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11 Attorneys for Plaintiff and
 12 Counterclaim-Defendant APPLE INC.

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

17 APPLE INC., a California corporation,

18 Plaintiff,

19 v.

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

23 Defendants.
 24

Case No. 11-cv-01846-LHK

**DECLARATION OF GRANT L.
 KIM IN SUPPORT OF APPLE'S
 MOTION FOR JUDGMENT AS A
 MATTER OF LAW, NEW TRIAL,
 AND AMENDED JUDGMENT**

1 I, Grant L. Kim, declare as follows:

2 1. I am an attorney in the law firm of Morrison & Foerster LLP, counsel for Apple
3 Inc. (“Apple”). I am licensed to practice law in the State of California. I have personal
4 knowledge of the matters stated herein and am competent to testify thereto. I make this
5 declaration in support of Apple’s Motion for Judgment as a Matter of Law, New Trial, and
6 Amended Judgment.

7 2. Attached as **Exhibit A** is a true and correct copy of the cover page and pages 60 to
8 63 of the Corrected Public Non-Confidential Brief of Defendants-Appellees, which Samsung
9 filed in the Federal Circuit on January 11, 2012. I appeared as counsel for Apple in this appeal.
10 These pages include Samsung’s argument that the Federal Circuit should affirm the denial of a
11 preliminary injunction based on the D’889 patent on the alternative ground that Apple failed to
12 show likely infringement.

13 I declare under penalty of perjury that the foregoing is true and correct. Executed this 21st
14 day of September, 2012 at San Francisco, California.

15 /s/ Grant L. Kim
16 Grant L. Kim

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ATTESTATION OF E-FILED SIGNATURE

I, Michael A. Jacobs, am the ECF User whose ID and password are being used to file this Declaration. In compliance with Civ. L.R. 5-1(i)(3), I hereby attest that Grant L. Kim has concurred in this filing.

Dated: September 21, 2012

/s/ Michael A. Jacobs
Michael A. Jacobs