

ESTTA Tracking number: **ESTTA420662**

Filing date: **07/19/2011**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

Proceeding	91199897
Party	Plaintiff Samsung Electronics, Ltd.
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Submission	Other Motions/Papers
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Signature	Michael T. Zeller/jsp/
Date	07/19/2011
Attachments	Corrected Suppl. Decl. of Michael Zeller in Support of Opposer's Reply in Support of Motion to Stay.pdf (4 pages)(338411 bytes) Ex. 1 to Corrected Suppl. Decl.pdf (65 pages)(2153509 bytes) Ex. 2 to Corrected Suppl. Decl.pdf (6 pages)(681115 bytes) Ex. 3 to Corrected Suppl. Decl.pdf (64 pages)(396418 bytes)

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE
BEFORE THE TRADEMARK TRIAL AND APPEAL BOARD

In re Application Serial No.: 85041463



Filed: May 18, 2010
Date Published: April 19, 2011

SAMSUNG ELECTRONICS CO., LTD.,

Plaintiff,

APPLE INC. ,

Defendant.

Opposition No. 91199897

**CORRECTED SUPPLEMENTAL
DECLARATION OF MICHAEL T.
ZELLER IN SUPPORT OF OPPOSER'S
REPLY IN SUPPORT OF MOTION TO
STAY**

I, Michael T. Zeller, do hereby declare and state as follows:

1. I am a member of the State Bars of California, New York and Illinois and am counsel for Samsung Electronics Co., Ltd. ("Samsung") in these proceedings and in *Apple Inc. v. Samsung Electronics Co., Ltd., et al.*, Case No. 11-1846, filed on April 15, 2011 in the United States District Court for the Northern District of California (the "Civil Action"). I have personal knowledge of the facts stated herein and, if sworn as a witness, could and would testify competently thereto.

2. Attached hereto as Exhibit 1 is a true and correct copy of the Applicant Apple Inc.'s Amended Complaint in the Civil Action. Exhibit 1 hereto does not attach the exhibits filed with the Amended Complaint in the Civil Action because of their volume and because several exhibits are copies of utility patents not currently at issue in the instant proceedings, but relevant exhibits to the Amended Complaint are included with this Declaration as specified below.

3. Attached hereto as Exhibit 2 is a true and correct copy of Applicant Apple's Trademark/Service Mark Application for Serial No. 85041463, which Apple has attached as Exhibit 29 to the Amended Complaint in the Civil Action (the "'463 Application"). The '463 Application, which Apple is relying on in the Civil Action, is the identical mark at issue in these proceedings.

4. Attached hereto as Exhibit 3 is a true and correct copy of the body of the Samsung Entities' Answer, Affirmative Defenses, and Counterclaims to Apple Inc.'s Amended Complaint, dated June 30, 2011. The exhibits to Samsung Entities' Answer, Affirmative Defenses, and Counterclaims consist of copies of utility patents that the Samsung Entities are suing upon and are not being included because of their volume and because they are not currently material to these proceedings. In its Answer and Counterclaims, Opposer Samsung alleges a number of

affirmative counterclaims, which will overlap with the issues in these proceedings. These include claims for declaratory relief for non-infringement and for invalidity of Apple's '463 Application – the very mark at issue in these proceedings. See Counterclaims at ¶¶ 129-135, 143-146.

I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.

Executed this 19th day of July, 2011, at Los Angeles, California.



Michael T. Zeller

CERTIFICATE OF SERVICE

I hereby certify that a true and complete copy of the Corrected Supplemental Declaration of Michael T. Zeller in Support of Opposer's Reply in Support of Motion to Stay has been served on Apple Inc. by mailing said copy on July 19, 2011, via First Class Mail, postage prepaid to Glenn A. Gunderson, Dechert LLP, Cira Centre, 2929 Arch Street, Philadelphia, PA 19104-2808.

DATED: July 19, 2011.



Sherrin Van Etta

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