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 12 UNITED STATES DISTRICT COURT
 13 NORTHERN DISTRICT OF CALIFORNIA
 14 SAN JOSE DIVISION

16 APPLE INC., a California corporation,
 17 Plaintiff,
 18 v.
 19 SAMSUNG ELECTRONICS CO., LTD., a
 Korean corporation; SAMSUNG ELECTRONICS
 20 AMERICA, INC., a New York corporation; and
 SAMSUNG TELECOMMUNICATIONS
 21 AMERICA, LLC, a Delaware limited liability
 company,
 22 Defendants.
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Case No. 11-cv-01846-LHK
**STATEMENT OF RECENT DECISION
 REGARDING CONFIRMATION OF
 CLAIM 19 OF U.S. PATENT NO.
 7,469,381**

1 Pursuant to Local Rule 7-3(d) and the Court's request that the parties keep the Court
2 informed of any developments with the USPTO (April 29, 2013 Tr. at 12:9-13), Apple brings to
3 the Court's attention a Notice of Intent to Issue Ex Parte Reexamination Certificate ("NIRC") in
4 the reexamination of U.S. Patent No. 7,469,381 (the "'381 patent").

5 This Statement follows several filings and a discussion with the Court. Samsung asserted
6 that the USPTO had "finally reject[ed]" multiple claims of the '381 patent, including claim 19,
7 the claim of the '381 patent found infringed in this action, and that this made final invalidation
8 "all the more likely." (Dkt. 2291, 2304 at 4.) Samsung requested that the Court stay the new
9 damages trial pending reexamination of the '381 and '915 patents. (Dkt. 2304 at 2-4.)

10 Once again, Samsung's predictions were misplaced. The examiner has now issued a
11 NIRC confirming the patentability of several claims of the '381 patent, including claim 19, for the
12 second time.¹ A copy of the examiner's NIRC, downloaded from PAIR but with corrected page
13 order, is attached as Exhibit A.

14 Dated: June 13, 2013

MORRISON & FOERSTER LLP

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17 By: /s/ Michael A. Jacobs
MICHAEL A. JACOBS

18 Attorneys for Plaintiff
19 APPLE INC.

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27 ¹ A previous reexamination resulted in issuance of a reexamination certificate on April 26,
28 2011, confirming the patentability of claims 1-20 of the '381 patent.