

# EXHIBIT A

**SUBJECT TO PROTECTIVE ORDER  
CONTAINS HIGHLY CONFIDENTIAL – ATTORNEYS’ EYES ONLY INFORMATION**

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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

**SAMSUNG’S AMENDED OBJECTIONS  
AND RESPONSE TO APPLE’S SIXTH  
SET OF INTERROGATORIES (NO. 14)**

**HIGHLY CONFIDENTIAL –  
ATTORNEYS’ EYES ONLY**  
**UNDER THE PROTECTIVE ORDER**

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1 Pursuant to Federal Rules of Civil Procedure 26 and 33, Defendants Samsung Electronics  
2 Co. Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC  
3 (collectively, “Samsung”) respond to Plaintiff Apple Inc.’s (“Apple”) Sixth Set of Interrogatories  
4 as follows:

5 **GENERAL STATEMENT**

6 The following responses are based on discovery available as of the date hereof. Discovery  
7 is ongoing and continuing, and these responses are subject to change accordingly. It is anticipated  
8 that further discovery, independent investigation and analysis may lead to the discovery of  
9 additional information or documents, supply additional facts and add meaning to known facts, as  
10 well as establish entirely new factual conclusions and legal contentions, all of which may lead to  
11 additions to, changes to or variations from the responses set forth herein.

12 In addition, the following responses are given without prejudice to Samsung’s right to  
13 produce or rely on subsequently discovered information, facts or documents. Samsung  
14 accordingly reserves the right to change the responses herein and/or produce or rely on  
15 subsequently discovered documents as additional facts are ascertained, analysis is made, legal  
16 research is completed and contentions are made. The responses herein are made in a good faith  
17 effort to comply with the provisions of Rules 26 and 33 of the Federal Rules of Civil Procedure,  
18 and to supply such responsive information as exists and is presently within Samsung’s possession,  
19 custody or control, but are in no way to be deemed to be to the prejudice of Samsung in relation to  
20 further discovery, research and analysis.

21 An answer to an interrogatory shall not be deemed a waiver of any applicable general or  
22 specific objection to an interrogatory. In responding to the interrogatories, Samsung does not  
23 waive any objections that may be applicable to the use, for any purpose, of any information or  
24 documents provided in response, or the admissibility, relevance, or materiality of any such  
25 information or documents to any issue in this case.

26 Samsung’s responses to these interrogatories do not constitute admissions relative to the  
27 existence of any documents or information, to the relevance or admissibility of any documents or  
28 information, or to the truth or accuracy of any statement or characterization contained in Apple’s

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1 requests. All objections as to relevance, authenticity, or admissibility of any document are  
2 expressly reserved.

3 Samsung expressly incorporates this General Statement and the following General  
4 Objections as though set forth fully in response to each of the following individual interrogatories  
5 and, to the extent that they are not raised in any particular response, Samsung does not waive those  
6 objections.

7 **GENERAL OBJECTIONS**

8 1. Samsung objects to the “Definitions” and “Instructions” contained in Apple’s  
9 Sixth Set of Interrogatories to the extent they are inconsistent with the Federal Rules of Civil  
10 Procedure.

11 2. Samsung objects to Apple’s Definition of “Samsung,” “You,” “Your,” and  
12 “Defendants” as overly broad to the extent it requires Samsung to pursue information from  
13 individuals no longer employed by Samsung whose data is not currently in the possession of  
14 Samsung. Samsung further objects to Apple’s Definition of “Samsung,” “You,” “Your,” and  
15 “Defendants” as overly broad, vague, and ambiguous to the extent it does not define “affiliates,”  
16 and also to the extent that it requires Samsung to potentially seek information from thousands of  
17 people. Samsung will respond to interrogatories based on a reasonable inquiry of individuals  
18 expected to possess the requested information.

19 3. Samsung objects to Apple’s definition of “Apple” as overly broad, vague, and  
20 ambiguous.

21 4. Samsung objects to Apple’s definition of “Samsung Covered Product” as overly  
22 broad, vague and ambiguous, and irrelevant to the extent it seeks information “at any time” and  
23 not limited to the relevant time frame.

24 5. Samsung objects to the definition of “Defined Wireless Standards” [sic] as overly  
25 broad and overly burdensome to the extent it asks Samsung to provide information relating to  
26 standards and/or wireless standards to which the Samsung Patents-in-Suit have not been declared  
27 as Essential or relating to standards and/or wireless standards upon which Samsung does not rely  
28 in its infringement contentions.

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1           6.       Samsung objects to the definition of “Samsung’s Alleged Essential Technology”  
2 as overly broad, and to the extent it seeks information protected from disclosure by the attorney-  
3 client privilege, attorney work product doctrine, community of interest doctrine, joint defense  
4 privilege, and/or any other applicable privilege.

5           7.       Samsung objects to the definition of “Relating,” and each and every interrogatory  
6 that uses the term “Relating,” as overly broad, vague and ambiguous.

7           8.       Samsung objects to the definition of “Third Party” or “Third Parties” as overly  
8 broad.

9           9.       Samsung objects to these interrogatories as vague and ambiguous to the extent  
10 they include terms that are undefined. Samsung in its responses will identify any terms it believes  
11 are vague and ambiguous and will assume a reasonable meaning for each such term.

12           10.      Samsung objects generally to each interrogatory to the extent that it seeks to elicit  
13 information subject to and protected by the attorney-client privilege, the attorney work-product  
14 doctrine, the joint defense privilege, the common interest doctrine, and/or any other applicable  
15 privilege or immunity. Any inadvertent disclosure of such information shall not be deemed a  
16 waiver of the attorney-client privilege, the work product doctrine, or any other applicable  
17 privilege or immunity recognized by statute or case law. Samsung will exchange with Apple a log  
18 of withheld documents at a time agreed to by counsel for the parties. Samsung also will not log  
19 privileged documents that were created on or after April 15, 2011.

20           11.      Samsung objects generally to the interrogatories to the extent they seek  
21 information from outside a reasonable time period or from a point other than a reasonable time.

22           12.      Samsung objects to these interrogatories to the extent they seek to compel  
23 Samsung to generate or create information and/or documents that do not already exist.

24           13.      Samsung objects generally to the interrogatories to the extent that they prematurely  
25 call for contentions, identification of prior art, or identification of witnesses at this stage of the  
26 litigation.

27           14.      Samsung objects to each interrogatory to the extent it is duplicative or cumulative  
28 of another interrogatory.

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1           15.     Samsung objects to each interrogatory to the extent it is compound and comprises  
2 discrete subparts resulting in separate interrogatories.

3           16.     Samsung expressly reserves the right to respond to any or all of the interrogatories  
4 by specifying documents wherein the responsive information may be ascertained pursuant to Rule  
5 33(d) of the Federal Rules of Civil Procedure.

6           17.     Samsung objects generally to the interrogatories to the extent they seek  
7 confidential proprietary or trade secret information of third parties. Samsung will endeavor to  
8 work with third parties to obtain their consent, if necessary, before identifying or producing such  
9 information and/or documents.

10          18.     Samsung objects generally to the interrogatories on the grounds that they are  
11 overly broad, unduly burdensome, and neither relevant nor reasonably calculated to lead to the  
12 discovery of admissible evidence.

13          19.     Samsung objects to the interrogatories on the ground that they are overly broad,  
14 unduly burdensome and oppressive to the extent they purport to require Samsung to search its  
15 facilities and inquire of its employees other than those facilities and employees that would  
16 reasonably be expected to have responsive information. Samsung’s responses are based upon (1)  
17 a reasonable search and investigation of facilities and files that could reasonably be expected to  
18 contain responsive information, and (2) inquiries of Samsung’s employees and/or representatives  
19 who could reasonably be expected to possess responsive information.

20          20.     Samsung objects to the interrogatories on the grounds that they seek information  
21 already in the possession of Apple, publicly available, or as readily available to Apple as it is to  
22 Samsung.

23          21.     Samsung objects to each interrogatory to the extent that it seeks information before  
24 Samsung is required to disclose such information in accordance with any applicable law, such as  
25 the Northern District of California Patent Local Rules.

26          22.     Samsung objects to the interrogatories on the grounds and to the extent that they  
27 seek legal conclusions or call for expert testimony. Samsung’s responses should not be construed  
28 to provide legal conclusions.

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1 Subject to and without waiving the foregoing General Statement and General Objections,  
2 Samsung responds as follows:

3  
4 **INTERROGATORIES**

5 **INTERROGATORY NO. 14:**

6 Separately for each of the Samsung Patents-in-Suit, identify each Samsung Covered  
7 Product, which Samsung patents is/are embodied in the Samsung Covered Product, the date each  
8 Samsung Covered Product was first sold in the United States, and whether each Samsung Covered  
9 Product was marked pursuant to 35 U.S.C. section 287 or otherwise, how each product was  
10 marked including the location and manner of the marking, the individuals or entities that marked  
11 each product, and any interruptions or other changes in the practice of marking the Samsung  
12 Covered Product since it was first marked. The Samsung Covered Products shall be identified by  
13 commercial name, commercial model number, telecommunications carrier (if applicable), date of  
14 product announcement, date of product release, “code name,” and any other identifiers used  
15 internally and/or externally to identify or refer to the product at any point during its research,  
16 design, development, manufacture, marketing, sale, transfer, distribution, testing, qualification,  
17 importation, export, or otherwise.

18 **AMENDED RESPONSE TO INTERROGATORY NO. 14:**

19 In addition to its General Objections above, which it hereby incorporates by reference,  
20 Samsung objects to this interrogatory on the grounds that it is vague, ambiguous and overbroad  
21 with regard to the terms “Samsung Covered Product” and “interruptions or other changes.”  
22 Samsung further objects to this interrogatory to the extent that it seeks to elicit information subject  
23 to and protected by the attorney-client privilege, the attorney work-product doctrine, the joint  
24 defense privilege, the common interest doctrine, and/or any other applicable privilege or  
25 immunity. Samsung also objects to this interrogatory to the extent it is compound and comprises  
26 at least 7 discrete subparts resulting in separate interrogatories. Samsung also objects to this  
27 interrogatory as overbroad, unduly burdensome, and not reasonably calculated to lead to the  
28 discovery of admissible evidence. Samsung further objects to this interrogatory to the extent it

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1 seeks information more readily available to Apple than to Samsung, or equally available to Apple  
2 as to Samsung, including documents and things that are publicly available.

3 Subject to the foregoing general and specific objections, Samsung responds as follows:

4 Samsung has identified at least the following products as examples of products that  
5 embody the inventions disclosed in the Samsung patents-in-suit.

6 The Acclaim was first shipped for sale in the United States on or around June 23, 2010.  
7 The Behold was first shipped for sale in the United States on or around October 13, 2008. The  
8 Behold II was first shipped for sale in the United States on or around November 4, 2009. The  
9 Blackjack was first shipped for sale in the United States on or around November 2, 2007. The  
10 Captivate was first shipped for sale in the United States on or around July 9, 2010. The Captivate  
11 Glide was first shipped for sale in the United States on or around November 5, 2011. The  
12 Comeback was first shipped for sale in the United States on or around July 13, 2009. The  
13 Continuum was first shipped for sale in the United States on or around October 29, 2010. The  
14 Dart was first shipped for sale in the United States on or around June 3, 2011. The DoubleTime  
15 was first shipped for sale in the United States on or around November 8, 2011. The Droid Charge  
16 was first shipped for sale in the United States on or around February 17, 2011. The Epic 4G was  
17 first shipped for sale in the United States on or around July 28, 2010. The Epix was first shipped  
18 for sale in the United States on or around October 13, 2008. The Eternity was first shipped for  
19 sale in the United States on or around November 7, 2008. The Eternity II was first shipped for  
20 sale in the United States on or around August 5, 2010. The Evergreen was first shipped for sale in  
21 the United States on or around October 22, 2010. The Exhibit 4G was first shipped for sale in the  
22 United States on or around June 1, 2011. The Exhibit II 4G was first shipped for sale in the  
23 United States on or around October 19, 2011. The Fascinate was first shipped for sale in the  
24 United States on or around August 30, 2010. The Flight was first shipped for sale in the United  
25 States on or around October 28, 2009. The Flight II was first shipped for sale in the United States  
26 on or around July 27, 2010. The Focus was first shipped for sale in the United States on or around  
27 November 1, 2010. The Focus S was first shipped for sale in the United States on or around  
28 October 28, 2011. The Galaxy Prevail was first shipped for sale in the United States on or around



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1 April 15, 2011. The Galaxy S II was first shipped for sale in the United States on or around  
2 September 15, 2011. The Galaxy S 4G was first shipped for sale in the United States on or around  
3 February 11, 2011. The Galaxy S (i9000) was never sold in the United States. The Gem was first  
4 shipped for sale in the United States on or around January 18, 2011. The Gravity T was first  
5 shipped for sale in the United States on or around May 26, 2010. The Gravity TXT was first  
6 shipped for sale in the United States on or around August 3, 2011. The Gravity 2 was first shipped  
7 for sale in the United States on or around August 3, 2009. The Gravity 3 was first shipped for sale  
8 in the United States on or around May 26, 2010. The Gravity Smart was first shipped for sale in  
9 the United States on or around June 8, 2011. The Highlight was first shipped for sale in the  
10 United States on or around June 26, 2009. The Impression was first shipped for sale in the United  
11 States on or around March 23, 2009. The Indulge was first shipped for sale in the United States on  
12 or around February 8, 2011. The Infuse 4G was first shipped for sale in the United States on or  
13 around April 30, 2011. The Intercept was first shipped for sale in the United States on or around  
14 June 9, 2010. The Jack was first shipped for sale in the United States on or around May 15, 2009.  
15 The Memoir was first shipped for sale in the United States on or around February 9, 2009. The  
16 Mesmerize was first shipped for sale in the United States on or around October 25, 2010. The  
17 Mythic was first shipped for sale in the United States on or around November 2, 2009. The Nexus  
18 S was first shipped for sale in the United States on or around December 11, 2010. The Propel was  
19 first shipped for sale in the United States on or around October 20, 2008. The Propel Pro was first  
20 shipped for sale in the United States on or around April 3, 2009. The Replenish was first shipped  
21 for sale in the United States on or around April 14, 2011. The Rugby was first shipped for sale in  
22 the United States on or around September 4, 2008. The Rugby II was first shipped for sale in the  
23 United States on or around May 25, 2010. The Showcase Galaxy S was first shipped for sale in  
24 the United States on or around November 11, 2010. The SGH-A657 was first shipped for sale in  
25 the United States on or around April 3, 2009. The SGH-A777 was first shipped for sale in the  
26 United States on or around November 11, 2008. The SGH-I677 was first shipped for sale in the  
27 United States on or around October 24, 2011. The SGH-I707 was first shipped for sale in the  
28 United States on or around March 12, 2010. The SGH-T528 was first shipped for sale in the

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1 United States on or around June 15, 2011. The SGH-T259 was first shipped for sale in the United  
2 States on or around January 28, 2010. The SGH-T636 was first shipped for sale in the United  
3 States on or around November 11, 2008. The SGH-T659 was first shipped for sale in the United  
4 States on or around August 24, 2009. The Sidekick was first shipped for sale in the United States  
5 on or around April 11, 2011. The Smiley was first shipped for sale in the United States on or  
6 around May 26, 2010. The Solstice was first shipped for sale in the United States on or around  
7 July 23, 2009. The Solstice II was first shipped for sale in the United States on or around  
8 November 2, 2010. The Strive was first shipped for sale in the United States on or around March  
9 10, 2010. The Vibrant was first shipped for sale in the United States on or around June 25, 2010.  
10 The Galaxy Tab was first shipped for sale in the United States on or around May 3, 2011. The  
11 Galaxy Tab 8.9 was first shipped for sale in the United States on or around November 11, 2011.  
12 The Galaxy Tab 10.1 was first shipped for sale in the United States on or around May 9, 2011.  
13 Samsung has not marked the products listed above with any of the Samsung patents-in-suit.

14 Samsung’s investigation is ongoing, and Samsung will supplement this interrogatory after  
15 a reasonable investigation. Samsung is further willing to meet and confer regarding the scope of  
16 this interrogatory.

17 DATED: March 7, 2012

Respectfully submitted,

18 QUINN EMANUEL URQUHART &  
19 SULLIVAN, LLP

20  
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22 Charles K. Verhoeven

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