

# EXHIBIT D

From: **AppStoreNotices** <[AppStoreNotices@apple.com](mailto:AppStoreNotices@apple.com)>  
Date: Mon, Mar 2, 2020 at 4:32 PM  
Subject: Apple Inc. (our ref# APP125266) Notice of Complaint  
To: <[eric.buehl@quibi.com](mailto:eric.buehl@quibi.com)>, <[robert.kelly@quibi.com](mailto:robert.kelly@quibi.com)>, <[meg@quibi.com](mailto:meg@quibi.com)>, <[sean.liu@quibi.com](mailto:sean.liu@quibi.com)>, <[mark.turner@quibi.com](mailto:mark.turner@quibi.com)>, <[baptiste@quibi.com](mailto:baptiste@quibi.com)>, <[will.lu@quibi.com](mailto:will.lu@quibi.com)>, <[lindsay.wyler@quibi.com](mailto:lindsay.wyler@quibi.com)>, <[marvin.guerra@quibi.com](mailto:marvin.guerra@quibi.com)>, <[guy@quibi.com](mailto:guy@quibi.com)>, <[Chris.spaulding@quibi.com](mailto:Chris.spaulding@quibi.com)>, <[joe@quibi.com](mailto:joe@quibi.com)>  
Cc: <[DMello@goodwinlaw.com](mailto:DMello@goodwinlaw.com)>

Dear Sir or Madam,

**\*\*Please include APP125266 in the subject line of any future correspondence on this matter.\*\***

On 3/2/2020, we received a notice from Eko (Goodwin Procter LLP) ("Complainant") that Complainant believes the app listed below infringes its intellectual property rights. In particular, Complainant believes you are infringing its patent. Please see their comments below.

Developer: Quibi Holdings, LLC  
Provider: Quibi Holdings, LLC  
App Title: Quibi: New Episodes Daily  
Apple ID: 1449048178

Comments from Complainant: Quibi violates Eko's rights by creating an app that uses technology that infringes Eko's patents and was created using information constituting misappropriated trade secrets. This app is currently available for pre-download.

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You can reach Complainant through Daniel Mello (email: [DMello@goodwinlaw.com](mailto:DMello@goodwinlaw.com)), copied on this email. Please exchange correspondence directly with Complainant.

We look forward to receiving written assurance that your application does not infringe Complainant's rights, or that the parties are taking steps to promptly resolve the matter. Please keep us apprised of your progress.

Please note that during the course of this matter:

1. Correspondence to Apple must include the reference number noted above in the subject line and copy the other party. All correspondence sent to Apple may be shared with the other party.
2. Written assurance of rights may include confirmation that your application does not infringe Complainant's rights, an express authorization from Complainant, or other evidence acceptable to Apple, and should include documentation wherever possible.
3. Should you choose to remove your application (for example, while you make any necessary changes), visit App Store Connect at <https://appstoreconnect.apple.com> and access your app in

the Manage Your Application module.

- Access your app in the "My Apps" module
- Click on the "Pricing and Availability" tab from the App Summary Page and select "Edit" by "Availability"
- Select and deselect "All" territories to uncheck all App Store territories
- Click on the "Done" button

4. Developers with a history of allegations of repeat infringement, or those who misrepresent facts to Apple and/or the Complainant are at risk of termination from the Developer Program.

5. Failure to respond to the Complainant or to take steps toward resolving a dispute may lead to removal of the app(s) at issue as in violation of the App Store Review Guidelines and/or the iOS Developer Program License Agreement. Please keep Apple apprised of your progress.

Thank you for your immediate attention.

Sincerely,

James

□ Apple Legal Apple One Apple Park Way Cupertino, CA  
95014 [AppStoreNotices@apple.com](mailto:AppStoreNotices@apple.com)

The information in this e-mail and any attachment(s) is intended solely for the personal and confidential use of the designated recipients. This message may be an attorney-client communication protected by privilege. If you are not the intended recipient, you may not review, use, copy, forward, or otherwise disseminate this message. Please notify us of the transmission error by reply e-mail and delete all copies of the message and any attachment(s) from your systems. The use of the sender's name in this message is not intended as an electronic signature under any applicable law. Thank you.