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

17 UNITED STATES DISTRICT COURT

18 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

19
20 APPLE INC., a California corporation,

21 Plaintiff,

22 vs.

23 SAMSUNG ELECTRONICS CO., LTD., a
Korean business entity; SAMSUNG
24 ELECTRONICS AMERICA, INC., a New
York corporation; SAMSUNG
25 TELECOMMUNICATIONS AMERICA,
LLC, a Delaware limited liability company,

26 Defendant.
27

CASE NO. 11-cv-01846-LHK

**DECLARATION OF ROBERT J.
BECHER IN SUPPORT OF SAMSUNG'S
MOTION FOR NEW TRIAL
REGARDING '381 PATENT PURSUANT
TO FED. R. CIV. P. 59 BASED ON
NEWLY DISCOVERED EVIDENCE OR,
ALTERNATIVELY, FOR ENTRY OF
JUDGMENT ON LIABILITY**

1 I, Robert J. Becher, declare:

2 1. I am a partner in the law firm of Quinn Emanuel Urquhart & Sullivan, LLP,
3 counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung
4 Telecommunications America, LLC (collectively, "Samsung"). I submit this declaration in support
5 of Samsung's Motion for New Trial Regarding '381 Patent Pursuant to Fed. R. Civ. P. 59 Based
6 on Newly Discovered Evidence or, Alternatively, for Entry of Judgment on Liability. Except as
7 otherwise noted, I have personal knowledge of the facts set forth in this declaration and, if called
8 upon as a witness, I could and would testify to such facts under oath.

9 2. Attached as **Exhibit 1** is a true and correct copy of certain excerpts from the Trial
10 Transcript, Day 6, dated August 10, 2012.

11 3. Attached as **Exhibit 2** is a true and correct copy of a chart identifying the products
12 and applications Apple accused of infringing the '381 patent.

13 4. Attached as **Exhibit 3** is a true and correct copy of the June 12, 2013 Notice of
14 Intent to Issue Ex Parte Reexamination Certificate in the reexamination of U.S. Patent No.
15 7,469,381.

16 5. Attached as **Exhibit 4** is a true and correct copy of certain excerpts from the April
17 29, 2013 Hearing Transcript.

18 6. Attached as **Exhibit 5** is a true and correct copy of the Expert Report of Andries
19 van Dam, Ph.D. Regarding Invalidity of U.S. Patent No. 7,469,381.

20 7. Attached as **Exhibit 6** is a true and correct copy of the Rebuttal Expert Report of
21 Ravin Balakrishnan, Ph.D. Regarding Validity of U.S. Patent 7,469,381.

22 8. Attached as **Exhibit 7A** and **Exhibit 7B** is a true and correct copy of the May 23,
23 2012 Request for *Ex Parte* Reexamination in the reexamination of U.S. Patent No. 7,469,381.

24 I declare under penalty of perjury under the laws of the United States that the foregoing is
25 true and correct. Executed in Los Angeles, California, on July 8, 2013.

26 /s/ Robert J. Becher
27 Robert J. Becher

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ATTESTATION

I, Victoria Maroulis, am the ECF user whose ID and password are being used to file the foregoing document. I hereby attest pursuant to Civil L.R. 5-1 that concurrence in the electronic filing of this document has been obtained from Robert J. Becher.

/s/ Victoria F. Maroulis
Victoria F. Maroulis