# Exhibit H

1              ROBERT DEZMELYK

2  UNITED STATES INTERNATIONAL TRADE COMMISSION

3              WASHINGTON, D.C.

4         INVESTIGATION NO. 337-TA-714

5  IN THE MATTER OF:

6  CERTAIN ELECTRONIC DEVICES WITH

7  MULTI-TOUCH ENABLED TOUCHPADS

8  AND TOUCHSCREENS

9                                    /

10    VIDEOTAPED DEPOSITION OF ROBERT DEZMELYK

11              WASHINGTON, D.C.

12           Tuesday, August 17, 2010

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23  PAGES 1 - 206

24  JOB NO. 32753

25  REPORTED BY:  Kathy Savich, RPR, CLR

1          ROBERT DEZMELYK

2              Tuesday, August 17, 2010

3              9:10 a.m.

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5          Deposition of ROBERT DEZMELYK,

6     held at the offices of:

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8          Weil Gotshal & Manges

9           1300 Eye Street, NW

10              Suite 900

11            Washington, D.C.

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13          Pursuant to notice of taking

14     deposition, held before Kathy Savich,

15     Notary Public In and for the District

16     of Columbia.

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 1                  ROBERT DEZMELYK

 2     APPEARANCES:

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 1                    ROBERT DEZMELYK

 2    APPEARANCES CONTINUED:

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 4    COUNSEL FOR ITC:

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11    ALSO PRESENT:  CONWAY BARKER, VIDEOGRAPHER

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 1                ROBERT DEZMELYK

 2   claims totally differently.  Maybe your --

 3   the structure you're looking for is -- is a

 4   different -- I am not sure why I -- you

 5   know --

 6   BY MS. MEHTA:

 7          Q.     Le me ask it --

 8          A.     -- what -- what the point is

 9   you're trying to get at.

10          Q.     Let me ask it a different way.

11                 Is there any disclosure that

12   you're aware of in the '352 patent that

13   provides a click function based on removal

14   and reappearance where the algorithm defines

15   time as a factor or input into deciding

16   whether there has been a click function?

17          A.     Okay.  The algorithm always has

18   time and generates reports in a time basis.

19   I think you're asking, in interpreting the

20   claim, to mean is it like a time-based tap

21   function, right, that is where you

22   independently measure the time, and then you

23   delay your reporting to say, oh, I didn't get

24   a button down or I didn't get a button up

25   based on some -- because that's -- that's

 1                ROBERT DEZMELYK

 2   what you're describing.

 3         Q.    No.   What I mean -- let me -- I

 4   think that's not what I am describing.

 5               What I am describing is, is

 6   there any algorithm that considers whether

 7   removal and replacement of the maxima happens

 8   at a predetermined time as a factor in

 9   deciding whether to provide a click function?

10               MR. HU:   Objection.   The

11          question is vague.

12               THE WITNESS:   No.   But -- there

13          is an important but -- of course, the

14          practitioners would know how to do

15          that.   So there is probably enough

16          disclosure -- and, again, I'm -- this

17          is -- now, I am not -- now I'm talking

18          about a claim I have not been asked to

19          testify about but -- okay, so I

20          haven't done any prep on it or

21          anything for a long time, but the --

22          there is prior disclosure -- there is

23          sufficient knowledge in the prior art

24          that the practitioners of this

25          certainly know how to do time-based

 1                    ROBERT DEZMELYK

 2          generation of events because that's

 3          part of the prior art.

 4    BY MS. MEHTA:

 5          Q.     And you offered an opinion on

 6    that in your declaration two weeks ago,

 7    correct, on that term?

 8          A.     Probably.

 9          Q.     August 3rd, 2010, CX-25, last

10    page.

11          A.     What I see here is completely

12    consistent with what I have said today.  Do

13    you have a question about it?

14          Q.     No.  I just asked whether you

15    had offered an opinion on that term in your

16    declaration two weeks ago.

17          A.     Right.  But -- but it's on the

18    means -- it's not the term.  I would make --

19    let's make it clear.  It's on the -- this

20    declaration from, I believe, the rebuttal

21    declaration that you were talking about the

22    same declaration from -- you're saying from

23    -- which one?  The one from the 3rd or from

24    two weeks ago?  This is -- two weeks ago is

25    not quite -- yeah, it's almost two weeks ago,

1         ROBERT DEZMELYK

2         REPORTER'S CERTIFICATE

3              I, Kathy Savich, the undersigned

4    RPR, CLR, and Notary Public in and for

5    the District of Columbia, do hereby

6    certify that the above-named witness,

7    after having been first duly sworn to

8    testify to the truth, did testify as

9    set forth in the foregoing pages, that

10   the testimony was reported by me in

11   stenotype and transcribed under my

12   personal direction and supervision,

13   and is a true and correct transcript.

14              I further certify that I am not

15   of counsel, not related to counsel or

16   the parties hereto, and not in any way

17   interested in the outcome of this

18   matter.

19              SUBSCRIBED AND SWORN TO under my
     hand this 17th day of August, 2010.
20

21   My Commission Expires:  1/1/2012

22   _____

23   Kathy Savich, RPR, CLR
     Notary Public in and for the
24   District of Columbia

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