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12 **UNITED STATES DISTRICT COURT**
13 **NORTHERN DISTRICT OF CALIFORNIA**
14 **SAN FRANCISCO DIVISION**

15 UNWIRED PLANET LLC, a Nevada limited
liability company,

16 Plaintiff,

17 v.

18 APPLE INC., a California corporation,

19 Defendant.
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Case No. 3:13-cv-4134-VC

JOINT STATEMENT OF THE CASE

Judge: Hon. Vince Chhabria

Pursuant to this Court's Standing Order for Civil Trials, Plaintiff Unwired Planet LLC ("Unwired Planet") and Defendant Apple Inc. ("Apple") submit this Joint Statement of the case to be read to the jury during voir dire.

STATEMENT OF THE CASE

This case is about alleged infringement of patents. The plaintiff, the entity that has brought this case, is Unwired Planet LLC. The defendant in this case is Apple Inc. Unwired Planet accuses Apple of infringing four patents.

Unwired Planet filed suit against Apple seeking money damages from Apple, and alleges that some of Apple's mobile devices including the iPhone, iPad and iPod touch infringed certain claims of four of its patents. Apple denies that it has infringed these patent claims and argues that in addition, some or all of the patent claims are invalid. Invalidity is a defense to infringement.

The first patent at issue in this case is United States Patent Number 6,317,831 and was obtained by Peter King. For convenience, the parties and I will often refer to this patent as the '831 patent. The second patent at issue in this case is United States Patent Number 6,321,092, and was obtained by James Fitch, David Hose, and Michael McKnight. For convenience, the parties and I will often refer to this as the '092 patent. The third patent at issue in this case is United States Patent Number 6,532,446, and was obtained by Peter King. For convenience, the parties and I will often refer to this as the '446 patent. The fourth and final patent at issue in this case is United States Patent Number 6,647,260, and was obtained by Steven Duse, Peter King, Bruce Schwartz, and Bruce Martin. For convenience, the parties and I will often refer to this as the '260 patent. Each of the four patents was transferred either directly or indirectly to Unwired Planet, who now owns all four patents.

Your job, if you become a member of the jury in this case, will be to decide whether any of the asserted claims of the four patents have been infringed, and whether the asserted patent claims are valid. If you decide that any asserted claim of one or more of the patents has been infringed and is not invalid, you will then need to decide any money damages to be awarded to Unwired Planet to compensate for the infringement.

1 DATED: May 1, 2015

2 **McKool Smith Hennigan, P.C.**

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