EXHIBIT P

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

- -

APPLE INC.,

Plaintiff/Counterclaim Defendant,

vs. Case No. 11-cv-01846-LHK

SAMSUNG ELECTRONICS CO., LTD., SAMSUNG ELECTRONICS AMERICA, INC., SAMSUNG TELECOMMUNICATIONS AMERICA, LLC,

Defendants/Counterclaim Plaintiffs.

- -

VIDEOTAPED DEPOSITION OF ANDRE ZORN

Tuesday, March 20, 2012
AT: 1:41 p.m.

Taken at:
The offices of WILMERHALE
Bastion Tower
Place du Champ de Mars
BE 1050 Brussels
Belgium

Job 47756

MR. GUNTHER: Objection to form. 13:52
A. Yes, I implemented what was written in the specification 13:52
and standardization, the GP 3GPP specification. 13:52
BY MR. MACK: 13:52
Q. And why did you implement what was written in the 3GPP 13:52
specification? 13:52
MR. GUNTHER: Objection to form. 13:52
A. Because in the 3GPP specifications, there are mandatory 13:52
and there are optional features. Mandatory features 13:52
have to be implemented by each UE, because 13:52
it's mandatory feature, and it is necessary to 13:52
communicate with the network in a correct way. And 13:52
that's why it's necessary to implement it in the way 13:52
like it is described in that technical specification. 13:52
BY MR. MACK: 13:53
Q. Are you also familiar with the alternative E-bit 13:53
interpretation? 13:53
A. Yes. 13:53
Q. And is that also a mandatory feature in release 6 of the 13:53
3GPP standard? 13:53
A. Yes, it is. 13:53
Q. And were you also responsible for implementing the 13:53
alternative E-bit interpretation in IMC's products? 13:53
A. Yes, I am. 13:53
Q. Which products, specifically, were you responsible for 13:53

with regard to the level 2 and level 3 functionality? 13:53

A. Starting with release 5 protocol stack version, so all products based on release 5 and above, I was responsible for the radio link control. 13:53

Q. And which products specifically are release 5 and above products that IMC currently sells? 13:53

A. They are -- release 6 is this X-Gold 616 product, and release 5 is 606 X-Gold. 13:53

Q. Six zero six, did you say? 13:54

A. Yes, 60. So six zero; six zero. 13:54

Q. Oh, six zero -- okay, 606. And -- 13:54

A. And release 7 is X-Gold 62. 13:54

Q. 62X, or is it 66? 13:54

A. Yeah, it's 62X, so ... 13:54

Q. 62X family? 13:54

A. Mm-hmm. 13:54

Q. Okay. Were you responsible with working on the 62X family as well? 13:54

A. Yes. 13:54

Q. And is the alternative E-bit interpretation also mandatory in release 7 of the 3GPP standard? 13:54

A. Yes, it is. 13:54

Q. So you were also responsible for implementing the alternative E-bit interpretation on the 62X family? 13:54

A. Yes. Yes, I am. 13:54

UNITED STATES DISTRICT COURT

NORTHERN DISTRICT OF CALIFORNIA

SAN JOSE DIVISION

APPLE INC., a California Corporation,

Plaintiff,

vs. No: 11-CV-1846-LHK

SAMSUNG ELECTRONICS CO., LTD, a Korean business entity; SAMSUNG ELECTRONICS AMERICA, INC., a New York corporation; SAMSUNG TELECOMMUNICATIONS AMERICA, LLC, a Delaware limited liability company

Defendants.

_____)

DEPOSITION OF WAYNE STARK, Ph.D.

Boston, Massachusetts

Friday, April 20, 2012

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

CONTAINS HIGHLY CONFIDENTIAL SOURCE CODE

Reported By:

Dana Welch, CSR, RPR, CRR, CBC, CCP

Job No. 48727

segments of the Gold codes are used in the Q-channel components. So the fact that you're using Gold codes, and masking is a well known technique to produce Gold codes, would imply that using them for the Q-channel components would also be a well known technique.

Q. Okay. But, again, that was not my question. My question was, was it known to use masking as a means for delaying a primary or a secondary scrambling code to produce Q-channel components?

MR. KOLOVOS: Objection.

Q. Yes or no?

A. Yes.

Q. It was known?

A. Yes.

Q. And what is the basis for your saying so?

MR. KOLOVOS: Objection.

Q. What document specifically?

A. The whole literature about what that masking can be used to delay or provide a shift of an m-sequence or a Gold sequence to generate a shifted version of that sequence.

Q. And can you name a specific document that disclosed using masking as a means for delaying a

primary or secondary scrambling code to produce Q-channel components?

MR. KOLOVOS: Objection.

A. No. But it would have been obvious that if you're going to produce Gold codes, that -- and use Gold codes or segments thereof to produce Q-channel components, that the Gold code part can be produced by using a masking function.

Q. All right. Well, you say it would have been obvious. But my question was, was it known to use masking as a means for delaying a primary or secondary scrambling code to produce Q-channel components?

MR. KOLOVOS: Objection.

Q. And your answer originally was yes, but then when I pressed you, you said it was obvious. So was it obvious or was it known?

MR. KOLOVOS: Objection.

A. It was obvious.

Q. But not known?

A. It was -- one of skill in the art would have known how to do it.

Q. But was it disclosed anywhere?

MR. KOLOVOS: Object to the form.

A. It was -- it's been disclosed that to

generate a Gold code you can use masking of an -- one of the m-sequences to produce different Gold codes. And the Gold code segments thereof can be used for Q-channel components.

Q. Okay. And so what document can you name for me that disclosed using masking as a means for delaying a primary or secondary scrambling code to produce Q-channel components?

A. I think the Ogawa reference in combination with Ericsson's proposal would disclose everything.

Q. So the Ogawa reference alone would not disclose the masking of as a means for delaying a primary or secondary scrambling code to produce Q-channel components; is that correct?

A. I think the Ogawa reference, I'd have to review it again to answer that specific question. I really haven't opined specifically on that particular question with regard to specifically the Ogawa reference by itself, but clearly the Ogawa reference and the Ericsson reference together would disclose that.

Q. Okay. So you have not provided an opinion on whether the Ogawa reference discloses masking as a means for delaying a primary or secondary scrambling code to produce Q-channel components,

correct?

A. Let me review my report just to make sure.

I believe what my report states is that the Ogawa reference combined with the Ericsson proposal or the 25.213 V2.1.0, would have made that -- using masking to delay a scrambling code for a Q-channel component obvious.

Q. Okay. But not that Ogawa expressly disclosed that point, correct?

A. Ogawa expressly disclosed masking to generate various Gold codes for multiple scrambling codes.

Q. Okay. And Ogawa was before the patent examiner during prosecution of the '867 patent, correct?

A. Correct.

Q. Okay. If we look at paragraphs 30 and 31 of your opening report, you use the term "true inventiveness" a couple times.

MR. KOLOVOS: What paragraphs?

MR. MILOWIC: 30 and 31.

Q. So what does "true inventiveness" mean?

A. It means that it's not obvious to one of skill in the art at the time.

Q. So is that all it means to you is that