

1 post-mortem debugging, and then await either manual reboot of the system or automatically initiate  
2 the same. Attempts by the operating system to read an invalid or non-permitted memory address  
3 are a common source of kernel panic. Panic may also occur as a result of a hardware failure or a  
4 bug in the operating system. While the operating system, in some instances, could continue  
5 operation after occurrence of a memory violation, the system is in an unstable state and often  
6 discontinues operation to prevent further damage and to allow for diagnosis of the error rather than  
7 risk security breaches and data corruption.

8 39. As of the release of Mac OS 10.5, PSYSTAR is informed and believes and thereon alleges  
9 that APPLE has continued to cause interoperability issues in its xnu kernel on generic Intel  
10 hardware including kernel panics. A sample kernel panic situation in the 10.5.5 xnu kernel  
11 artificially arises during the initialization process if the Mac OS detects that the processor of the  
12 corresponding computing device is not in a certain family. PSYSTAR is informed and believes and  
13 thereon alleges that that ‘certain family’ is the Intel Dual Core/Core/Core2 series of processors,  
14 which is inclusive of Apple-Labeled Computer Hardware Systems.

15 40. PSYSTAR is informed and believes and thereon alleges that there is no specific reason as to  
16 why this “check” should be present in the code as the kernel is capable of booting on a much  
17 broader range of hardware, specifically Mac OS Capable Computer Hardware Systems. PSYSTAR  
18 is informed and believes and thereon alleges that when the check is patched out, either by binary  
19 patching the kernel or source patching and then compiling, the kernel can easy be booted on a  
20 Pentium 4 processor. This is something that is currently restricted by the “check” in current  
21 versions of the xnu kernel and for no functional reason. This “check” stops the execution of the  
22 Mac OS on any x86 processor not sold by Apple—that is, the “check” stops the execution of the  
23 Mac OS on any computer that is not an Apple-Labeled Computer Hardware System.

24 41. PSYSTAR is informed and believes and thereon alleges that APPLE embeds further code in  
25 the Mac OS that causes the Mac OS to malfunction on any computer hardware system that is not an  
26 Apple-Labeled Computer Hardware System. PSYSTAR is informed and believes and thereon  
27 alleges that upon recognizing that a computer hardware system is not an Apple-Labeled Computer  
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