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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; SAMSUNG
TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,

Defendants.

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

**[PROPOSED] ORDER DENYING
APPLE'S MOTION ON NON-JURY
CLAIMS INCLUDING WAIVER,
EQUITABLE ESTOPPEL, UNCLEAR
HANDS, AND UNFAIR COMPETITION**

1 Before the Court is the Motion on Non-Jury Claims Including Waiver, Equitable Estoppel,
2 Unclean Hands, and Unfair Competition brought by Plaintiff Apple Inc. (“Apple”) against
3 Defendants Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung
4 Telecommunications America, Inc. (collectively “Samsung”).

5 NOW THEREFORE, having considered the entire record in this action, the verdict of the
6 jury and the papers submitted by the parties, and having weighed the equities,

7 IT IS HEREBY ORDERED:

8 A. Judgment is granted in favor of Samsung, and against Apple, that Samsung has not
9 waived its rights to enforce U.S. Patent No. 7,447,516 (“the ’516 patent”) and U.S. Patent No.
10 7,675,941 (“the ’941 patent”) against UMTS-compliant products.

11 B. Judgment is granted in favor of Samsung, and against Apple, that Samsung is not
12 equitably estopped from enforcing the ’516 and ’941 patents against UMTS-compliant products.

13 C. Judgment is granted in favor of Samsung, and against Apple, that Samsung has not with
14 unclean hands with respect to the ’516 and ’941 patents.

15 D. Judgment is granted in favor of Samsung, and against Apple, that Samsung has not
16 violated the California Unfair Competition Law, Cal Bus. & Prof. Code §§ 17203, 17204.

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18 **IT IS SO ORDERED.**

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20 DATED: _____, 2012

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HONORABLE LUCY H. KOH
United States District Court Judge

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