-3094606	

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1	ATTESTATION OF E-FILED SIGNATURE
2	I, Michael A. Jacobs, am the ECF User whose ID and password are being used to file this
3	Declaration. In compliance with General Order 45, X.B., I hereby attest that Jason R. Bartlett has
4	concurred in this filing.
5	Dated: January 17, 2012/s/ Michael A. JacobsMichael A. Jacobs
6	Michael A. Jacobs
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