## Exhibit 62

Dockets.Justia.com

Page 1

1	UNITED STATES DISTRICT COURT
2	NORTHERN DISTRICT OF CALIFORNIA SAN JOSE DIVISION
3	
4	
5	
6	
7	APPLE INC., A CALIFORNIA : CORPORATION, : PLAINTIFF, :
8	
9	VS. : CASE NO. : 11-CV-01846-LHK
10	
11	ENTITY; SAMSUNG ELECTRONICS : AMERICA, INC., A NEW YORK :
12	CORPORATION; SAMSUNG : TELECOMMUNICATIONS AMERICA, :
13	LLC, A DELAWARE LIMITED : LIABILITY COMPANY, :
14	DEFENDANTS
15	
16	
17	
18	
19	
20	DEPOSITION OF ANDRIES VAN DAM, an Expert Witness in the above-entitled cause, taken on
21	Warner, RPR, Notary Public in and for the
22	State of Rhode Island, at the offices of Allied Court Reporters, 115 Phenix Avenue,
23	Cranston, RI, on September 14, 2011 at 9:30 A.M.
24	
25	Job Number: 41901

	Page 2		Page 3
1		1	
2	APPEARANCES:	2	INDEX
3	FOR THE PLAINTIFF APPLE INC.:	4	WITNESS PAGE
4	MORRISON & FOERSTER BY: RICHARD S.J. HUNG, ESQ.	5	
	BY: DEOK KEUN MATTHEW AHN, ESQ.		ANDRIES VAN DAM
5	425 MARKET STREET SAN FRANCISCO, CALIFORNIA 94105	7	
6	SAN FRANCISCO, CALIFORNIA 74105	9	
7 8		10	EXAMINATION BY MR. HUNG 6
9		11	
10	FOR THE DEFENDANTS SAMSUNG:	12	EXHIBITS
TO	QUINN EMANUEL URQUHART OLIVER & HEDGES BY: TODD M. BRIGGS, ESQ.	13	
11	BY: AARON KAUFMAN, ESQ. 555 TWIN DOLPHIN DRIVE	14	DESCRIPTION PAGE
12	REDWOOD SHORES, CALIFORNIA 94065	15 16	EXHIBIT 129 NOTICE OF DEPOSITION 6
13			EXHIBIT 130 DECLARATION OF ANDRIES VAN DAM 6
14 15		17	EXHIBIT 131 LONG VERSION OF VAN DAM
16	ALSO PRESENT:	18	CV 6
16 17	MIKE HENRIQUES, VIDEOGRAPHER	19 20	EXHIBIT 132 iPAQ 58 EXHIBIT 133 CHECKERBOARD DOCUMENT 122
18 19		21	EXHIBIT 134 EXHIBIT A TO THE BEDERSON
20		22	DECLARATION 145
21			EXHIBIT 135 SONY DEVICE 159
22 23		23	EXHIBIT 136 EXHIBIT 4 TO THE VAN DAM
24 25		24	DECLARATION 164
	Reporting - Worldwide 877-702-9580	25 TSG	EXHIBIT 137 BATES NUMBERS 1156 Reporting - Worldwide 877-702-9580
		100	
	Page 4		Page 5
1 2	EXHIBITS	1	(DEPOSITION COMMENCED AT 9:54 A.M.)
∠ 3	DESCRIPTION PAGE	23	ANDRES VAN DAM
4	EXHIBIT 138 EXHIBIT 5 TO THE VAN DAM	4	THE VIDEOGRAPHER: This is the start of the tape labeled number 1 of the
5	DECLARATION 176	5	videotaped deposition of Andries van Dam in
5	EXHIBIT 139 VAN DEN HOVEN REFERENCE 177	6	the matter of Apple Inc., versus Samsung
б		7	Electronics Company, Limited, in the United
7	EXHIBIT 140 READING AND WRITING THE ELECTRONIC BOOK 184	8	States District Court, Northern District of
8	EXHIBIT 141 SOURCE CODE MODULE 199	9	California, San Jose Division. The
9		10 11	deposition is being held at Allied Court Reporters, 115 Phenix Avenue, Cranston, Rhode
10 11		$12^{11}$	Island on September 14, 2011 at approximately
12	*EXHIBITS 132 AND 135 RETAINED BY THE	13	9:54 a.m.
	ATTORNEYS.	14	My name is Mike Henriques. I am
13 14		15	the legal video specialist from TSG
14		16	Reporting, Inc., headquarted at 747 Third
16		17	Avenue, New York, New York. The court
17		18 19	reporter is Barbara Warner in association
18 19		20	with TSG Reporting. And if counsel could please introduce themselves.
20		21	MR. HUNG: Richard Hung of
21		22	Morrison & Foerster for Apple Inc. With me
22 23		23	today is Matthew Ahn, also of Morrison &
24		24	Foerster.
25		25	MR. BRIGGS: Todd Briggs from
TSG	Reporting - Worldwide 877-702-9580	TSG	Reporting - Worldwide 877-702-9580

Quinn Emanuel for Samsung and the witness.         1         Q. I believe you have been deposed previously, right?           2         THE VIDEOGRAPHER: If the court right?         A. Thave been.           4         ANDRIES VAN DAM         4           5         Being duly syorm, deposes and testifies as follows:         4         Q. How many times?           7         THE REPORTER: Would you state you rame and spell your last name for the record.         4         Q. How many times?           8         your same and spell your last name for the record.         7         Q. Do you recall the circumstances of those           10         THE WINESS: Andries van Dan, in this country Andy van Dam, V-A-N-A-M, as in the toice with the circumstances, as well.         10           11         GEXHIBITS 129, 130 AND 131 MARKED FOR         11         Q. I van to sant by jous understanding what           14         TDENTIFICATION BY MR, HUNG         16         Q. I understand you are here on behalf of Samsung           16         Q. You have before you, Dr, van Dam, the notice of deposition in this case. Have you scen that notice bolore?         10         You are here on behalf of Samsung           17         A. Boel marked as Exhibit 129. You understand thar you are here today supparing what 14         12         Q. Wat did you do to prepare for your 20         Q. What did you do to prepare for your 20           2         Gex Haw Seering - Worldw		Page 6		Page 7
2       THE VIDEOGRAPHER: If the court are report could please swear in the winess.       2       right?         3       A. Ihave been.         4       ANDRIES VAN DAM         5       Being duly sworn, deposes and testifies as follows:       4       Q. How many times?         7       THE KEPORTER: Would you state your name and spell your last name for the percord.       7       Q. Do you recall the circumstances of those         9       A. They were part of litigation. One was a this country Andy van Dam, V-A-N D-A-M, as in Mary.       7       Q. Do you recall the circumstances of those eprior deposition to percord.         13       M. They Were part of litigation. One was a this country Andy van Dam, V-A-N D-A-M, as in Mary.       11         14       IDENTIFICATION EXAMINATION BY MR, HUNG       13       Q. I want to start by just understanding what you did to prepare for your deposition today?         16       Q. You have before you, Dr. van Dam, the notice of deposition in this correct?       16       Q. I understand you are here on behalf of Samsung Electronics?         20       I hat notice before?       2       A. Toey were part of behalf of Samsung Electronics?         21       A. Toey were and of a number of Samsung Electronics?       2       A. Cretarionic materials as the samsung         22       A. Itak you are there on behalf of Samsung Electronics?       3       A. Itak wa given and read a number of sectronics? <td>1</td> <td>Quinn Emanuel for Samsung and the witness.</td> <td>1</td> <td>Q. I believe you have been deposed previously,</td>	1	Quinn Emanuel for Samsung and the witness.	1	Q. I believe you have been deposed previously,
4       ANDRIÉS VAN DAM       4       Q. How many times?         5       Being duly swom, deposes and       5       A. Certainly twice, possibly three times, but         7       THE REPORTER: Would you state       7       A. Certainly twice, possibly three times, but         9       THE WITNESS: Andries van Dam, in       1       10       Thremether.         9       THE WITNESS: Andries van Dam, in       10       Parent case, and the other was a trade secret         11       Mary,       2.       A. They were part of litigation. One was a         13       (EXHIBITS 129, 130 AND 131 MARKED FOR       11         14       IDENTIFICATION 1       14         15       Q. Good morning.       2.       10         16       Q. Good morning.       11         17       A. Good morning.       12       13         18       Q. You have before you, Dr. van Dam, the notice       17       Samsung Electronics, correct?         20       I has been marked as Exhibit 129. You       18       A. Low:       12         21       A. Correct.       20       What did you do to prepare for your         23       understand that you are here to behalf of Samsung       12       13         24       purstant to this notice, correct?	2			
5       Being duly sworn, deposes and testifies as follows: THE REPORTER: Would you state your name and spell your last name for the procord.       5       A. Certainly twice, possibly three times, but I don't remember.         7       THE REPORTER: Would you state proceed.       7       Q. Do you recall the circumstances of those prior depositions?         9       A. cortainly twice, possibly three times, but I don't remember.       7       Q. Do you recall the circumstances of those prior depositions?         9       A. cortainly twice, possibly three times, but I don't remember.       7       Q. Do you recall the circumstances of those prior depositions?         9       A. cortainly twice, possibly three times, but I don't remember.       7         10       THE REPORTER: Would you state Mary.       7       D. Dy our recall the circumstances of those prior depositions?         11       Cartainly twice, possibly three times, but I don't remember.       7         11       Cartainly twice, possibly three times, but I don't remember.       7         12       Mary.       I and the other was a trade secret probably was a third patent case, as well.         13       Q. I unat to start by just understanding you are thet notice before?       8         14       DENTIFICATION       14         15       A. Low       16       7         16       Q. I understand you are here on behalf of Sandot you are anot marke a	3	reporter could please swear in the witness.	3	A. I have been.
6         testifies as follows:         1           7         THE REPORTER: Would you state your name and spell your last name for the record.         9           9         THE WITNESS: Andries van Dam, in this country Andy van Dam, V-A-N D-A-M, as in Mary.         10           13         Mary.         11           14         IDENTIFICATION)         11           15         EXAMINATION BY MR. HUNG         11           16         Q. Good morning.         12           17         A. Good morning.         14           19         of deposition in this case. Have you seen         10           10         that notice before?         11           11         the seem arked as Exhibit 129. You understand that you are here tody appearing that notice, correct?         10           12         Q. It has been marked as Exhibit 129. You understand that you are here tody appearing thor work products, that 1 also went over. And there were a number of work products, drafts of work products, that 1 also went work. And there were a number of work products, drafts of work products, that 1 also went work. And there were a number of work products, drafts of work products, that will help been deposed before, but I will quickly         1         Bas Ording patent at issue, 381. I also           12         Q. The second thing I will ask is that I will         1         Bas Ording patent at issue, 381. I also           14	4	ANDRIES VAN DAM	4	Q. How many times?
7       THE REPORTER: Would you state your name and spell your last name for the record.       7       Q. Do you recall the circumstances of those prior depositions?         10       THE WITNESS: Andries van Dam, in this country Ady van Dam, V-AN D-A'A, as in Mary.       10         11       Case. Those are the ones I remember. There probably was a third patent case, as well.         12       Mary.       10         13       (EXHIBTTS 129, 130 AND 131 MAREED FOR IACOTTON)       11         14       IDENTIFICATION       13       J. I want to start by just understandig what you did to prepare for your deposition today?         14       IDENTIFICATION       14       J. Unat not start by just understand gw hat you did to prepare for your deposition today?         15       A. Good morning.       16       Q. I understand you are here on behalf of Sansung Electronics, correct?         16       Q. Tok have before you, Dr. van Dam, the notice that notice before?       18       A. Correct.         17       A. Ibelieve have.       10       Namer dea Stabibit 129. You         24       Deits babe marked as Exhibit 129. You       22       Q. What did you do to prepare for your         23       understand that you are here today appearing purstant to this notice, correct?       23       A. I was given and read a number of         26       A. I do.       75       Reporting - Worldwide	5			
8         your name and spell your last name for the record.         9         prior depositions?           9         THE WITNESS: Andries van Dam, in this country Andy van Dam, V-A-N D-A-M, as in 11         A. They were part of litigation. One was a thice present of litigation. One was a thice were a number of litigation. One was a thice were a number of work products, that litigation. One was a thice were a number of work products, that litigation. One was a thice were a number of work products, that litigation. One was a thice present of litigation. One was a thice were a number of work products, that litigation. One was a thice present of litigation. One was a thice were a litigation. One was a thice present of litigation. One was a thice present of litigation. One was a thice present of litid present one litigation. One was	6			
9       A. They were part of lingation. One was a         10       THE WITNESS: Andries van Dam, in       10         11       this country Andy van Dam, V-A-N D-A-M, as in       11         12       Mary.       11         13       (EXHBITS 129, 130 AND 131 MARKED FOR       11         14       IDENTIFICATION)       13       (A Ref Mark 120, 130 AND 131 MARKED FOR         14       IDENTIFICATION)       14       (Data 100, 100, 100, 100, 100, 100, 100, 100				
10       THE WITNESS: Andries van Dam, in 11       10       patent case, and the other was a trade secret case. Those are the ones I remember. There probably was a third patent case, as well.         13       (EXHIBITS 129, 130 AND 131 MARKED FOR 10       12       probably was a third patent case, as well.         14       IDENTIFICATION       14       you did to prepare for your deposition today?         15       EXAMINATION BY MR. HUNG       15       A. Good morning.         16       Q. food morning.       16       Q. I understand you are here on behalf of samsung Electronics, correct?         16       Q. You have before you, Dr. van Dam, the notice of deposition in this case. Have you seen 20       16       Q. Understand you are here on behalf of Samsung Electronics?         21       A. I bab been marked as Exhibit 129. You 23       20       Electronics?       21         24       A. I aba been marked as Exhibit 129. You 24       22       Q. What did you do to prepare for your 25       21         25       A. I do.       753       Reporting - Worldwide       877-702-9580         753       Reporting - Worldwide       877-702-9580       753         764       from my own work various references that 1       10       10         765       Reporting - Worldwide       877-702-9580       76         76       Rome othe hiterature		· · · ·		
11       this country Andy van Dam, V-A-N D-A-M, as in L2       is case. Those are the ones I remember. There probably was a third patent case, as well.         12       Mary.       Image: Comparison of the probably was a third patent case, as well.         13       (EXHIBITS 129, 130 AND 131 MARKED FOR 14       Image: Comparison of the probably was a third patent case, as well.         14       IDENTIFICATION 11       Image: Comparison of the probably was a third patent case, as well.         14       IDENTIFICATION 11       Image: Comparison of the probably was a third patent case, as well.         15       EXAMINATION BY MR. HUNG       Image: Comparison of the probably was a third patent case, as well.         16       Q. Iwant os start by just understand that you are here toold approved the probably was a third patent case. as well.         17       A. Sure.       Image: Comparison of the probably was a third patent case. as well.         18       A. Sure.       Q. You have before you, Dr. van Dam, the notice         19       of deposition in this case. Have you seen       Image: Comparison of the probably was a third patent case.         20       It bas been marked as Exhibit 129. You       Image: Comparison of the probably was a third you are here today appearing         21       A. Ido.       Tis Reporting - Worldwide       877-702-9580         TSG       Reporting - Worldwide       877-702-9580         Fage 8 <td></td> <td></td> <td></td> <td></td>				
12       Mary.       12       probably was a third patent case, as well.         13       (EXHIBITS 129, 130 AND 131 MARKED FOR       13       Q. I want to start by just understanding what         14       IDENTIFICATION)       14       20. I want to start by just understanding what       you did to prepare for your deposition today?         15       EXAMINATION BY MR. HUNG       16       Q. O do morning.       16         16       Q. Good morning.       16       Q. To ware here on behalf of Samsung       20         17       A. Good morning.       17       Samsung Electronics, correct?       A. Sory.         20       Q. It has been marked as Exhibit 129. You       20       Q. What did you do to prepare for your         21       A. I believe I have.       21       A. Correct.       22         21       A. I do.       TSG Reporting - Worldwide       877-702-9580       TSG Reporting - Worldwide       877-702-9580         75G       Reporting - Worldwide       877-702-9580       TSG Reporting - Worldwide       877-702-9580         7       telephone with counsel.       13       Bas Ording patent at issue, 381. I also       10oked at the several patents that I cite in         3       of work products, drafts       4       Work products, drafts       9       Page 9				
13       (EXHBITS 129, 130 AND 131 MARKED FOR       13       Q. I wan'o start by just understanding what         14       IDENTIFICATION       14       you did to prepare for your deposition today?         15       EXAMINATION BY MR. HUNG       15       A. Sure.         16       Q. Good morning.       16       Q. I understand you are here on behalf of         17       A. Good morning.       16       Q. Vou have before you, Dr. van Dam, the notice         19       of deposition in this case. Have you seen       19       Q. You are here on behalf of Samsung         21       A. I believe I have.       21       A. Correct.       22         22       Q. It has been marked as Exhibit 129. You       23       deposition today?         24       pursuant o this notice, correct?       24       A. I was given and read a number of         25       A. I do.       75G Reporting - Worldwide 877-702-9580       TSG Reporting - Worldwide 877-702-9580         7       form my own work various references that I       1       Bas Ording patent at issue, 381. I also         1       thought might have bearing on the case. And       3       my declaration, in particular Lira and Van         2       form my own work various references that I       1       Bas Ording patent at issue, 381. I also       10         2 </td <td></td> <td>· ·</td> <td></td> <td></td>		· ·		
14       IDENTIFICATION)       14       You did to prepare for your deposition today?         15       EXAMINATION BY MR. HUNG       15       A. Soure.         16       Q. Good morning.       16       C. Sood morning.         17       A. Good morning.       17       Samsung Electronics, correct?         19       of deposition in this case. Have you seen that notice before?       19       Q. You are here on behalf of Samsung         20       that notice before?       20       Electronics?       21         21       A. I believe I have.       21       A. Correct.         22       Q. It has been marked as Exhibit 129. You understand that you are here today appearing       23       deposition today?         24       pursuant to this notice, correct?       24       A. I was given and read a number of references, including patents. I remembered         25       A. I do.       TSG Reporting - Worldwide       877-702-9580         26       Page 8       Page 9         27       thought might have bearing on the case. And there were a number of work products, drafts       1         3       of work products, drafts       1         4       of work products, drafts       1         5       O. Jou recall loking at any other patents to fee preace to face, and via       5				
15       EXAMINATION BY MR. HUNG       15       A. Sure.       14       A. Sure.       16       Q. 1 understand you are here on behalf of         16       Q. You have before you, Dr. van Dam, the notice of deposition in this case. Have you seen       16       Q. 1 understand you are here on behalf of Samsung         17       A. Good morning.       17       A. Sorry.       19       Q. You have before you, Dr. van Dam, the notice of deposition in this case. Have you seen       19       Q. You are here on behalf of Samsung         18       A. Sorry.       19       Q. You are here on behalf of Samsung       11         21       A. I believe I have.       21       A. Correct.       22         23       understand that you are here today appearing       21       A. Correct.       21         24       pursuant to this notice, correct?       22       Q. What and read a number of       77702-9580         7       Fage 8       Page 9       1       1       Bas Ording patent at issue, 381. I also       10         15       Go work products, that I also went over. And of course the usual number of correstations       1       Bas Ording patent at issue, 381. I also       1         16       Q. Let me go back a second. I know you have 9       9       5       Q. Do you recall looking at any other patents to prepare for today's deposition?       7 <td></td> <td></td> <td></td> <td></td>				
16       Q. Good morning.       16       Q. I understand you are here on behalf of         17       A. Good morning.       17       Samsung Electronics, correct?         19       of deposition in this case. Have you seen       19       Q. You are here on behalf of Samsung         20       that notice before?       20       Electronics?         21       A. I believe I have.       21       A. Correct.         22       Q. What did you do to prepare for your       23         23       understand that you are here today appearing       23         24       pursuant to this notice, correct?       24         25       A. I do.       TSG Reporting - Worldwide       877-702-9580         TSG Reporting - Worldwide       877-702-9580       TSG Reporting - Worldwide       877-702-9580         Page 8       Page 9       1       from my own work various references that I       1       Bas Ording patent at issue, 381. I also       1         3       there were a number of work products, drafts       1       Bas Ording patent at issue, 381. I also       1         4       of work products, that I also went over. And       5       Q. Do you recall looking at any other patents to       6         6       both in person, face to face, and via       7       A. Frobably I looked at but did				
17       A. Good morning.       17       Samsung Electronics, correct?         18       Q. You have before you, Dr. van Dam, the notice       18       A. Sorry.         20       that notice before?       18       A. Sorry.         21       A. I believe I have.       20       You dave before you, Dr. van Dam, the notice         20       that notice before?       21       A. Sorry.         21       A. I believe I have.       20       Electronics?         22       Q. It has been marked as Exhibit 129. You       20       What did you do to prepare for your         23       understand that you are here today appearing       21       A. Correct.         24       Understand that you are here today appearing       21       A. I was given and read a number of         25       A. I do.       TSG Reporting - Worldwide       877-702-9580         7       from my own work various references that I       1       Bas Ording patent at issue, 381. I also         2       looked at the several patents that I cite in       my declaration, in particular Lira and Van         2       dorset the usual number of conversations       5       Q. Do you recall lookicat at any other patents to         3       of course the usual number of exe. and via       5       Q. Dou you recall lookicat ath di din ot study in <td></td> <td></td> <td></td> <td></td>				
18       Q. You have before you, Dr. van Dam, the notice of deposition in this case. Have you seen       18       A. Sorry.         19       Q. You are here on behalf of Samsung         18       A. Sorry.         21       A. I believe I have.       19       Q. You are here on behalf of Samsung         22       Q. It has been marked as Exhibit 129. You       20       What did you do to prepare for your         23       understand that you are here today appearing pursuant to this notice, correct?       21       A. Correct.         23       understand that you are here today appearing pursuant to this notice, correct?       24       A. I was given and read a number of references, including patents. I remembered         75G Reporting - Worldwide       877-702-9580       TSG Reporting - Worldwide       877-702-9580         8       Page 8       Page 9       1       Bas Ording patent at issue, 381. I also         12       thought might have bearing on the case. And there were a number of conversations both in person, face to face, and via       1       Bas Ording patent at issue, 381. I also         2       Q. Let me go back a second. I know you have been deposed before, but I will quickly       9       Q. What about references, you referred to various references?         11       A. Certainly.       A. Some of the literature references I and if you could do the same for me. That would really help out the court reporter. <td></td> <td></td> <td></td> <td></td>				
19of deposition in this case. Have you seen that notice before?19Q. You are here on behalf of Samsung Electronics?20A. I believe I have.20Electronics?21A. I believe I have.22Q. What did you do to prepare for your deposition today?23understand that you are here today appearing 24 pursuant to this notice, correct?23deposition indiay?25A. I do.23deposition indiay?TSG Reporting - Worldwide877-702-9580TSG Reporting - Worldwide877-702-9580TSG reporting - Worldwide877-702-9580TSG Reporting - Worldwide877-702-958011from my own work various references that I thought might have bearing on the case. And of course the usual number of conversations b obt in person, face to face, and via 71Bas Ording patent at issue, 381. I also looked at the several patents that I cite in any declaration, in particular Lira and Van 430Q. Let me go back a second. I know you have b been deposed before, but I will quickly 95Q. What about references, you referred to various references?11A. Absolutely.11A. Some of the iterature references I remembered, some of them were found. I did not take the time to reread them in detail because for the most relevant ones, I knew would really help out the court reporter.13Q. One is I will try hard not to talk over you, and if you could do the same for me. That two ask you clear questions. If you don't ask me to clarify, I'll assume you understood and that will be great.114A. Absolutely.12Q. You also				
20       that notice before?       20       Electronics?         21       A. I believe I have.       21       A. Correct.         22       Q. It has been marked as Exhibit 129. You       20       What did you do to prepare for your         23       understand that you are here today appearing       21       A. Correct.         24       pursuant to this notice, correct?       24       A. I was given and read a number of         25       A. I do.       TSG Reporting - Worldwide       877-702-9580         Page 8         1       from my own work various references that I       1       Bas Ording patent at issue, 381. I also         3       there were a number of work products, that I also went over. And       1       Bas Ording patent at issue, 381. I also         4       of course the usual number of conversations       5       Q. Do you recall looking at any other patents to         6       both in person, face to face, and via       7       A. Probably I looked at but did not study in         8       Q. Let me go back a second. I know you have       9       Q. What about references?         11       both of us.       20       O. Nor ies I will will quickly       9         12       A. Cetrainly.       11       A Some of the literature references I         13 <td></td> <td></td> <td></td> <td>•</td>				•
22       Q. It has been marked as Exhibit 129. You       22       Q. What did you do to prepare for your         23       pursuant to this notice, correct?       23       deposition today?         24       pursuant to this notice, correct?       24       A. I was given and read a number of         25       A. I do.       TSG Reporting - Worldwide       877-702-9580         Page 8         Page 8         1       from my own work various references that I         2       thought might have bearing on the case. And       1       Bas Ording patent at issue, 381. I also         3       there were a number of work products, drafts       3       my declaration, in particular Lira and Van         5       of course the usual number of conversations       6       perpare for today's deposition?         6       been deposed before, but I will quickly       9       Q. Do you recall looking at any other patents to         9       been deposed before, but I will quickly       9       Q. What about references, you referred to         11       adi fy ou could do the same for me. That       14       and if you could do the same for me. That         12       A. Certainly.       12       remembered, some of them were found. I did         13       Q. The second thing I will ask is that I will       17 </td <td>20</td> <td></td> <td></td> <td></td>	20			
23       understand that you are here today appearing pursuant to this notice, correct?       23       deposition today?         24       A. I do.       3       A. I do.         TSG Reporting - Worldwide       877-702-9580       TSG Reporting - Worldwide       877-702-9580         Page 8         1       from my own work various references that I       1       Bas Ording patent at issue, 381. I also         2       looked at the several patents that I cite in       my declaration, in particular Lira and Van         4       of work products, that I also went over. And       5         5       both in person, face to face, and via       5         7       telephone with counsel.       5         8       Q. Let me go back a second. I know you have       9         9       been deposed before, but I will quickly       9         10       establish a couple of rules that will help       10         11       A. Certainly.       11         12       A. Certainly.       12         13       Q. One is I will try hard not to talk over you,       13         14       and if you could do the same for me. That       14         15       where teecond thing I will ask is that I will       17         17       Q. The second thing I wil	21	A. I believe I have.	21	A. Correct.
24pursuant to this notice, correct?24A. I was given and read a number of references, including patents. I remembered references, including patents. I remembered TSG Reporting - Worldwide877-702-9580Page 8Page 91from my own work various references that I thought might have bearing on the case. And there were a number of work products, drafts 4 of work products, that I also went over. And 5 of course the usual number of conversations 6 both in person, face to face, and via1Bas Ording patent at issue, 381. I also 100ked at the several patents that I cite in 3 my declaration, in particular Lira and Van 4 Den Hoven.8Q. Let me go back a second. I know you have 9 been deposed before, but I will quickly9Q. What about references?1A. Certainly.7A. Some of the literature references I remembered, some of them in eteral12A. Certainly.1113Q. One is I will try hard not to talk over you, 14and if you could do the same for me. That 1516A. Absolutely.1217Q. The second thing I will ask is that I will 171718try to ask you clear questions. If you don't ask me to clarify, II assume you understood 201621A. Absolutely.2122Q. You mentioned you took a look at some 232224A. Obviously I reviewed in great detail the2225A. Obviously I reviewed in great detail the2324A. Delieve they started early July when the	22	Q. It has been marked as Exhibit 129. You	22	Q. What did you do to prepare for your
25A. I do. TSG Reporting - Worldwide277-702-9580Fage 8 Page 91from my own work various references that I 2 thought might have bearing on the case. And 3 there were a number of work products, drafts 41Bas Ording patent at issue, 381. I also looked at the several patents that I cite in 3 my declaration, in particular Lira and Van 420Output 03there were a number of work products, drafts 41Bas Ording patent at issue, 381. I also looked at the several patents that I cite in any declaration, in particular Lira and Van 44of work products, that I also went over. And 5 60. Do you recall looking at any other patents to prepare for today's deposition? 77A. Probably I looked at but did not study in 8 great detail other materials.8Q. Let me go back a second. I know you have 9 been deposed before, but I will quickly 999been deposed before, but I will quickly 10911both of us. 121112A. Certainly.1113Q. One is I will try hard not to talk over you, and if you could do the same for me. That would really help out the court reporter. 161416Q. The second thing I will ask is that I will ask me to clarify, Tll assume you understood and that will be great.1517Q. The second thing I will ask is that I will ask me to clarify, Tll assume you understood and that will be great.1612Q. You mentioned you took a look at some patents, do you recall what patents those attack of you re		understand that you are here today appearing		deposition today?
TSG Reporting - Worldwide877-702-9580TSG Reporting - Worldwide877-702-9580Page 81from my own work various references that I2thought might have bearing on the case. And3there were a number of work products, drafts4of work products, that I also went over. And5of course the usual number of conversations6both in person, face to face, and via7telephone with counsel.8Q. Let me go back a second. I know you have9been deposed before, but I will quickly0establish a couple of rules that will help11both of us.12A. Certainly.13Q. One is I will try hard not to talk over you,14and if you could do the same for me. That15would really help out the court reporter.16A. Absolutely.17Q. The second thing I will ask is that I will19ask me to clarify, Tll assume you understood20and that will be great.21A. Absolutely.22Q. You mentioned you took a look at some23patents, do you recall what patents those24were?25A. Obviously I reviewed in great detail the				
Page 8Page 91from my own work various references that I1Bas Ording patent at issue, 381. I also2thought might have bearing on the case. And2looked at the several patents that I cite in3there were a number of work products, drafts3my declaration, in particular Lira and Van4of work products, that I also went over. And5Ocourse the usual number of conversations5of course the usual number of conversations5Q. Do you recall looking at any other patents to6both in person, face to face, and via7A. Probably I looked at but did not study in7ge at detail other materials.99been deposed before, but I will quickly9Q. What about references, you referred to10establish a couple of rules that will help10various references?11A. Certainly.11A. Some of the literature references I12A. Certainly.12remembered, some of them were found. I did13Q. One is I will try hard not to talk over you,13not take the time to reread them in detail14because for the most relevant ones, I knewwhat they were about.15would really help out the court reporter.16Q. You also referred to conversations with17Q. The second thing I will ask is that I will17coursel?18try to ask you clear questions. If you don't18A. Um-hum.19ask me to clarify, I'll assume you understood20You mentioned you took a look at some<			1	
1from my own work various references that I2thought might have bearing on the case. And3there were a number of work products, drafts4of work products, that I also went over. And5of course the usual number of conversations6both in person, face to face, and via7telephone with counsel.8Q. Let me go back a second. I know you have9been deposed before, but I will quickly10establish a couple of rules that will help11both of us.12A. Certainly.13Q. One is I will try hard not to talk over you,14and if you could do the same for me. That15would really help out the court reporter.16A. Absolutely.17Q. The second thing I will ask is that I will18try to ask you clear questions. If you don't19qa. Absolutely.21A. Absolutely.22Q. You mentioned you took a look at some23patents, do you recall what patents those23patents, do you recall what patents those24were?25A. Obviously I reviewed in great detail the	TSG	Reporting - Worldwide 877-702-9580	TSG	Reporting - Worldwide 877-702-9580
2thought might have bearing on the case. And2looked at the several patents that I cite in my declaration, in particular Lira and Van3there were a number of work products, drafts of work products, that I also went over. And 53my declaration, in particular Lira and Van Den Hoven.5of course the usual number of conversations 6both in person, face to face, and via5Q. Do you recall looking at any other patents to prepare for today's deposition?7telephone with counsel.7A. Probably I looked at but did not study in great detail other materials.8Q. Let me go back a second. I know you have 99Q. What about references, you referred to various references?11both of us.11A. Some of the literature references I remembered, some of them were found. I did not take the time to reread them in detail because for the most relevant ones, I knew what they were about.14and if you could do the same for me. That would really help out the court reporter. A. Absolutely.1617Q. The second thing I will ask is that I will ask me to clarify, I'll assume you understood 201718try to ask you clear questions. If you don't at that will be great.1821A. Absolutely.2122Q. You mentioned you took a look at some 232223patents, do you recall what patents those 232224were?2425A. Obviously I reviewed in great detail the25		Page 8		Page 9
3there were a number of work products, drafts3my declaration, in particular Lira and Van4of work products, that I also went over. And5Q. Do you recall looking at any other patents to5of course the usual number of conversations5Q. Do you recall looking at any other patents to6both in person, face to face, and via6prepare for today's deposition?7telephone with counsel.7A. Probably I looked at but did not study in8Q. Let me go back a second. I know you have9Q. What about references, you referred to9been deposed before, but I will quickly9Q. What about references, you referred to10establish a couple of rules that will help10various references?11both of us.11A. Some of the literature references I12A. Certainly.12remembered, some of them were found. I did13Q. One is I will try hard not to talk over you,13not take the time to reread them in detail14and if you could do the same for me. That14because for the most relevant ones, I knew15would really help out the court reporter.15what they were about.16A. Absolutely.16Q. You also referred to conversations with17Q. The second thing I will ask is that I will17coursel?18try to ask you clear questions. If you don't18A. Um-hum.19ask me to clarify, I'll assume you understood20and that will be great.21A.	1	from my own work various references that I	1	Bas Ording patent at issue, 381. I also
4of work products, that I also went over. And5of course the usual number of conversations6both in person, face to face, and via7telephone with counsel.8Q. Let me go back a second. I know you have9been deposed before, but I will quickly10establish a couple of rules that will help11both of us.12A. Certainly.13Q. One is I will ry hard not to talk over you,14and if you could do the same for me. That15would really help out the court reporter.16A. Absolutely.17Q. The second thing I will ask is that I will18try to ask you clear questions. If you don't19ask me to clarify, I'll assume you understood20A. Absolutely.21Q. You mentioned you took a look at some23patents, do you recall what patents those24were?25A. Obviously I reviewed in great detail the	2	thought might have bearing on the case. And		looked at the several patents that I cite in
5of course the usual number of conversations both in person, face to face, and via telephone with counsel.5Q. Do you recall looking at any other patents to prepare for today's deposition?7telephone with counsel.7A. Probably I looked at but did not study in great detail other materials.9been deposed before, but I will quickly9Q. What about references, you referred to various references?10establish a couple of rules that will help10Name of the literature references I12A. Certainly.11A. Some of the literature references I13Q. One is I will try hard not to talk over you, and if you could do the same for me. That14because for the most relevant ones, I knew15would really help out the court reporter.16Q. You also referred to conversations with counsel?14ask me to clarify, I'll assume you understood and that will be great.19Q. And I don't want to invade any work product20A. Absolutely.21your counsel's work product. I did want to pet a better sense of when those 2223patents, do you recall what patents those23conversations occurred and how long they were?24were?24were?25A. Obviously I reviewed in great detail the25A. I believe they started early July when the	3			•
6both in person, face to face, and via telephone with counsel.6prepare for today's deposition?7telephone with counsel.7A. Probably I looked at but did not study in great detail other materials.9been deposed before, but I will quickly9Q. What about references, you referred to various references?10establish a couple of rules that will help10various references?11both of us.11A. Some of the literature references I12A. Certainly.12remembered, some of them were found. I did not take the time to reread them in detail14and if you could do the same for me. That1415would really help out the court reporter.1616A. Absolutely.1617Q. The second thing I will ask is that I will1718try to ask you clear questions. If you don't1819ask me to clarify, I'll assume you understood1920You mentioned you took a look at some2221Q. You mentioned you took a look at some2223patents, do you recall what patents those2324were?2425A. Obviously I reviewed in great detail the2526A. Obviously I reviewed in great detail the25				
7telephone with counsel.7A. Probably I looked at but did not study in8Q. Let me go back a second. I know you have been deposed before, but I will quickly7A. Probably I looked at but did not study in9been deposed before, but I will quickly9Q. What about references, you referred to various references?11both of us.11A. Some of the literature references I12A. Certainly.12remembered, some of them were found. I did not take the time to reread them in detail14and if you could do the same for me. That14because for the most relevant ones, I knew15would really help out the court reporter.15what they were about.16A. Absolutely.16Q. You also referred to conversations with counsel?17Q. The second thing I will ask is that I will17counsel?18try to ask you clear questions. If you don't 19ask me to clarify, I'll assume you understood and that will be great.19Q. And I don't want to invade any work product20and that will be great.20your counsel's work product. I did want to your counsel's work product. I did want to your counsel's work product. I did want to 2223patents, do you recall what patents those 2323conversations occurred and how long they were?24were?24were?25A. Obviously I reviewed in great detail the25A. I believe they started early July when the	5	of course the usual number of conversations	5	O Do you recall looking at any other patents to
8Q. Let me go back a second. I know you have been deposed before, but I will quickly8great detail other materials.9been deposed before, but I will quickly9Q. What about references, you referred to various references?11both of us.10various references?12A. Certainly.12remembered, some of them were found. I did not take the time to reread them in detail because for the most relevant ones, I knew14and if you could do the same for me. That 1414because for the most relevant ones, I knew15would really help out the court reporter.16Q. You also referred to conversations with counsel?16A. Absolutely.16Q. You also referred to invade any work product19ask me to clarify, I'll assume you understood and that will be great.19Q. And I don't want to invade any work product20You mentioned you took a look at some 2322get a better sense of when those 232224were?24were?2425A. Obviously I reviewed in great detail the25A. I believe they started early July when the				
9been deposed before, but I will quickly (10) establish a couple of rules that will help (11) both of us.9Q. What about references, you referred to various references?11both of us.10various references?1112A. Certainly.12remembered, some of them were found. I did13Q. One is I will try hard not to talk over you, and if you could do the same for me. That12remembered, some of them were found. I did14and if you could do the same for me. That14because for the most relevant ones, I knew15would really help out the court reporter.15what they were about.16A. Absolutely.16Q. You also referred to conversations with17Q. The second thing I will ask is that I will17counsel?18try to ask you clear questions. If you don't18A. Um-hum.19ask me to clarify, I'll assume you understood19Q. And I don't want to invade any work product20and that will be great.20between you and your counsel, or certainly21A. Absolutely.21your counsel's work product. I did want to22Q. You mentioned you took a look at some22get a better sense of when those23patents, do you recall what patents those23conversations occurred and how long they24were?25A. I believe they started early July when the	-	both in person, face to face, and via	6	prepare for today's deposition?
10establish a couple of rules that will help10various references?11both of us.11A. Some of the literature references I12A. Certainly.12remembered, some of them were found. I did13Q. One is I will try hard not to talk over you,13not take the time to reread them in detail14and if you could do the same for me. That14because for the most relevant ones, I knew15would really help out the court reporter.16Q. You also referred to conversations with16A. Absolutely.16Q. You also referred to conversations with17Q. The second thing I will ask is that I will17counsel?18try to ask you clear questions. If you don't18A. Um-hum.19ask me to clarify, I'll assume you understood19Q. And I don't want to invade any work product20and that will be great.20between you and your counsel, or certainly21A. Absolutely.21your counsel's work product. I did want to22Q. You mentioned you took a look at some22get a better sense of when those23patents, do you recall what patents those23conversations occurred and how long they24were?24were?25A. Obviously I reviewed in great detail the25A. I believe they started early July when the	7	both in person, face to face, and via telephone with counsel.	6 7	prepare for today's deposition? A. Probably I looked at but did not study in
11both of us.11A. Some of the literature references I12A. Certainly.12remembered, some of them were found. I did13Q. One is I will try hard not to talk over you,13not take the time to reread them in detail14and if you could do the same for me. That14because for the most relevant ones, I knew15would really help out the court reporter.15what they were about.16A. Absolutely.16Q. You also referred to conversations with17Q. The second thing I will ask is that I will17counsel?18try to ask you clear questions. If you don't18A. Um-hum.19ask me to clarify, I'll assume you understood19Q. And I don't want to invade any work product20and that will be great.20between you and your counsel, or certainly21A. Absolutely.21your counsel's work product. I did want to22Q. You mentioned you took a look at some22get a better sense of when those23patents, do you recall what patents those23conversations occurred and how long they24were?24were?25A. Obviously I reviewed in great detail the25A. I believe they started early July when the	7 8	<ul><li>both in person, face to face, and via telephone with counsel.</li><li>Q. Let me go back a second. I know you have</li></ul>	6 7 8	prepare for today's deposition? A. Probably I looked at but did not study in great detail other materials.
12A. Certainly.12remembered, some of them were found. I did13Q. One is I will try hard not to talk over you,13not take the time to reread them in detail14and if you could do the same for me. That14because for the most relevant ones, I knew15would really help out the court reporter.16A. Absolutely.16A. Absolutely.16Q. You also referred to conversations with17Q. The second thing I will ask is that I will17counsel?18try to ask you clear questions. If you don't18A. Um-hum.19ask me to clarify, I'll assume you understood19Q. And I don't want to invade any work product20and that will be great.20between you and your counsel, or certainly21A. Absolutely.21your counsel's work product. I did want to22Q. You mentioned you took a look at some22get a better sense of when those23patents, do you recall what patents those23conversations occurred and how long they24were?24were?25A. Obviously I reviewed in great detail the25A. I believe they started early July when the	7 8 9	<ul><li>both in person, face to face, and via telephone with counsel.</li><li>Q. Let me go back a second. I know you have been deposed before, but I will quickly</li></ul>	6 7 8 9	<ul><li>prepare for today's deposition?</li><li>A. Probably I looked at but did not study in great detail other materials.</li><li>Q. What about references, you referred to</li></ul>
13Q. One is I will try hard not to talk over you, and if you could do the same for me. That13not take the time to reread them in detail14and if you could do the same for me. That14because for the most relevant ones, I knew15would really help out the court reporter.16Q. You also referred to conversations with16A. Absolutely.16Q. You also referred to conversations with17Q. The second thing I will ask is that I will17counsel?18try to ask you clear questions. If you don't18A. Um-hum.19ask me to clarify, I'll assume you understood19Q. And I don't want to invade any work product20and that will be great.20between you and your counsel, or certainly21A. Absolutely.21your counsel's work product. I did want to22Q. You mentioned you took a look at some22get a better sense of when those23patents, do you recall what patents those23conversations occurred and how long they24were?24were?25A. Obviously I reviewed in great detail the25A. I believe they started early July when the	7 8 9 10	<ul><li>both in person, face to face, and via telephone with counsel.</li><li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help</li></ul>	6 7 8 9 10	<ul><li>prepare for today's deposition?</li><li>A. Probably I looked at but did not study in great detail other materials.</li><li>Q. What about references, you referred to various references?</li></ul>
14and if you could do the same for me. That14because for the most relevant ones, I knew15would really help out the court reporter.15what they were about.16A. Absolutely.16Q. You also referred to conversations with17Q. The second thing I will ask is that I will17counsel?18try to ask you clear questions. If you don't18A. Um-hum.19ask me to clarify, I'll assume you understood19Q. And I don't want to invade any work product20and that will be great.20between you and your counsel, or certainly21A. Absolutely.21your counsel's work product. I did want to22Q. You mentioned you took a look at some22get a better sense of when those23patents, do you recall what patents those23conversations occurred and how long they24were?24were?25A. Obviously I reviewed in great detail the25A. I believe they started early July when the	7 8 9 10 11	<ul><li>both in person, face to face, and via telephone with counsel.</li><li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help both of us.</li></ul>	6 7 8 9 10 11	<ul><li>prepare for today's deposition?</li><li>A. Probably I looked at but did not study in great detail other materials.</li><li>Q. What about references, you referred to various references?</li><li>A. Some of the literature references I</li></ul>
<ul> <li>15 would really help out the court reporter.</li> <li>A. Absolutely.</li> <li>Q. The second thing I will ask is that I will</li> <li>try to ask you clear questions. If you don't</li> <li>ask me to clarify, I'll assume you understood</li> <li>and that will be great.</li> <li>A. Absolutely.</li> <li>Q. You mentioned you took a look at some</li> <li>patents, do you recall what patents those</li> <li>Q. You mentioned in great detail the</li> <li>M. Obviously I reviewed in great detail the</li> <li>M. Absolute I reviewed in great detail the</li> </ul>	7 8 9 10 11 12	<ul><li>both in person, face to face, and via telephone with counsel.</li><li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help both of us.</li><li>A. Certainly.</li></ul>	6 7 8 9 10 11 12	<ul><li>prepare for today's deposition?</li><li>A. Probably I looked at but did not study in great detail other materials.</li><li>Q. What about references, you referred to various references?</li><li>A. Some of the literature references I remembered, some of them were found. I did</li></ul>
16A. Absolutely.16Q. You also referred to conversations with17Q. The second thing I will ask is that I will17counsel?18try to ask you clear questions. If you don't18A. Um-hum.19ask me to clarify, I'll assume you understood19Q. And I don't want to invade any work product20and that will be great.20between you and your counsel, or certainly21A. Absolutely.21your counsel's work product. I did want to22Q. You mentioned you took a look at some22get a better sense of when those23patents, do you recall what patents those23conversations occurred and how long they24were?24were?25A. Obviously I reviewed in great detail the25A. I believe they started early July when the	7 8 9 10 11 12 13	<ul><li>both in person, face to face, and via telephone with counsel.</li><li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help both of us.</li><li>A. Certainly.</li><li>Q. One is I will try hard not to talk over you,</li></ul>	6 7 8 9 10 11 12 13	<ul><li>prepare for today's deposition?</li><li>A. Probably I looked at but did not study in great detail other materials.</li><li>Q. What about references, you referred to various references?</li><li>A. Some of the literature references I remembered, some of them were found. I did not take the time to reread them in detail</li></ul>
<ul> <li>Q. The second thing I will ask is that I will</li> <li>try to ask you clear questions. If you don't</li> <li>ask me to clarify, I'll assume you understood</li> <li>and that will be great.</li> <li>A. Absolutely.</li> <li>Q. You mentioned you took a look at some</li> <li>patents, do you recall what patents those</li> <li>Were?</li> <li>A. Obviously I reviewed in great detail the</li> <li>I.7 counsel?</li> <li>I.8 A. Um-hum.</li> <li>Q. And I don't want to invade any work product</li> <li>between you and your counsel, or certainly</li> <li>your counsel's work product. I did want to</li> <li>get a better sense of when those</li> <li>conversations occurred and how long they</li> <li>were?</li> <li>A. Obviously I reviewed in great detail the</li> </ul>	7 8 9 10 11 12 13 14	<ul><li>both in person, face to face, and via telephone with counsel.</li><li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help both of us.</li><li>A. Certainly.</li><li>Q. One is I will try hard not to talk over you, and if you could do the same for me. That</li></ul>	6 7 8 9 10 11 12 13 14	<ul> <li>prepare for today's deposition?</li> <li>A. Probably I looked at but did not study in great detail other materials.</li> <li>Q. What about references, you referred to various references?</li> <li>A. Some of the literature references I remembered, some of them were found. I did not take the time to reread them in detail because for the most relevant ones, I knew</li> </ul>
18try to ask you clear questions. If you don't18A. Um-hum.19ask me to clarify, I'll assume you understood19Q. And I don't want to invade any work product20and that will be great.20between you and your counsel, or certainly21A. Absolutely.21your counsel's work product. I did want to22Q. You mentioned you took a look at some22get a better sense of when those23patents, do you recall what patents those23conversations occurred and how long they24were?24were?25A. Obviously I reviewed in great detail the25A. I believe they started early July when the	7 8 9 10 11 12 13 14 15 16	<ul><li>both in person, face to face, and via telephone with counsel.</li><li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help both of us.</li><li>A. Certainly.</li><li>Q. One is I will try hard not to talk over you, and if you could do the same for me. That would really help out the court reporter.</li><li>A. Absolutely.</li></ul>	6 7 8 9 10 11 12 13 14 15 16	<ul> <li>prepare for today's deposition?</li> <li>A. Probably I looked at but did not study in great detail other materials.</li> <li>Q. What about references, you referred to various references?</li> <li>A. Some of the literature references I remembered, some of them were found. I did not take the time to reread them in detail because for the most relevant ones, I knew what they were about.</li> </ul>
20and that will be great.20between you and your counsel, or certainly21A. Absolutely.21your counsel's work product. I did want to22Q. You mentioned you took a look at some22get a better sense of when those23patents, do you recall what patents those23conversations occurred and how long they24were?24were?25A. Obviously I reviewed in great detail the25A. I believe they started early July when the	7 8 9 10 11 12 13 14 15 16 17	<ul> <li>both in person, face to face, and via telephone with counsel.</li> <li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help both of us.</li> <li>A. Certainly.</li> <li>Q. One is I will try hard not to talk over you, and if you could do the same for me. That would really help out the court reporter.</li> <li>A. Absolutely.</li> <li>Q. The second thing I will ask is that I will</li> </ul>	6 7 8 9 10 11 12 13 14 15 16 17	<ul> <li>prepare for today's deposition?</li> <li>A. Probably I looked at but did not study in great detail other materials.</li> <li>Q. What about references, you referred to various references?</li> <li>A. Some of the literature references I remembered, some of them were found. I did not take the time to reread them in detail because for the most relevant ones, I knew what they were about.</li> <li>Q. You also referred to conversations with counsel?</li> </ul>
21A. Absolutely.21your counsel's work product. I did want to22Q. You mentioned you took a look at some22get a better sense of when those23patents, do you recall what patents those23conversations occurred and how long they24were?24were?25A. Obviously I reviewed in great detail the25A. I believe they started early July when the	7 8 9 10 11 12 13 14 15 16 17 18	<ul> <li>both in person, face to face, and via telephone with counsel.</li> <li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help both of us.</li> <li>A. Certainly.</li> <li>Q. One is I will try hard not to talk over you, and if you could do the same for me. That would really help out the court reporter.</li> <li>A. Absolutely.</li> <li>Q. The second thing I will ask is that I will try to ask you clear questions. If you don't</li> </ul>	6 7 8 9 10 11 12 13 14 15 16 17 18	<ul> <li>prepare for today's deposition?</li> <li>A. Probably I looked at but did not study in great detail other materials.</li> <li>Q. What about references, you referred to various references?</li> <li>A. Some of the literature references I remembered, some of them were found. I did not take the time to reread them in detail because for the most relevant ones, I knew what they were about.</li> <li>Q. You also referred to conversations with counsel?</li> <li>A. Um-hum.</li> </ul>
22Q. You mentioned you took a look at some patents, do you recall what patents those22get a better sense of when those23patents, do you recall what patents those23conversations occurred and how long they24were?24were?25A. Obviously I reviewed in great detail the25A. I believe they started early July when the	7 8 9 10 11 12 13 14 15 16 17 18 19	<ul> <li>both in person, face to face, and via telephone with counsel.</li> <li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help both of us.</li> <li>A. Certainly.</li> <li>Q. One is I will try hard not to talk over you, and if you could do the same for me. That would really help out the court reporter.</li> <li>A. Absolutely.</li> <li>Q. The second thing I will ask is that I will try to ask you clear questions. If you don't ask me to clarify, I'll assume you understood</li> </ul>	6 7 8 9 10 11 12 13 14 15 16 17 18 19	<ul> <li>prepare for today's deposition?</li> <li>A. Probably I looked at but did not study in great detail other materials.</li> <li>Q. What about references, you referred to various references?</li> <li>A. Some of the literature references I remembered, some of them were found. I did not take the time to reread them in detail because for the most relevant ones, I knew what they were about.</li> <li>Q. You also referred to conversations with counsel?</li> <li>A. Um-hum.</li> <li>Q. And I don't want to invade any work product</li> </ul>
23patents, do you recall what patents those23conversations occurred and how long they24were?24were?25A. Obviously I reviewed in great detail the25A. I believe they started early July when the	7 8 9 10 11 12 13 14 15 16 17 18 19 20	<ul> <li>both in person, face to face, and via telephone with counsel.</li> <li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help both of us.</li> <li>A. Certainly.</li> <li>Q. One is I will try hard not to talk over you, and if you could do the same for me. That would really help out the court reporter.</li> <li>A. Absolutely.</li> <li>Q. The second thing I will ask is that I will try to ask you clear questions. If you don't ask me to clarify, I'll assume you understood and that will be great.</li> </ul>	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	<ul> <li>prepare for today's deposition?</li> <li>A. Probably I looked at but did not study in great detail other materials.</li> <li>Q. What about references, you referred to various references?</li> <li>A. Some of the literature references I remembered, some of them were found. I did not take the time to reread them in detail because for the most relevant ones, I knew what they were about.</li> <li>Q. You also referred to conversations with counsel?</li> <li>A. Um-hum.</li> <li>Q. And I don't want to invade any work product between you and your counsel, or certainly</li> </ul>
24were?24were?25A. Obviously I reviewed in great detail the24were?25A. I believe they started early July when the	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	<ul> <li>both in person, face to face, and via telephone with counsel.</li> <li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help both of us.</li> <li>A. Certainly.</li> <li>Q. One is I will try hard not to talk over you, and if you could do the same for me. That would really help out the court reporter.</li> <li>A. Absolutely.</li> <li>Q. The second thing I will ask is that I will try to ask you clear questions. If you don't ask me to clarify, I'll assume you understood and that will be great.</li> <li>A. Absolutely.</li> </ul>	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	<ul> <li>prepare for today's deposition?</li> <li>A. Probably I looked at but did not study in great detail other materials.</li> <li>Q. What about references, you referred to various references?</li> <li>A. Some of the literature references I remembered, some of them were found. I did not take the time to reread them in detail because for the most relevant ones, I knew what they were about.</li> <li>Q. You also referred to conversations with counsel?</li> <li>A. Um-hum.</li> <li>Q. And I don't want to invade any work product between you and your counsel, or certainly your counsel's work product. I did want to</li> </ul>
25A. Obviously I reviewed in great detail the25A. I believe they started early July when the	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<ul> <li>both in person, face to face, and via telephone with counsel.</li> <li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help both of us.</li> <li>A. Certainly.</li> <li>Q. One is I will try hard not to talk over you, and if you could do the same for me. That would really help out the court reporter.</li> <li>A. Absolutely.</li> <li>Q. The second thing I will ask is that I will try to ask you clear questions. If you don't ask me to clarify, I'll assume you understood and that will be great.</li> <li>A. Absolutely.</li> <li>Q. You mentioned you took a look at some</li> </ul>	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<ul> <li>prepare for today's deposition?</li> <li>A. Probably I looked at but did not study in great detail other materials.</li> <li>Q. What about references, you referred to various references?</li> <li>A. Some of the literature references I remembered, some of them were found. I did not take the time to reread them in detail because for the most relevant ones, I knew what they were about.</li> <li>Q. You also referred to conversations with counsel?</li> <li>A. Um-hum.</li> <li>Q. And I don't want to invade any work product between you and your counsel, or certainly your counsel's work product. I did want to get a better sense of when those</li> </ul>
	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>both in person, face to face, and via telephone with counsel.</li> <li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help both of us.</li> <li>A. Certainly.</li> <li>Q. One is I will try hard not to talk over you, and if you could do the same for me. That would really help out the court reporter.</li> <li>A. Absolutely.</li> <li>Q. The second thing I will ask is that I will try to ask you clear questions. If you don't ask me to clarify, I'll assume you understood and that will be great.</li> <li>A. Absolutely.</li> <li>Q. You mentioned you took a look at some patents, do you recall what patents those</li> </ul>	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>prepare for today's deposition?</li> <li>A. Probably I looked at but did not study in great detail other materials.</li> <li>Q. What about references, you referred to various references?</li> <li>A. Some of the literature references I remembered, some of them were found. I did not take the time to reread them in detail because for the most relevant ones, I knew what they were about.</li> <li>Q. You also referred to conversations with counsel?</li> <li>A. Um-hum.</li> <li>Q. And I don't want to invade any work product between you and your counsel, or certainly your counsel's work product. I did want to get a better sense of when those conversations occurred and how long they</li> </ul>
The reporting worthwide of the sold reporting - worthwide of -102-9500	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	<ul> <li>both in person, face to face, and via telephone with counsel.</li> <li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help both of us.</li> <li>A. Certainly.</li> <li>Q. One is I will try hard not to talk over you, and if you could do the same for me. That would really help out the court reporter.</li> <li>A. Absolutely.</li> <li>Q. The second thing I will ask is that I will try to ask you clear questions. If you don't ask me to clarify, I'll assume you understood and that will be great.</li> <li>A. Absolutely.</li> <li>Q. You mentioned you took a look at some patents, do you recall what patents those were?</li> </ul>	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	<ul> <li>prepare for today's deposition?</li> <li>A. Probably I looked at but did not study in great detail other materials.</li> <li>Q. What about references, you referred to various references?</li> <li>A. Some of the literature references I remembered, some of them were found. I did not take the time to reread them in detail because for the most relevant ones, I knew what they were about.</li> <li>Q. You also referred to conversations with counsel?</li> <li>A. Um-hum.</li> <li>Q. And I don't want to invade any work product between you and your counsel, or certainly your counsel's work product. I did want to get a better sense of when those conversations occurred and how long they were?</li> </ul>
	7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<ul> <li>both in person, face to face, and via telephone with counsel.</li> <li>Q. Let me go back a second. I know you have been deposed before, but I will quickly establish a couple of rules that will help both of us.</li> <li>A. Certainly.</li> <li>Q. One is I will try hard not to talk over you, and if you could do the same for me. That would really help out the court reporter.</li> <li>A. Absolutely.</li> <li>Q. The second thing I will ask is that I will try to ask you clear questions. If you don't ask me to clarify, I'll assume you understood and that will be great.</li> <li>A. Absolutely.</li> <li>Q. You mentioned you took a look at some patents, do you recall what patents those were?</li> <li>A. Obviously I reviewed in great detail the</li> </ul>	6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<ul> <li>prepare for today's deposition?</li> <li>A. Probably I looked at but did not study in great detail other materials.</li> <li>Q. What about references, you referred to various references?</li> <li>A. Some of the literature references I remembered, some of them were found. I did not take the time to reread them in detail because for the most relevant ones, I knew what they were about.</li> <li>Q. You also referred to conversations with counsel?</li> <li>A. Um-hum.</li> <li>Q. And I don't want to invade any work product between you and your counsel, or certainly your counsel's work product. I did want to get a better sense of when those conversations occurred and how long they were?</li> <li>A. I believe they started early July when the</li> </ul>

	Page 62		Page 63
1	detect, and I'm going to scroll in the	1	in its entirety and it is different from
2	vertical direction upwards, and here I have a	2	first, second and third portions.
3	different portion, which is the second	3	Q. What if we exceed the threshold?
4	portion.	4	A. If we exceed the threshold, then we don't
5	And now I'm going to scroll a	5	get the bounce-back effect. There is no
6	little more and there's even less of the mail	6	reversing of the direction or different
7	file showing. In fact, there is area below	7	direction, which is all the claim calls for,
8	e ·	8	
	Catherine Thompson, which is white and which	9	but bounce-back typically has this notion of
9	is differentiated from Catherine Thompson by		the opposite direction. You are simply going
10	a very thin, single pixel lines of	10	to scroll the file so that most of it and
11	demarcation.	11	eventually all of it becomes this gray no
12	Q. Could you hold that up? Thank you.	12	man's land.
13	A. Now, when I let go, it snaps back. The	13	Q. In which case there is no snap-back, correct?
14	movement is subtle and I don't know whether	14	A. There is no snap-back in any of the prior
15	you caught it. Do you want me to repeat it?	15	art, or I believe the patent itself and its
16	Q. Please.	16	specification if you go beyond a certain
17	A. Okay. So I'm near the edge for my	17	threshold.
18	starting position, the bottom edge of the	18	Q. Looking at the blue button with the blue
19	mail file. I'm not going to scroll up like	19	bar
20	so until I am just at Sarah Carlson, like so.	20	A. That's the chrome I was referring to
21	And now when I let go, it bounces back and I	21	earlier.
22	see yet a different view of the mail file	22	Q. That chrome is adjustable on the 1950,
23	where there is nothing showing beyond the	23	correct?
24	edge that I saw previously.	24	A. It is. Some of it is. In particular, in
25	I have the bottom of the mail file	25	the E-mail application, I can move it up and
TSG	Reporting - Worldwide 877-702-9580	TSG	Reporting - Worldwide 877-702-9580
	Page 64		Page 65
1		1	
1	down by moving the blue chrome button and	1	in the list, correct?
2	down by moving the blue chrome button and having it overlay a different header to	2	in the list, correct? A. I believe that to be the case. Let's just
2 3	down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to	2 3	in the list, correct? A. I believe that to be the case. Let's just move it a little, and it snapped back.
2 3 4	down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of	2 3 4	<ul><li>in the list, correct?</li><li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li><li>Q. And that is true let me start again. When</li></ul>
2 3 4 5	down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.	2 3 4 5	<ul><li>in the list, correct?</li><li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li><li>Q. And that is true let me start again. When you were at the very bottom of the list, when</li></ul>
2 3 4 5 6	<ul><li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li><li>Q. If you return to the E-mail list, and you</li></ul>	2 3 4 5 6	<ul><li>in the list, correct?</li><li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li><li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge,</li></ul>
2 3 4 5 6 7	<ul><li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li><li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the</li></ul>	2 3 4 5 6 7	<ul><li>in the list, correct?</li><li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li><li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of</li></ul>
2 3 4 5 6 7 8	<ul><li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li><li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list</li></ul>	2 3 4 5 6 7 8	<ul><li>in the list, correct?</li><li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li><li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size</li></ul>
2 3 4 5 6 7 8 9	<ul><li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li><li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list A. I haven't done that, but let's see if we</li></ul>	2 3 4 5 6 7 8 9	<ul><li>in the list, correct?</li><li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li><li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object?</li></ul>
2 3 4 5 6 7 8 9 10	<ul><li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li><li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list A. I haven't done that, but let's see if we can do that. Like so?</li></ul>	2 3 4 5 6 7 8 9 10	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object?</li> <li>MR. BRIGGS: Objection.</li> </ul>
2 3 4 5 6 7 8 9 10 11	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> <li>Q. Yes. And if you pull the E-mail list down?</li> </ul> </li> </ul>	2 3 4 5 6 7 8 9 10 11	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object? MR. BRIGGS: Objection. Foundation.</li> </ul>
2 3 4 5 6 7 8 9 10 11 12	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> <li>Q. Yes. And if you pull the E-mail list down?</li> <li>A. If I pull the E-mail list down, like so.</li> </ul> </li> </ul>	2 3 4 5 6 7 8 9 10 11 12	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object?</li> <li>MR. BRIGGS: Objection.</li> <li>Foundation.</li> <li>A. I believe it's certainly</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> <li>Q. Yes. And if you pull the E-mail list down?</li> <li>A. If I pull the E-mail list down, like so.</li> <li>Q. And now that's perfect.</li> </ul> </li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object?</li> <li>MR. BRIGGS: Objection.</li> <li>Foundation.</li> <li>A. I believe it's certainly application-dependent, but size of object,</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> </ul> </li> <li>Q. Yes. And if you pull the E-mail list down? <ul> <li>A. If I pull the E-mail list down, like so.</li> <li>Q. And now that's perfect.</li> <li>A. Like so. Now, we have this border region</li> </ul> </li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object? MR. BRIGGS: Objection.</li> <li>Foundation.</li> <li>A. I believe it's certainly application-dependent, but size of object, what do you mean by object in this case?</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14 15	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> </ul> </li> <li>Q. Yes. And if you pull the E-mail list down? <ul> <li>A. If I pull the E-mail list down, like so.</li> <li>Q. And now that's perfect.</li> <li>A. Like so. Now, we have this border region beyond the electronic document at the top.</li> </ul> </li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object? MR. BRIGGS: Objection. Foundation.</li> <li>A. I believe it's certainly application-dependent, but size of object, what do you mean by object in this case?</li> <li>Q. For example, when you looked at the source</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> <li>Q. Yes. And if you pull the E-mail list down?</li> <li>A. If I pull the E-mail list down, like so.</li> <li>Q. And now that's perfect.</li> <li>A. Like so. Now, we have this border region beyond the electronic document at the top.</li> <li>Q. Could you actually help me by lowering the</li> </ul> </li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object? MR. BRIGGS: Objection.</li> <li>Foundation.</li> <li>A. I believe it's certainly application-dependent, but size of object, what do you mean by object in this case?</li> <li>Q. For example, when you looked at the source code, do you recall a function known as</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> <li>Q. Yes. And if you pull the E-mail list down?</li> <li>A. If I pull the E-mail list down, like so.</li> <li>Q. And now that's perfect.</li> <li>A. Like so. Now, we have this border region beyond the electronic document at the top.</li> <li>Q. Could you actually help me by lowering the chrome slightly, maybe to a quarter of the</li> </ul> </li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object? MR. BRIGGS: Objection.</li> <li>Foundation.</li> <li>A. I believe it's certainly application-dependent, but size of object, what do you mean by object in this case?</li> <li>Q. For example, when you looked at the source code, do you recall a function known as snap-to-object?</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> <li>Q. Yes. And if you pull the E-mail list down?</li> <li>A. If I pull the E-mail list down, like so.</li> <li>Q. And now that's perfect.</li> <li>A. Like so. Now, we have this border region beyond the electronic document at the top.</li> </ul> </li> <li>Q. Could you actually help me by lowering the chrome slightly, maybe to a quarter of the screen?</li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object? MR. BRIGGS: Objection.</li> <li>Foundation.</li> <li>A. I believe it's certainly application-dependent, but size of object, what do you mean by object in this case?</li> <li>Q. For example, when you looked at the source code, do you recall a function known as snap-to-object?</li> <li>A. That sounds familiar, but I can't recall</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> <li>Q. Yes. And if you pull the E-mail list down?</li> <li>A. If I pull the E-mail list down, like so.</li> <li>Q. And now that's perfect.</li> <li>A. Like so. Now, we have this border region beyond the electronic document at the top.</li> <li>Q. Could you actually help me by lowering the chrome slightly, maybe to a quarter of the screen?</li> <li>A. Um-hum. On top of Ben Bederson, is that</li> </ul> </li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object? MR. BRIGGS: Objection. Foundation.</li> <li>A. I believe it's certainly application-dependent, but size of object, what do you mean by object in this case?</li> <li>Q. For example, when you looked at the source code, do you recall a function known as snap-to-object?</li> <li>A. That sounds familiar, but I can't recall the specifics.</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> <li>Q. Yes. And if you pull the E-mail list down?</li> <li>A. If I pull the E-mail list down, like so.</li> <li>Q. And now that's perfect.</li> <li>A. Like so. Now, we have this border region beyond the electronic document at the top.</li> <li>Q. Could you actually help me by lowering the chrome slightly, maybe to a quarter of the screen?</li> <li>A. Um-hum. On top of Ben Bederson, is that where you would like it?</li> </ul> </li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object? MR. BRIGGS: Objection. Foundation.</li> <li>A. I believe it's certainly application-dependent, but size of object, what do you mean by object in this case?</li> <li>Q. For example, when you looked at the source code, do you recall a function known as snap-to-object?</li> <li>A. That sounds familiar, but I can't recall the specifics.</li> <li>Q. Could you rehighlight the screen, or turn it</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> </ul> </li> <li>Q. Yes. And if you pull the E-mail list down? <ul> <li>A. If I pull the E-mail list down, like so.</li> </ul> </li> <li>Q. And now that's perfect. <ul> <li>A. Like so. Now, we have this border region beyond the electronic document at the top.</li> </ul> </li> <li>Q. Could you actually help me by lowering the chrome slightly, maybe to a quarter of the screen? <ul> <li>A. Um-hum. On top of Ben Bederson, is that where you would like it?</li> </ul> </li> </ul>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object? MR. BRIGGS: Objection.</li> <li>Foundation.</li> <li>A. I believe it's certainly application-dependent, but size of object, what do you mean by object in this case?</li> <li>Q. For example, when you looked at the source code, do you recall a function known as snap-to-object?</li> <li>A. That sounds familiar, but I can't recall the specifics.</li> <li>Q. Could you rehighlight the screen, or turn it back on?</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> <li>Q. Yes. And if you pull the E-mail list down?</li> <li>A. If I pull the E-mail list down, like so.</li> </ul> </li> <li>Q. And now that's perfect. <ul> <li>A. Like so. Now, we have this border region beyond the electronic document at the top.</li> </ul> </li> <li>Q. Could you actually help me by lowering the chrome slightly, maybe to a quarter of the screen?</li> <li>A. Um-hum. On top of Ben Bederson, is that where you would like it?</li> </ul> <li>Q. That would be perfect. Can you scroll the list up by, perhaps, so it fills the entire</li>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object? MR. BRIGGS: Objection.</li> <li>Foundation.</li> <li>A. I believe it's certainly application-dependent, but size of object, what do you mean by object in this case?</li> <li>Q. For example, when you looked at the source code, do you recall a function known as snap-to-object?</li> <li>A. That sounds familiar, but I can't recall the specifics.</li> <li>Q. Could you rehighlight the screen, or turn it back on?</li> <li>A. Yes.</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> <li>Q. Yes. And if you pull the E-mail list down?</li> <li>A. If I pull the E-mail list down, like so.</li> </ul> </li> <li>Q. And now that's perfect. <ul> <li>A. Like so. Now, we have this border region beyond the electronic document at the top.</li> </ul> </li> <li>Q. Could you actually help me by lowering the chrome slightly, maybe to a quarter of the screen?</li> <li>A. Um-hum. On top of Ben Bederson, is that where you would like it?</li> </ul> <li>Q. That would be perfect. Can you scroll the list up by, perhaps, so it fills the entire screen? Now, if you take the list and you</li>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object? MR. BRIGGS: Objection.</li> <li>Foundation.</li> <li>A. I believe it's certainly application-dependent, but size of object, what do you mean by object in this case?</li> <li>Q. For example, when you looked at the source code, do you recall a function known as snap-to-object?</li> <li>A. That sounds familiar, but I can't recall the specifics.</li> <li>Q. Could you rehighlight the screen, or turn it back on?</li> <li>A. Yes.</li> <li>Q. When you are moving the list on the 1950 with</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> <li>Q. Yes. And if you pull the E-mail list down?</li> <li>A. If I pull the E-mail list down, like so.</li> </ul> </li> <li>Q. And now that's perfect. <ul> <li>A. Like so. Now, we have this border region beyond the electronic document at the top.</li> </ul> </li> <li>Q. Could you actually help me by lowering the chrome slightly, maybe to a quarter of the screen?</li> <li>A. Um-hum. On top of Ben Bederson, is that where you would like it?</li> </ul> <li>Q. That would be perfect. Can you scroll the list up by, perhaps, so it fills the entire screen? Now, if you take the list and you move the list by less than the threshold</li>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object? MR. BRIGGS: Objection.</li> <li>Foundation.</li> <li>A. I believe it's certainly application-dependent, but size of object, what do you mean by object in this case?</li> <li>Q. For example, when you looked at the source code, do you recall a function known as snap-to-object?</li> <li>A. That sounds familiar, but I can't recall the specifics.</li> <li>Q. Could you rehighlight the screen, or turn it back on?</li> <li>A. Yes.</li> <li>Q. When you are moving the list on the 1950 with LaunchTile, isn't it true that when you</li> </ul>
2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<ul> <li>down by moving the blue chrome button and having it overlay a different header to indicate selection. But it's not material to the demonstration because it isn't part of the electronic document.</li> <li>Q. If you return to the E-mail list, and you drag the chrome all the way to the top of the E-mail list <ul> <li>A. I haven't done that, but let's see if we can do that. Like so?</li> <li>Q. Yes. And if you pull the E-mail list down?</li> <li>A. If I pull the E-mail list down, like so.</li> </ul> </li> <li>Q. And now that's perfect. <ul> <li>A. Like so. Now, we have this border region beyond the electronic document at the top.</li> </ul> </li> <li>Q. Could you actually help me by lowering the chrome slightly, maybe to a quarter of the screen?</li> <li>A. Um-hum. On top of Ben Bederson, is that where you would like it?</li> </ul> <li>Q. That would be perfect. Can you scroll the list up by, perhaps, so it fills the entire screen? Now, if you take the list and you</li>	2 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25	<ul> <li>in the list, correct?</li> <li>A. I believe that to be the case. Let's just move it a little, and it snapped back.</li> <li>Q. And that is true let me start again. When you were at the very bottom of the list, when it reached what you referred to as the edge, the threshold amount was based on the size of the object, correct, it's related to the size of the object? MR. BRIGGS: Objection.</li> <li>Foundation.</li> <li>A. I believe it's certainly application-dependent, but size of object, what do you mean by object in this case?</li> <li>Q. For example, when you looked at the source code, do you recall a function known as snap-to-object?</li> <li>A. That sounds familiar, but I can't recall the specifics.</li> <li>Q. Could you rehighlight the screen, or turn it back on?</li> <li>A. Yes.</li> <li>Q. When you are moving the list on the 1950 with</li> </ul>

Page	230

	Page 230		Page 231
1	about it, including the bounce-back and the	1	Lacks foundation.
2	whole attraction and repulsion grid alignment	2	A. We are now so far afield. What do you
3	system that they used in it. But on such an	3	mean by innovate and so on? Apple knows
4	early stage product as the iPAQ, or, for that	4	goods industrial design. It knows how to
		5	
5	matter, the Sony device, it's not that		make a product that is aesthetically pleasing
6	successful because the processor is too slow.	6	and attractive and nice to use. But as I
7	There is too little memory. The touchscreen	7	said, there are many features of the iPhone I
8	does not have adequate resolution. The	8	don't like. By the way, I carry a very
9	screen does not have adequate resolution. So	9	vanilla cell phone because I prefer its
10	the user experience on those devices with	10	interface to the iPhone's interface, so
11	software from five years ago can't be	11	that's one example where I think improvement
12	directly compared to a modern device with its	12	could be made. So overall, it's a successful
13	resolution and its image quality. It had a	13	product because it deserves to be.
14	far greater amount of time that was spent in	14	If you say that is the hallmark of
15	engineering it.	15	innovation I would say, okay, they innovated.
16	Q. Have you owned prior versions of the iPhone?	16	Certainly in terms of the UI, the quality of
17	A. I owned the first iPhone, too, whatever	17	the image, the ease-of-use features, for the
18	that model number is, maybe a 3. Is that	18	most part, it's very successful.
19	what the first release was, an iPhone 3?	19	MR. HUNG: Mr. Briggs, I
20	Q. Did you own an iPhone in 2007?	20	understand that you and I have had a dispute
21	A. No. I'm not an early adopter.	21	today, and also Dr. van Dam, as to the scope
22	Q. Do you believe that Apple innovated a number	22	
22		22	of his opinions or not with respect to the
	of user interface technologies in its iPhones	23	hypothetical device that we were going to
24 25	that you used?		show Dr. van Dam. I understand that we agree
	MR. BRIGGS: Objection. Vague.	25	to disagree at this point. If there is
TSG	Reporting - Worldwide 877-702-9580	TSG	Reporting - Worldwide 877-702-9580
	Page 232		Page 233
		1	CERTIFICATE
1	follow-up, there is follow-up. But I		I, Barbara Warner, a Notary Public in
2	appreciate your time, Dr. van Dam. And we	2	and for the State of Rhode Island, duly commissioned and qualified to administer
3	are happy to close the deposition now.	3	oaths, do hereby certify that the foreging
4	MR. BRIGGS: Great. Thanks.	4	Deposition of Andries van Dam, a Witness in the above-entitled cause, was taken before me
5	THE WITNESS: Very good. Thank	5	on behalf of the Plaintiff, at the offices of Allied Court Reporters, 115 Phenix Avenue,
6	you.		Cranston, Rhode Island on September 14, 2011
7	THE VIDEOGRAPHER: It is 6 p.m.,	6	at 9:30 A.M.; that previous to examination of said witness, who was of lawful age, he was
8	we are off the record. This concludes the	7	first sworn by me and duly cautioned to
9	videotaped deposition of Andries van Dam on	8	testify to the truth, the whole truth, and nothing but the truth, and that he thereupon
10	September 14, 2011.	9	testified in the foregoing manner as set out in the aforesaid transcript.
11	(DEPOSITION CONCLUDED AT 6:00 P.M.)	10	I further testify that the foregoing
12	(DEI OSITION CONCLUDED AT 0.001.M.)	11	Deposition was taken down by me in machine shorthand and was later transcribed by
13		10	computer, and that the foregoing Deposition
$13 \\ 14$		12	is a true and accurate record of the testimony of said witness.
$14 \\ 15$		13	Pursuant to Rules 5(b) and 30(f) of the
		14	Federal Rules of Civil Procedure, original
16 17		15	transcripts shall not be filed in Court; therefore, the original is delivered to and
17		16	retained by Plaintiff's attorney, Richard S.J. Hung, Esquire.
18		17	Correction and signature pages were sent
19		18	to Plaintiff's Counsel, Todd M. Briggs.
20		19	IN WITNESS WHEREOF, I have hereunto set my hand and seal this 15th day of September,
21			2011.
22		20 21	
23		22 23	
24		24	DADDADA WADNED NOTADY DIDI IC/CEDTIEIEN
25		25	BARBARA WARNER, NOTARY PUBLIC/CERTIFIED COURT REPORTER
TSG	Reporting - Worldwide 877-702-9580	TSG	Reporting - Worldwide 877-702-9580