

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP
Charles K. Verhoeven (Bar No. 170151)
2 charlesverhoeven@quinnemanuel.com
50 California Street, 22nd Floor
3 San Francisco, California 94111
Telephone: (415) 875-6600
4 Facsimile: (415) 875-6700

5 Kevin P.B. Johnson (Bar No. 177129)
kevinjohnson@quinnemanuel.com
6 Victoria F. Maroulis (Bar No. 202603)
victoriamaroulis@quinnemanuel.com
7 555 Twin Dolphin Drive, 5th Floor
Redwood Shores, California 94065-2139
8 Telephone: (650) 801-5000
Facsimile: (650) 801-5100

9 Michael T. Zeller (Bar No. 196417)
10 michaelzeller@quinnemanuel.com
865 S. Figueroa St., 10th Floor
11 Los Angeles, California 90017
Telephone: (213) 443-3000
12 Facsimile: (213) 443-3100

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

16 UNITED STATES DISTRICT COURT
17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
18

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 company,

25 Defendant.
26

CASE NO. 11-cv-01846-LHK

DECLARATION OF HANKIL KANG

1 I, Hankil Kang, declare:

2 1. I am Legal Counsel at Samsung Electronics Co., Ltd. (“SEC”). I submit this
3 declaration in support of Samsung’s Administrative Motion to File Documents Under Seal, filed
4 by SEC, Samsung Electronics America, Inc. (“SEA”) and Samsung Telecommunications
5 America, LLC (“STA”) (collectively, “Samsung”). I have personal knowledge of the facts set
6 forth in this declaration, except as otherwise noted, and, if called as a witness, could and would
7 testify to those facts under oath.

8 2. Samsung’s Opposition to Apple’s Motion for a Permanent Injunction and Damages
9 Enhancements, the Choi Declaration in Support of Samsung’s Opposition and Exhibit 1 thereto,
10 the Kerstetter Declaration in Support of Samsung’s Opposition and Exhibit 1 thereto, and the
11 Lucente and Exhibit 1 thereto contain information about Samsung’s future business plans,
12 including details about unreleased products. It is Samsung’s policy to not disclose as competitors
13 can use the information to Samsung’s disadvantage. As the Court has recognized, compelling
14 reasons exist to seal information about future business plans. Dkt. No. 1649 at 7-8.

15 3. Samsung’s Opposition to Apple’s Motion for Judgment as a Matter of Law
16 (Renewed), New Trial, and Amended Judgment, the Declaration of Michael Wagner in Support of
17 Samsung’s Opposition to Apple’s Motion for Judgment as a Matter of Law (Renewed), New Trial,
18 and Amended Judgment, Exhibit B to the Wagner Declaration, and Exhibit 2 to the Kerstetter
19 Declaration contain recent sales data for various Samsung products that are currently in the
20 market. It is Samsung’s policy to not disclose sales data as competitors can use the information to
21 Samsung’s disadvantage.

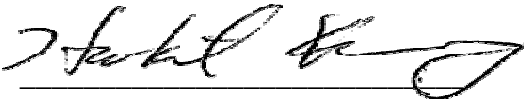
22 4. The Declaration of Michael Wagner in Support Samsung’s Opposition to Apple’s
23 Motion for a Permanent Injunction and Damages Enhancement and Exhibits 2, 37, 195, and 207
24 thereto contain highly sensitive strategy and future business planning information and confidential
25 financial information. Public disclosure of this information risks considerable financial harm to
26 Samsung. Dkt. No. 1649 at 7-8.

27 5. The Declaration of Stephen Gray in Support Samsung’s Opposition to Apple’s for
28 a Permanent Injunction and Damages Enhancement and Exhibit 2 thereto contain Samsung source

1 code algorithms and descriptions of the operation of the confidential source code. Disclosure of
2 this information poses competitive harm to Samsung as competitors can use the information to
3 copy the features found on Samsung's products.

4 6. Samsung does not disclose the information of the type described above publicly
5 and considers the all of the information it moves to seal to be highly confidential.

6
7 I declare under penalty of perjury under the laws of the United States of America that the
8 foregoing is true and correct. Executed in Suwon, South Korea on October 22, 2012.

9
10 

11 Hankil Kang

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28