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13 Attorneys for SAMSUNG ELECTRONICS CO.,

LTD., SAMSUNG ELECTRONICS AMERICA,

14 INC. and SAMSUNG

TELECOMMUNICATIONS AMERICA, LLC

16 UNITED STATES DISTRICT COURT

17 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

18
19 APPLE INC., a California corporation,

20 Plaintiff,

21 vs.

22 SAMSUNG ELECTRONICS CO., LTD., a

Korean business entity; SAMSUNG

23 ELECTRONICS AMERICA, INC., a New

York corporation; SAMSUNG

24 TELECOMMUNICATIONS AMERICA,

LLC, a Delaware limited liability company,

25 Defendants.

CASE NO. 11-cv-01846-LHK

**DECLARATION OF KETAN V. PATEL
IN SUPPORT OF SAMSUNG'S
OBJECTIONS AND RESPONSES
REGARDING EXHIBITS TO BE USED
WITH WITNESSES WINER, VAN LIERE,
PORET AND BALAKRISHNAN**

DECLARATION OF KETAN V. PATEL

I, KETAN V. PATEL, do hereby declare as follows:

1. I am an associate with Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Samsung Electronics Co., Ltd., Samsung Electronics America, Inc., and Samsung Telecommunications America, LLC (collectively, "Samsung"). I submit this declaration in support of Samsung's Objections Regarding Balakrishnan Exhibits. I have personal knowledge of the facts set forth in this declaration and, if called as a witness, could and would competently testify to them under oath.

2. Attached as Exhibit A is a true and correct copy of the Expert Report of Ravin Balakrishnan, Ph.D. Regarding Infringement of U.S. Patent No. 7,469,381 and Exhibit 3 from the same.

3. Attached as Exhibit B is a true and correct copy of *Allen Engineering Corp. v. Bartell Industries, Inc.*, 299 F.3d 1336 (Fed. Cir. 2002).

4. Attached as Exhibit C is a true and correct copy of *Abaxis, Inc. v. Cepheid*, Case No. 10-cv-02840-LHK 2012 U.S. Dist. LEXIS 100530 (N.D. Cal. July 19, 2012)

5. Attached as Exhibit D is a true and correct copy of pages 21 and 22 from the deposition of Russell Winer dated April 27, 2012.

6. Attached as Exhibit E is a true and correct copy of Apple's Responses to Samsung's Interrogatory No. 70.

7. Attached as Exhibit F is a true and correct copy of Apple's Responses to Samsung's Interrogatory 71.

8. Attached as Exhibit G is a true and correct copy of PDX 14.38.

I declare under penalty of perjury that the forgoing is true and correct to the best of my knowledge.

Executed this 6th day of August, 2012, in San Jose, CA.

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/s/ Ketan V. Patel
KETAN V. PATEL

General Order 45 Attestation

I, Victoria F. Maroulis, am the ECF user whose ID and password are being used to file this Declaration. In compliance with General Order 45(X)(B), I hereby attest that KETAN V. PATEL has concurred in this filing.

DATE: August 6, 2012

/s/ Victoria Maroulis

Victoria Maroulis