EXHIBIT 5A

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UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

APPLE INC., a California corporation, Plaintiff, v. 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, Defendants.	CASE NO. 12-CV-00630-LHK **DECLARATION OF BJÖRN BRINGERT** **FILED UNDER SEAL** **HIGHLY CONFIDENTIAL – ATTORNEYS' EYES ONLY** **CONFIDENTIAL BUSINESS INFORMATION OF NON-PARTY GOOGLE INC.**
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-Plaintiff, v. APPLE INC., a California corporation, Counterclaim-Defendant	

I, Björn Bringert, declare as follows under 28 U.S.C. § 1746:

1. I am a Software Engineer for Google Inc. ("Google"). I have personal knowledge of the facts stated below, and if called to testify, I could and would testify as follows.

2. I have been employed at Google since 2009. I work on the Android team. As part of my work on Android, I was involved in developing some portions of version 4.0 of Android, which is also called Ice Cream Sandwich.

3. Within Android Ice Cream Sandwich, there are many versions of Android. Some versions are internal to Google; others are posted on the Android Open Source Project; still other versions are used in devices sold to consumers. One device sold to consumers running a version of Android Ice Cream Sandwich is the Samsung Galaxy Nexus. For the rest of this declaration, I will discuss the version of Android Ice Cream Sandwich running on the Samsung Galaxy Nexus. There are actually several sub-versions of Android Ice Cream Sandwich running on the Samsung Galaxy Nexus, but they do not vary with regard to my descriptions below.

4. Users of Android Ice Cream Sandwich running on the Samsung Galaxy Nexus can access a feature called the Quick Search Box. For example, the Quick Search Box is available by tapping the word "Google" at the top of the Launcher Activity. The Launcher Activity contains a grid of icons representing applications, and is often considered the "home screen" of the device. Once the user taps on the word "Google" at the top of the Launcher Activity, the device will launch the Quick Search Box Activity, which will allow the user to input text using the keyboard.

5. Applications installed on the device may declare that they can provide content to the Quick Search Box. When the user inputs text using the keyboard, the Quick Search Box Activity sends Android ContentProvider queries to applications that have made this declaration. When an application receives a ContentProvider query, it may return content as the result of this query. For example, when an application receives the user's input from the Quick Search Box Activity, it may return proposed search results for the user's input. To find these proposed results, the application may perform its own search – although Android does not require it to do so. It can perform this search using any mechanism. It could also generate the content using some

mechanism other than searching. For example, the application could compute the value of arithmetic expressions in the input, or translate the input into another language.

6. As shipped, the Samsung Galaxy Nexus contains seven applications that receive the user's input from the Quick Search Box Activity: ApplicationsProvider, Books, Browser, Messaging, Music, People, and Videos. In addition, the Quick Search Box Activity transmits the user's input to remote Google servers, and can receive in return potential completions for the search term, such as suggestions for "british embassy" and "british empire" when the user has typed "british em." The Quick Search Box Activity can also receive in return potentially relevant websites, such as link to "www.facebook.com" when the user has typed "facebook" into the Quick Search Box Activity. These responses are generated by the remote Google servers, not by the device. The source code used by the remote Google servers to generate responses is proprietary to Google and kept confidential; it is not part of Ice Cream Sandwich and it is not available in the Android Open Source Project.

7. [redacted].

8. Code implementing the functionality I have described above – including the Quick Search Box Activity's creation of ContentProvider queries containing the user's input, transmission of those queries to any applications interested in receiving them, and receipt of proposed results from those applications – has been available in the Android Open Source Project since 2009, when the open-source version 1.6 of Android was made available on the Internet.

9. Although Google releases some versions of Android through the Android Open Source Project, the internal functionality of Android running on the Samsung Galaxy Nexus is Google's trade secret and confidential business information. Paragraph 7 above discusses such internal functionality.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct. Executed on April 23, 2012, at Bath, United Kingdom.

By: _____
Björn Bringert