

1 QUINN EMANUEL URQUHART & SULLIVAN, LLP

Charles K. Verhoeven (Bar No. 170151)

2 [charlesverhoeven@quinnemanuel.com](mailto:charlesverhoeven@quinnemanuel.com)

50 California Street, 22<sup>nd</sup> 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](mailto:kevinjohnson@quinnemanuel.com)

6 Victoria F. Maroulis (Bar No. 202603)

[victoriamaroulis@quinnemanuel.com](mailto:victoriamaroulis@quinnemanuel.com)

7 555 Twin Dolphin Drive, 5<sup>th</sup> Floor

Redwood Shores, California 94065-2139

8 Telephone: (650) 801-5000

9 Facsimile: (650) 801-5100

10 Michael T. Zeller (Bar No. 196417)

[michaelzeller@quinnemanuel.com](mailto:michaelzeller@quinnemanuel.com)

11 865 S. Figueroa St., 10th Floor

Los Angeles, California 90017

12 Telephone: (213) 443-3000

13 Facsimile: (213) 443-3100

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

17 UNITED STATES DISTRICT COURT

18 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)

**STATEMENT OF RECENT DECISION  
REGARDING FINAL OFFICE ACTION  
BY THE USPTO REJECTING U.S.  
PATENT NO. 7,469,381 (L.R. 7-3(d))**

1 Pursuant to Local Rule 7-3(d), Defendants Samsung Electronics Co., Ltd., Samsung  
2 Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively  
3 “Samsung”) bring to the Court’s attention a Final Office Action by the United States Patent and  
4 Trademark Office (“USPTO”) in the *ex parte* reexamination of U.S. Patent Number 7,469,381 (the  
5 “381 patent”) dated October 15, 2012.

6 This Final Office Action by the USPTO is relevant because it finally rejects multiple  
7 claims of the ‘381 patent as being anticipated under 35 U.S.C. §102 by PCT Publication No. WO  
8 03/081458 to Lira. This final rejection includes claim 19, which is the only claim of the ‘381  
9 patent at issue in this action. The jury found at trial that 21 accused Samsung products infringed  
10 claim 19 of the ‘381 patent—specifically, the Captivate, Continuum, Droid Charge, Epic 4G,  
11 Exhibit 4G, Fascinate, Galaxy Ace, Galaxy Prevail, Galaxy S, Galaxy S 4G, Galaxy S II (AT&T),  
12 Galaxy S II (i9100), Galaxy Tab, Galaxy Tab 10.1 (WiFi), Gem, Indulge, Infuse 4G, Mesmerize,  
13 Nexus S 4G, Replenish, and Vibrant. The jury awarded damages as to 18 of these products.  
14 Some, but not all, of these damages awards have been vacated for new trial.

15 To the best of Samsung's knowledge, this Final Office Action was published on the  
16 USPTO's Patent Application Information Retrieval (PAIR) website on or after March 29, 2013. A  
17 copy of the Final Office Action is attached hereto as Exhibit A.

18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

DATED: April 1, 2013

QUINN EMANUEL URQUHART &  
SULLIVAN, LLP

By /s/ Victoria F. Maroulis

Charles K. Verhoeven  
Kevin P.B. Johnson  
Victoria F. Maroulis  
Michael T. Zeller

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