





United States District Court Northern District of California

Case Title Epic Games, Inc. v. Apple, Inc.

Susan Y. Soong, Clerk

Deputy Cler

Case No. 4:20-cv-05640-YGR

Exhibit No. **DX-4566**Date Entered



#### **Top Stories**

#### At E! Online, Apple offers a new reason to buy

Music, that is. Thanks to the new iTunes Wi-Fi Music Store, the editors at E! Online find it all but irresistible to indulge in the guilty pleasure of impulse music buying. "As long as you're at a hot spot, you can click on the new Wi-Fi widget for your iPhone or iPod touch and get access to Apple's music library at the usual 99 cents per song." [Oct 18, 2007]

#### Third Party Applications on the iPhone

Let me just say it: We want native third party applications on the iPhone, and we plan to have an SDK in developers' hands in February. We are excited about creating a vibrant third party developer community around the iPhone and enabling hundreds of new applications for our users. With our revolutionary multi-touch interface, powerful hardware and advanced software architecture, we believe we have created the best mobile platform ever for developers.

It will take until February to release an SDK because we're trying to do two diametrically opposed things at once—provide an advanced and open platform to developers while at the same time protect iPhone users from viruses, malware, privacy attacks, etc. This is no easy task. Some claim that viruses and malware are not a problem on mobile phones—this is simply not true. There have been serious viruses on other mobile phones already, including some that silently spread from phone to phone over the cell network. As our phones become more powerful, these malicious programs will become more dangerous. And since the iPhone is the most advanced phone ever, it will be a highly visible target.

Some companies are already taking action. Nokia, for example, is not allowing any applications to be loaded onto some of their newest phones unless they have a digital signature that can be traced back to a known developer. While this makes such a phone less than "totally open," we believe it is a step in the right direction. We are working on an advanced system which will offer developers broad access to natively program the iPhone's amazing software platform while at the same time protecting users from malicious programs.

We think a few months of patience now will be rewarded by many years of great third party applications running on safe and reliable iPhones.

Steve

P.S.: The SDK will also allow developers to create applications for iPod touch.

[Oct 17, 2007]

# iTunes Plus now offers over two million DRM-free tracks at just 99 cents

Offering customers the largest catalog of DRM-free music in the world, Apple today expanded iTunes Plus to more than two million tracks while at the same time lowering the price of those tracks to just 99 cents. In addition to artists from EMI's digital catalog, iTunes Plus now includes artists from Sub Pop, Nettwerk, Beggars Group, IODA, The Orchard and many others. All iTunes Plus tracks feature DRM-free music with high-quality 256 kbps AAC encoding, offering audio quality virtually indistinguishable from the original recordings. [Oct 17, 2007]

# Making your design move with Motion

Motion 3 lets you easily import layered Photoshop graphics with blend modes and transparency intact. Following their import, you can modify each layer separately. Or, as you'll see in this animated Motion tutorial, turn a 2D graphic into a compelling 3D element with the click of a button. [Oct 16, 2007]

### iPhone to debut in France with Orange as exclusive carrier

Orange, the leading wireless carrier in France, will be the exclusive French carrier partner for iPhone when it debuts in France on Thursday, November 29, Apple today announced. "The iPhone is a marvelous product and will change how people think about mobile. I'm delighted that it is launching in France through Orange, and I'm sure that our customers share my excitement." said Didier Lombard, CEO, France Telecom. [Oct 16, 2007]

# Mac OS X Leopard to ship on October 26

Packed with more than 300 new features, Mac OS X Leopard goes on sale Friday, October 26, at 6:00 p.m. at Apple's retail stores and Apple Authorized Resellers, Apple announced today. And, beginning today, customers can place pre-orders on Apple's online store. "Leopard, the sixth major release of Mac OS X, is the best upgrade we've ever released," said Steve Jobs, Apple's CEO. "And everyone gets the 'Ultimate' version, packed with all the new innovative features, for just \$129." [Oct 16, 2007]

Macworld — San Francisco Photo Gallery & Video

NAB — Las Vegas Photo Gallery & Video

Apple Seminars and Events

Top Albums

- 1. Chase This Light Jimmy Eat World
- Across the Universe (Music from the Motion Picture) [Deluxe Edition] Various Artists
- 3. Coco Colbie Caillat
- Magic Bruce Springsteen



5. The Alchemy Index: Vol. 1 & 2: Fire & Water Thrice

6. Still Feels Good Rascal Flatts

7. Cease to Begin Band of Horses

8. Echoes, Silence, Patience & Grace Foo Fighters

9. Heroes & Thieves Vanessa Carlton

10. R.E.M. Live R.E.M.

More Top Albums

# Top Movies

- 1. Crash Paul Haggis
- The Invisible David S. Goyer
- Wild Hogs Walt Becker
- The Princess Bride Rob Reiner
- 5. Zoolander Ben Stiller
- 6. The Hoax Lasse Hallstrom
- 7. The Italian Job (2003) F. Gary Gray

# Apple Announces Mac OS X Server version 10.5 Leopard

On Friday, October 26, Mac OS X Server version 10.5 Leopard will go on sale at the same time as Mac OS X Leopard, Apple today announced. Leopard Server extends Apple's legendary ease of use, making it even easier to take advantage of the benefits of a server. Leopard Server packs more than 250 new features including Podcast Producer, Wiki Server, and iCal Server. [Oct 16, 2007]

#### Quick Tip of the Week: Zooming in with ease

Did you know that you can zoom in or out on Microsoft Word or Excel documents using the scroll button on Mighty Mouse or the trackpad on your MacBook or MacBook Pro? It takes just a few seconds to set up, and we show you how in the latest Quick Tip of the Week. [Oct 15, 2007]

# iPhone one of "the Top 10 Most Brilliant Gadgets of 2007"

For 2007, iPhone appears among the very short list of products Popular Mechanics honors in its annual Breakthrough Awards. "The best way to understand why Apple's iPhone (\$400) has sent shockwaves through the cellphone industry is simply to check your voice mail with it." iPhone "displays a visual list of voice mails," explain the editors. "Using the bright and responsive touchscreen, you scroll through the list and tap a message. When you're done with a message, simply slide your finger over it and a delete button pops up." "All phones," they conclude, "should work so smoothly. Because of the iPhone, they'll eventually have to." [Oct 15, 2007]

#### Gore and U.N. Panel Win Peace Prize

Praising "their efforts to build up and disseminate greater knowledge about man-made climate change," the Nobel Committee awarded the Nobel Peace Prize to Al Gore and the U.N.'s Intergovernmental Panel on Climate Change, reports Walter Gibbs and Sarah Lyall (New York Times). [Oct 12, 2007]

# Gore and U.N. Panel Win Peace Prize for Climate Work

Citing Al Gore as " 'probably the single individual who has done most to create greater worldwide understanding of the measures that need to be adopted' " to combat global warming, the Nobel committee awarded the former Vice President the Nobel Peace Prize alongwith the United Nations' Intergovernmental Panel on Climate Change. As reported by Alan Zarembo and Maggie Farley (Los Angeles Times), the committee noted how Gore's " 'strong commitment, reflected in political activity, lectures, films and books, has strengthened the struggle against climate change.' " [Oct 12, 2007]

#### Al Gore wins the 2007 Nobel Peace Prize

"Former Vice President Al Gore and the United Nations' Intergovernmental Panel on Climate Change won the 2007 Nobel Peace Prize on Friday for their work to raise awareness about global warming," CNN reported this morning. Gore, who won an Oscar for "Inconvenient Truth," also sits on the Board of Directors for Apple, Inc. [Oct 12, 2007]

#### Al Gore "honored" as recipient of Nobel Peace Prize

The BBC News indicates that AI Gore feels "honored" at being awarded the 2007 Nobel Peace Prize, seeing it as a "chance to elevate global consciousness' about the threat posed by climate change." The BBC reports that "the former vice-president has emerged as a leading climate campaigner. His 2006 documentary film, 'An Inconvenient Truth,' was an unlikely box-office hit and won two Oscars." [Oct 12, 2007]

### Youngest learners eagerly embrace innovative learning tools

At the Vestavia Hills Elementary School, an Apple Mobile Learning Lab and iLife '08 bring technology into the lives of every young student, offering them innovative ways to learn and express themselves. "Our children," explains Dr. Mark Richardson, principal of the trendsetting K-3 school, "are empowered by the use of technology in the classroom, and their world is expanded with every weblog comment, podcast subscription, and website hit. Having all the right Apple tools has enabled us to use technology in ways we never dreamed of." [Oct 12, 2007]

### New iMacs are "easily the most pleasurable desktop computers I've touched"

"Simply put," offers proud iMac owner Dwight Sliverman (Houston Chronicle), "the new iMacs with their 24-inch screens, allaluminum cases and powerful components are easily the most pleasurable desktop computers I've touched." Silverman lauds its display—"It's as gorgeous, sharp and bright as any widescreen LCD monitor I've seen."—and praises its "incredibly fast" performance. [Oct 11, 2007]

# Web apps for iPhone and iPod touch ready for download

Like to get the latest news from your Facebook friends? Check the movie listings at Fandango? Browse the newest photos posted on SmugMug? Update your weblog with TypePad? Or play a great game of Big Bang Sudoku? It's all possible. Simply by visiting www.apple.com/webapps/ on your iphone or iPod touch, browsing the library, and bookmarking the web apps you enjoy. [Oct 11, 2007]

### Apple products score in T3 Awards for 2007

In T3's annual Gadget Awards, Apple products grabbed honors for iPhone ("Most Anticipated Gadget of 2007"), MacBook Pro ("Drop Dead Gorgeous Award"), the iTunes Store ("Best Download Service"), and in a Gadget Awards hat trick, iPod scored in the "Top Commuter Gadget," "Best Music Gadget," and the "Best Gadget of All Time" categories. [Oct 11, 2007]

### Free database solution for students

Designed expressly for college students, the new FileMaker Campus Productivity Kit helps students get more organized and be more productive. A free, ready-to-use database solution, the Kit includes five modules, allowing students to manage contacts, organize research and lecture notes, track project assignments, coordinate events, and assemble to-do lists. Students will find complete instructions and an informative podcast on the FileMaker Campus Productivity Kit website. [Oct 10, 2007]

### "iWork '08 offers a sweet office suite"

"Benefiting from Apple's tireless design and integration efforts, iWork '08 gives users an easy, intuitive interface, beautiful templates and tight integration with Mac OS X and iLife," reports Paul Vaughn (San Antonio Express News). He praises numerous new



- 8. Saw James Wan
- 9. Unbreakable M. Night Shyamalan
- 10. Apocalypto Mel Gibson

More Top Movies

Top TV Shows

- Bad News Blair Gossip Girl
- 2. Let the Truth Sting Grey's Anatomy



- Believe It or Not Joe's Walking On
  Air
  Formity Conv.
  - Family Guy
- 4. The Game
  Desperate Housewives
- Chuck Versus the Wookiee Chuck
- What Goes Around... The Hills
- 7. Movin' Out (Brian's Song) Family Guy
- 8. The Girl Who Goes Bald America's Next Top Model 9
- 9. Poison Ivy Gossip Girl
- 10. There's No "We" Anymore Damages

More Top TV Shows

# Top Songs

- 1. Bubbly Colbie Caillat
- Crank That Soulja Boy Tell 'Em



- 3. Gimme More Britney Spears
- 4. No One Alicia Keys
- Hate That I Love You Rihanna
   How Far We've Come
- Matchbox Twenty
- 7. Cyclone (feat. T-Pain) Baby Bash
- 8. Rockstar Nickelback
- Kiss Kiss (feat. T-Pain) Chris Brown
- 10. Shadowplay The Killers

More Top Songs

features in both Pages '08—which he calls "a very capable word-processing program, a quite viable alternative to Microsoft Word" and Keynote '08: "Apple keeps making it better." And Numbers '08, Vaughn says "is designed intelligently from the ground up." Comparing it favorably to Excel, he concludes, Numbers seems "brilliantly elegant." [Oct 10, 2007]

#### "In some schools, iPods are required listening"

For most Spanish-speaking students attending José Martí Middle School, it takes four to six years to achieve sufficient Englishlanguage skills to move out of bilingual classes. In contrast, most students in Grace Poli's classes make the leap in just a single year. That's after media specialist Poli introduced an innovative education tool: the iPod. "The school here in Hudson County," writes Winnie Hu (New York Times), "has been handing out the portable digital players to help bilingual students with limited English ability sharpen their vocabulary and grammar by singing along to popular songs." [Oct 09, 2007]

#### Recent Press Releases

iTunes Plus Now Offers Over Two Million Tracks at Just 99 Cents

October 17, 2007 5:30 AM PDT

Apple Chooses Orange as Exclusive Carrier for iPhone in France

October 16, 2007 9:01 AM PDT

Apple to Ship Mac OS X Leopard on October 26

October 16, 2007 5:30 AM PDT

Apple Announces Mac OS X Server Leopard

October 16, 2007 5:29 AM PDT

Daniel Cooperman to Join Apple as General Counsel

September 28, 2007 5:27 AM PDT

Apple and T-Mobile Announce Exclusive Partnership for iPhone in Germany

September 19, 2007 5:13 AM PDT

More press releases...

Top Downloads 1. iTunes 7.4.2 2. QuickTime 7.2 3. Safari 3 Public Beta 4. Disco XT 5. Geophoto 6. Windows Media Player... 7. TuneBar 8. Spooked! Screensaver 9. Messenger for Mac 10. KingMania

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3. VueScan

4. Galder

5. Opera Browser

6. Absolute Backgammon

7. iBiz

8. ConceptDraw 7 ConceptDraw 7

9. You Control

10. Addressbook X LDAP

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Top Widgets

1. 2007 Halloween Costu...



2. WRW - WorldRadio Wid...

3. Fruitz

4. YouTube

5. StuntManiaJnr

6. Plasma Tube - Motion...

7. Starry Night Widget

- 8. iPhone Widget
- 9. Scenario Poker
- 10. Sing that iTune!

More Widgets

### Small Business

Making your design move with M...

Quick Tip of the Week: Zooming...

Quick Tip of the Week: Saving ...

Quick Tip of the Week: Perfect...

Mark Massara: Defending the Wa...

"Nothing less than fantastic...

Free, ready-to-use FileMaker t...

Quick Tip of the Week: From iP...

Quick Tip of the Week: From Po...

Quick Tip of the Week: Accessi...

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#### Science

Visualizing 20 million years o...

Medical Visualization: Egyptol...

Intelligent Life at MaRS

Science + Computing = Innovati...

"iPods Help Doctors Recogniz...

High-Definition Endoscopy

Inside the Image

Streamlining the Business of S...

The Tools for Accurate Seismic...

Prospecting for Botanical Gold

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# Games

WarBirds 2007/FlyBoys Squadron

Playhouse Disney Preschool Tim...

Enemy Territory: Quake Wars Tr...

Battlefield 2142

Command & Conquer 3 Tiberium W...

Harry Potter and the Order of  $\dots$ 

Need For Speed: Carbon

The Sims Pet Stories Trailer

The Sims Pet Stories

The Sims 2 Happy Holiday Stuff

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# Education

Youngest learners eagerly embr...

Free database solution for stu...

"In some schools, iPods are ...

Just seven days before the Ins...

The Mac matriculates on campus

Xsan Keeps Medical Center's ...

While the world sleeps...

A high-tech vaccine delivers t...

"X" marks the sweet spot a...

Xsan offers Scientists Ideal R...

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Creative Professionals

Making your design move with M...
Keep Adding: Wrekage
Richard Walch: "The mountain...
Trollbäck + Company: Wall of ...
shiftcontrol: Automobility
Fashion Forward: Surface to Ai...
3D Portraits: Architecture Mee...
Dorna Sports: Fast Finish
Howard Nourmand: Analyze This
Alan Wilder: Reviving Recoil

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