

Apple iPod Claims Administrator

P.O. Box 6175
Novato, CA 94948-6175

CLAIM FORM
(Please Print or Type)

A. PERSONAL INFORMATION

Name: _____

Address: _____

City: _____ State: _____ Zip Code: _____

(_____) _____
Area Code Daytime Telephone Number

(_____) _____
Area Code Evening Telephone Number

Please provide the following information, which will be treated as confidential. Any compensation that Apple provides in response to your claim will be issued to the name and street address you provide. Please print clearly in blue or black ink.

iPod Serial Number: (located on back of iPod)

E-mail (if available):

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B. THIRD GENERATION IPOD CLAIM (check all boxes that apply)

I bought or obtained a new Third Generation iPod on or before May 31, 2004, and still had it on June 2, 2005. During my ownership of the iPod, it experienced a Battery Failure more than one year after the date of its original purchase and within two years after the date of original purchase. (For example, if you purchased the iPod on February 1, 2003 and experienced a Battery Failure between January 31, 2004 and February 1, 2005, you may submit a claim.)

I read and made reasonable best efforts to follow the iPod battery test instructions included in Section IV of the Instructions and believe that my iPod experienced a "Battery Failure."

► I request (**check only one of the following**):

replacement of the iPod's battery or (at Apple's discretion) a replacement iPod. [**DO NOT SEND IN YOUR IPOD.** Unless your claim is rejected by the Claims Administrator, you will be contacted with instructions on how to return your iPod and where to remit the applicable shipping and handling charges.]

or

a \$50 Store Credit redeemable toward the purchase of any Apple-branded products or services (except iTunes downloads, iTunes Music Store Cards, iTunes Gift Certificates, or any other product redeemable for iTunes downloads or cash) at The Apple Store (Online) or at a kiosk (a computer linked to The Apple Store (Online)) located in a "bricks and mortar" Apple retail store. Store Credits may be transferred once but may not be aggregated with other Store Credits or redeemed for cash. Store Credits may be used to purchase multiple products but, in all instances, the full \$50 credit must be used up or exhausted in a single transaction. Store Credit does not apply to any shipping, handling or sale tax charges applicable. Store Credit will expire within eighteen (18) months after the date of issuance.

► I enclose proof of purchase of the iPod, in the form of the original or a photocopy of (**check one and enclose the requested documentation**):

the invoice or receipt that reflects the purchase of the iPod

or

a cancelled check that reflects the purchase of the iPod

or

a credit or debit card statement that identifies the transaction as the purchase of the iPod [Underline, circle, or highlight the iPod purchase transaction on your statement. You may cross out, white-out, or otherwise redact the card number and any transactions other than the iPod purchase.]

or

a check, credit card statement or debit card statement that does not specifically identify the transaction as one for the purchase of the iPod. **I declare under penalty of perjury that the transaction reflected on the check or statement was for the purchase of an iPod.** [Underline, circle, or highlight the iPod purchase transaction on your statement. You may cross out, white-out, or otherwise redact the card number and any transactions other than the iPod purchase.]

C. FIRST OR SECOND GENERATION IPOD CLAIM (complete all blanks and check all boxes that apply)

- I bought or obtained a new First or Second Generation iPod on or before May 31, 2004. During my ownership of the iPod, it experienced a Battery Failure within two years after the date of its original purchase.
- I read and made reasonable best efforts to follow the iPod battery test instructions included in Section IV of the Instructions and believe that my iPod experienced a "Battery Failure."
- I bought or obtained the iPod on or about (month/year): /
- My iPod experienced a Battery Failure on or about (month/year): /
- I did not receive battery repair service for this Battery Failure under Apple's iPod limited warranty.
- ▶ I request (**check only one of the following**):
- \$25, issued in the form of a check payable to me,

or

- a \$50 Store Credit redeemable toward the purchase of any Apple-branded products or services (except iTunes downloads, iTunes Music Store Cards, iTunes Gift Certificates, or any other product redeemable for iTunes downloads or cash) at The Apple Store (Online) or at a kiosk (a computer linked to The Apple Store (Online)) located in a "bricks and mortar" Apple retail store. Store Credits may be transferred once but may not be aggregated with other Store Credits or redeemed for cash. Store Credits may be used to purchase multiple products but, in all instances, the full \$50 credit must be used up or exhausted in a single transaction. Store Credit does not apply to any shipping, handling or sale tax charges applicable. Store Credit will expire within eighteen (18) months after the date of issuance.

D. BATTERY REPLACEMENT PROGRAM CLAIM (complete all blanks and check all boxes that apply)

- I bought or obtained a First, Second or Third Generation iPod on or before May 31, 2004. During my ownership of the iPod, I paid for service under Apple's Battery Replacement Program ("BRP").
- I bought or obtained the iPod on or about (month/year): /
- My iPod experienced a Battery Failure on or about (month/year): /
- I paid for BRP on or about (month/year): /
- ▶ I request payment (by check) in an amount equal to 50% of the amount I paid for battery replacement service under the BRP (exclusive of any shipping and sales tax charged).

E. CERTIFICATION

Please read, date, and sign the statement below [required for all claims].

By signing and dating this form below, I acknowledge that I have read the Release set forth in the Class Notice, and understand that upon receipt of my benefit, the Settlement Agreement and Release and the Final Judgment entered in this action will be binding on me, my agents and heirs, and any other person or entity with authority to act on my behalf.

I state under penalty of perjury that the information provided above is true and correct to the best of my knowledge and belief.

Date

Signature

REMINDER

Please note the following deadlines for postmarking or e-mailing your Claim Form and supporting documentation:

- For Third Generation Claims for battery replacement, the deadline for submitting this claim is (a) two years after the original purchase date of the iPod for which you are making the claim, or (b) September 30, 2005, whichever is later.
- For all other claims, the deadline for submitting a claim is September 30, 2005.
- If you have any questions while completing the Claim Form please contact the Claims Administrator at 1-888-385-3085.

iPod Class Action Settlement Claim Form

INSTRUCTIONS

READ THESE INSTRUCTIONS CAREFULLY. IF YOU FAIL TO FOLLOW THESE INSTRUCTIONS, YOU MAY LOSE CERTAIN BENEFITS TO WHICH YOU MIGHT OTHERWISE BE ENTITLED.

To receive any of the settlement benefits, you must fill out and return the attached Claim Form (“Claim Form”) postmarked on or before the dates explained in section III below. If you fail to return a valid Claim Form by the deadline, your claim will be rejected and you will lose all rights to these benefits.

Unless you request exclusion from the class as explained in the Class Notice, you will be bound by the Settlement Agreement and Release and the Final Judgment even if you do not return the Claim Form.

If you have any questions while completing the Claim Form, please contact the Claims Administrator at 1-888-385-3085.

I. WHO IS ELIGIBLE TO MAKE A CLAIM

A. iPod Battery Failure

To be eligible to make a claim for settlement benefits, you must have experienced an iPod Battery Failure. For purposes of this Settlement and this Claim Form, “Battery Failure” means the capacity of the iPod Battery to hold an electrical charge has dropped to four hours or less of continuous audio playback, with earbuds attached, with respect to a Third Generation iPod, or five hours or less of continuous audio playback, with earbuds attached, with respect to a First or Second Generation iPod.

To test your iPod battery for “Battery Failure,” follow the instructions for testing iPod battery described in section IV of these instructions.

B. How to Determine Whether You Have a First, Second or Third Generation iPod

First Generation iPod: First Generation iPods (iPod) are white and have a mechanical scroll wheel that physically turns and a Firewire port with no cover.

Second Generation iPod: Second Generation iPods (iPod Touchwheel) are white and have a touchwheel that does not physically turn and a Firewire port with a cover.

Third Generation iPod: Third Generation iPods (iPod with Dock Connector) are white and have a touchwheel that does not physically turn, a horizontal row of control buttons, and a dock connector.

Go to <http://docs.info.apple.com/article.html?artnum=61688> for more help identifying which iPod model you have.

C. How to Determine If Your iPod Is Covered by This Settlement

You may only make a claim if you purchased or acquired a *new* First, Second or Third Generation iPod on or before May 31, 2004. You are *not eligible* to participate in this settlement if you purchased or acquired a *used* iPod, or if you purchased or acquired your iPod *after* May 31, 2004.

D. One Claim Per iPod

You may claim only one settlement benefit per iPod. If you own more than one iPod, and wish to make claims for multiple iPods, you must fill out a separate Claim Form for each iPod that you own. You may print multiple copies of this Claim Form, or make photocopies, if necessary.

II. HOW TO MAKE A CLAIM

A. Submit a Claim Form

To make a claim, complete and submit this Claim Form, along with any required documentation, in compliance with the instructions below. You have the option of submitting your claim by mail or electronically.

- If you choose to submit your claim by mail, send the original of the signed Claim Form and a copy of any required documentation to Apple iPod Claims Administrator, P.O. Box 6175, Novato, CA 94948-6175. Keep copies for your records.
- If you choose to submit your claim electronically, scan the signed Claim Form and any required documentation as a single portable document format (pdf) file and attach that file to an email addressed to info@AppleiPodSettlement.com. Be sure to keep the original Claim Form and documents as a personal record of your Claim Form and proof of purchase. Failure to keep copies of your Claim Form and proof of purchase information may result in denial of your claim if the version electronically submitted is not received or readable.

B. Third Generation iPod Claim:

If you own a Third Generation iPod and have experienced a Battery Failure, complete the Personal Information Section and the Third Generation iPod Claim Section (checking all applicable boxes), sign the Claim Form and send it with your supporting documentation by mail or email to the address above.

C. First or Second Generation iPod Claim:

If you own either a First or Second Generation iPod and have experienced a Battery Failure, complete the Personal Information Section and the First or Second Generation iPod Claim Section (checking all applicable boxes), sign the Claim Form and send it by mail or email to the address above.

D. Battery Replacement Program Claim:

If you own either a First, Second or Third Generation iPod and you paid Apple for an iPod battery replacement under Apple’s Battery Replacement Program, complete the Personal Information Section and the Battery Replacement Program Claim Section (checking all applicable boxes), sign the Claim Form and send it by mail or email to the address above.

E. AppleCare Protection Plan for iPod Claim:

You qualify for this benefit if you purchased the AppleCare Protection Plan for iPod and have received service for a Battery Failure under your Plan. If you qualify for this benefit, you do not need to fill out or return this Claim Form to receive your benefit. Your benefit will be sent to you.

III. CLAIMS DEADLINES

Please note the following deadlines for postmarking or e-mailing your Claim Form and supporting documentation:

A. Claims for Third Generation iPod Battery Replacement:

The deadline for submitting this claim is (a) two years after the original purchase date of the iPod for which you are making the claim, or (b) September 30, 2005, whichever is later.

B. All Other Claims:

For all other claims, the deadline for submitting a claim is September 30, 2005.

Remember: To be valid your Claim Form must be completely and accurately filled out, signed and dated, and must include all requested information and supporting documentation. If your Claim Form is incomplete, untimely, or contains false information, it may be rejected by the Claims Administrator.

IV. TESTING YOUR IPOD BATTERY

To test your iPod for “Battery Failure”, follow these steps:

1. Reset iPod: To reset iPod, toggle the Hold switch on and off. (Slide it to Hold, then turn it off again.) Then press and hold the Play/Pause and Menu buttons until the Apple/iPod logo appears, about 6 to 10 seconds. You may need to repeat this step. [For more information on resetting your iPod, go to <http://docs.info.apple.com/article.html?artnum=61705/>]
2. Update iPod Software: Download and install the latest iPod Software Updater appropriate to your model iPod from the Apple website. [Go to <http://www.apple.com/support/downloads/>]
3. Charge iPod Fully: Fully charge iPod using the Apple iPod Power Adapter.
4. Continuous Audio Playback: Attach the earbuds. From iPod’s main menu, click Settings, then click Repeat to turn on this feature. Select an album, then select a song to play. The album should play over and over until the battery is depleted. Note the time iPod started its playback, and check iPod at appropriate intervals to see how long it plays.

If a Third Generation iPod plays for four hours or less or a First or Second Generation iPod plays for five hours or less, you have a “Battery Failure” for purposes of this Settlement.

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You must send this Claim Form to the Apple iPod Claims Administrator at the above address by the applicable date specified in section III of the Instructions.