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**UNITED STATES DISTRICT COURT
FOR THE 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 AMIERCA, LLC,)
) a Delaware limited liability company,)
)
) Defendants.)

Case No.: 11-cv-01846 LHK
DECLARATION OF JULIE P. SAMUELS OF ELECTRONIC FRONTIER FOUNDATION

Courtroom 8, 4th Floor
Hon. Lucy H. Koh

1 I, Julie P. Samuels, declare and state:

2 1. I am an attorney licensed to practice law in the State of Illinois and am a Staff
3 Attorney at the Electronic Frontier Foundation (“EFF”). EFF is a nonprofit, membership-supported
4 civil liberties organization working to protect consumer interests, innovation and free expression in
5 the digital world. EFF and its nearly 20,000 dues-paying members have a strong interest in
6 assisting the courts and policy makers in striking the appropriate balance between intellectual
7 property and the public interest.

8 2. I have knowledge of the facts set forth herein, and if called upon as a witness, I
9 could testify to them competently under oath. However, other than from certain public documents
10 and a limited review of the parties’ briefs, I do not have knowledge of the all of the facts of the
11 instant matter and my comments are based on a basic understanding of the types of materials at
12 issue here, rather than the specifics.

13 3. At EFF, we work to promote patent policies that foster innovation and engender a
14 safe environment for creators to thrive. Consequently, we closely monitor patent litigation and
15 other legal developments in the field. As attorneys, we rely on publicly available data to understand
16 the current legal environment in which we work. As activists, we rely on publicly available data to
17 educate the public, our members, policy makers, and others about the problems and strengths of the
18 current patent system with an eye toward what changes may be needed (or resisted) in order to
19 have that system better serve the interests of consumers and innovators.

20 4. Through this work, we have found that courts and parties to private actions often
21 overlook the important public interests at issue in intellectual property litigation. In patent cases,
22 those interests include: ensuring that innovators have robust access to technology, recognizing the
23 connection between the patent system and the tools and other technologies that ordinary people are
24 able to access and use and working to protect individuals from the overbroad application of
25 intellectual property laws. One crucial way to protect those interests is oversight of the litigation
26 process: monitoring how parties actually wield intellectual property law in court cases as a sword
27 to stave off competition.

SIGNATURE ATTESTATION

I hereby attest that I have on file all holograph signatures for any signatures indicated by a
“conformed” signature (/s/) within this e-filed document.

Dated: August 2, 2012

By: /s/ **Karl Olson**
Karl Olson (SBN 104760)
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