

[Counsel Listed On Signature Page]

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

APPLE INC., a California corporation,

Plaintiff,

v.

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

Defendants.

SAMSUNG ELECTRONICS CO., LTD., a  
Korean corporation; SAMSUNG  
ELECTRONICS AMERICA, INC., a New  
York corporation, and SAMSUNG  
TELECOMMUNICATIONS AMERICA,  
LLC, a Delaware limited liability company,  
Counterclaim-Plaintiffs,

v.

APPLE INC., a California corporation,

Counterclaim-Defendant

12-cv-00630 LHK

CASE NO. ~~11-cv-01846-LHK~~

**JOINT STIPULATION AND  
~~[PROPOSED]~~ ORDER  
REGARDING MOTIONS TO AMEND  
INFRINGEMENT CONTENTIONS**

12-cv-00630 LHK

Case No. ~~11-cv-01846-LHK~~

**JOINT STIPULATION AND ~~[PROPOSED]~~ ORDER  
REGARDING MOTIONS TO AMEND INFRINGEMENT CONTENTIONS**

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2 The parties, through their respective counsel of record, hereby stipulate and agree as  
3 follows:

4 WHEREAS, Apple Inc. ("Apple") commenced the above-captioned action (the  
5 "Litigation") against Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and  
6 Samsung Telecommunications America, LLC (collectively "Samsung," and together with Apple,  
7 "the parties" and individually each a "Party") on February 8, 2012;

8 WHEREAS, on May 2, 2012, the Court entered a Minute Order and Case Management  
9 Order (Dkt. 160);

10 WHEREAS, on June 15, 2012, the parties served infringement contentions pursuant to  
11 Patent Local Rule 3-1;

12 WHEREAS, on October 1, 2012, Samsung moved for leave to amend its infringement  
13 contentions to assert infringement by the iPhone 5 (Dkt. 267), and on October 5, 2012, Apple  
14 moved for leave to amend its infringement contentions to assert infringement by the Galaxy Note  
15 10.1, among other changes (Dkt. 269);

16 WHEREAS, on November 15, 2012, the Court granted Samsung's and Apple's motions  
17 for leave to amend infringement contentions (Dkt. 302);

18 WHEREAS, on November 19, 2012, Samsung served amended infringement contentions  
19 asserting infringement by the iPod touch (5th Generation), iPad (4th Generation), and the iPad  
20 mini, among other changes, and on November 21, 2012, moved for leave to so amend its  
21 contentions (Dkt. 304);

22 WHEREAS, on November 23, 2012, Apple moved for leave to amend its infringement  
23 contentions to assert infringement against (1) the Galaxy S III running the Android Jelly Bean  
24 operating system, (2) the Galaxy Note II, (3) the Galaxy Tab 8.9 running Ice Cream Sandwich, (4)  
25 the Galaxy Tab 2 10.1, (5) the Rugby Pro, and (6) the Galaxy S III Mini, and to correct  
26 typographical errors (Dkt. 306);  
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28

1 WHEREAS, Samsung represents that it is not making, using, selling, offering to sell or  
2 importing the Galaxy S III Mini into the United States, has not done so in the past, and that there  
3 are no immediate plans to release the Galaxy S III Mini in the United States;

4 WHEREAS, the parties have met and conferred to reach agreement regarding their  
5 respective motions to amend their infringement contentions.

6 NOW, THEREFORE, IT IS HEREBY STIPULATED AND AGREED by the parties as  
7 follows:

8 1. Apple does not oppose the relief sought by Samsung in its motion for leave to  
9 amend infringement contentions (Dkt. 304) and Samsung may amend its infringement contentions  
10 accordingly.

11 2. Apple withdraws from its motion for leave to amend infringement contentions  
12 (Dkt. 306) its request to assert infringement against the Galaxy S III Mini. This withdrawal is  
13 without prejudice to Apple's right to move to assert infringement against the Galaxy S III Mini  
14 should Samsung make, use, sell, offer to sell, or import the Galaxy S III Mini into the United  
15 States.

16 3. Samsung does not oppose the remaining relief sought by Apple in its motion for  
17 leave to amend infringement contentions (Dkt. 306) and Apple may amend its infringement  
18 contentions accordingly.

19 **IT IS SO STIPULATED.**  
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Dated: January 15, 2013

Respectfully submitted,

/s/ H. Mark Lyon [[with permission]]

/s/ Todd Briggs [[with permission]]

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Samsung Telecommunications America, LLC*

PURSUANT TO STIPULATION, IT IS SO ORDERED.

Dated: January 16, 2013

By:   
Honorable Paul S. Grewal  
United States Magistrate Judge

1 **ATTESTATION**

2 I, Victoria Maroulis, am the ECF User whose ID and password are being used to  
3 file this Stipulation. In compliance with General Order 45, X.B., I hereby attest that H. Mark Lyon  
4 and Todd Briggs have concurred in this filing.

5 Dated: January 15, 2013

\_\_\_\_\_  
/s/ Victoria F. Maroulis  
Victoria F. Maroulis

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7  
8 **CERTIFICATE OF SERVICE**

9 The undersigned hereby certifies that the foregoing document was filed electronically in  
10 compliance with Civil Local Rule 5.4, and will be served upon all counsel of record for the parties  
11 who have consented to electronic service in accordance with Civil Local Rule 5.4 via the Court's  
12 ECF system.

13 Dated: January 15, 2013

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/s/ Victoria F. Maroulis  
Victoria F. Maroulis