

EXHIBIT B

EXCERPT OF DEFENDANT APPLE INC.'S INITIAL AND ADDITIONAL DISCLOSURES

C. The Legal Theories and Factual Bases of the Disclosing Party's Claims or Defenses

Apple is currently aware of the legal theories and factual bases of its claims and defenses listed below. Apple has not yet filed an Answer in this case but incorporates by reference the responses and defenses that will be asserted therein. Apple also incorporates by reference the responses and defenses raised in its Motion for Partial Dismissal of Plaintiff's Complaint for Failure to State a Claim [ECF 27] and its Reply in support of same [ECF 37] (collectively, "Apple's Motion to Dismiss"). Discovery is ongoing, and Apple reserves the right to assert additional defenses. Apple also reserves the right to modify or supplement its theories and/or the factual bases for its claims or defenses:

Non-infringement. Apple has not directly or indirectly infringed, either literally or under the doctrine of equivalents, any valid and enforceable claim of any of U.S. Patent Nos. 6,748,317 ("317 Patent"); 6,580,999 ("999 Patent"); 8,339,493 ("493 Patent"); 7,116,438 ("438 Patent"); 6,408,193 ("193 Patent"); 10,084,991 ("991 Patent"); 6,928,306 ("306 Patent"); 6,329,794 ("794 Patent"); 10,212,586 ("586 Patent"); and 6,430,498 ("498 Patent") (collectively, the "Patents-in-Suit"). Apple does not manufacture, use, sell, or offer to sell in the United States, or