

Exhibit 5

CASE:

In the Matter of Certain Mobile Devices and Related Software

Joshua A. Strickon

August 3, 2011

MERRILL CORPORATION

LegalLink, Inc.

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Suite 300
Chicago, IL 60606
Phone: 312.386.2000
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UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

Before The Honorable Theodore R. Essex

INVESTIGATION NO. 337-TA-750

In the Matter of

CERTAIN MOBILE DEVICES AND
RELATED SOFTWARE.

_____ /

August 3, 2011
9:03 a.m.

Deposition of JOSHUA A. STRICKON,
pursuant to notice, taken by Respondents,
at Weil Gotshal & Manges, 1395 Brickell
Avenue, Suite 1200, Miami, Florida,
before Kelli Ann Willis, a Registered
Professional Reporter, Certified Realtime
Reporter and Notary Public within and
for the State of Florida.

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1
 2 A P P E A R A N C E S:
 3
 4 WEIL GOTSHAL & MANGES, LLP
 5 Attorneys for Claimants.
 6 1300 Eye Street, Suite 900
 7 Washington, DC 20005
 8 BY: ANNE CAPPELLA, ESQ.
 9 anne.cappella@weil.com
 10
 11 QUINN EMANUEL URQUHART & SULLIVAN, LLP
 12 Attorneys for Respondents.
 13 865 South Figueroa Street, 10th Floor
 14 Los Angeles, California 90017
 15 BY: BRIAN J. DUNNE, ESQ.
 16 briandunne@quinnemanuel.com
 17
 18 ALSO PRESENT:
 19 Oliver Lee, Videographer
 20
 21
 22
 23
 24
 25

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EXHIBITS	PAGE
(Deposition Exhibit 1 for Identification, '607 Patent, Bates stamped 750-Apple0012278 to 12310.)	19
(Deposition Exhibit 2 for Identification, '828 Patent, Bates stamped 750-Apple0000061 to 0000145.)	29
(Deposition Exhibit 3 for Identification, SmartSkin: An Infrastructure for Freehand Manipulation, Bates stamped 745-Apple10458678 to 10458685.)	55
(Deposition Exhibit 4 for Identification, 11-7-03 email from J. Strickon Bates stamped 750-Apple0452885.)	72
(Deposition Exhibit 5 for Identification, Touch Screen Technologies White Paper, Bates stamped 750-Apple0448705, et al.)	76
(Deposition Exhibit 6 for Identification, '860 Patent, Bates stamped MOTO-APPLE-0006037953_102258 to 102272.)	105
(Deposition Exhibit 7 for Identification, '455 Patent, Bates stamped MOTO-APPLE-0006200362_015856 to 015889.)	117
(Deposition Exhibit 8 for Identification, Joshua Strickon C.V.)	154

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(Deposition Exhibit 9 for Identification, Kokai Unexamined Patent Application, Bates stamped MF000339 to 000373.)	187
(Deposition Exhibit 10 for Identification, '160 Patent, Bates stamped MOTO-APPLE-0006037953_102176 to 102188.)	189
(Deposition Exhibit 11 for Identification, Utility Patent Application Transmittal, Bates stamped 750-Apple0012336 to 0013948.)	189
(Deposition Exhibit 12 for Identification, Ex Parte Application for Issuance of Subpoena Duces Tecum and Ad Testificandum to Joshua A. Strickon.)	215
(Deposition Exhibit 13, CD containing SmartSkin videos.)	218

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1 THE VIDEOGRAPHER: We are going on the
 2 video record at 9:03 a.m. Today's date is
 3 August 3rd, 2011. My name is Oliver Lee, and I
 4 am a legal videographer in association with
 5 Merrill Legal Solutions. The court reporter
 6 today is Kelli Ann Willis.
 7 Here begins the videotaped deposition of
 8 Joshua Strickon taken in the matter of Certain
 9 Mobile Devices and Related Software, bearing
 10 Case No. 337-TA-750.
 11 This deposition is being held at 1395
 12 Brickell Avenue, Miami, Florida.
 13 Will counsel please identify themselves
 14 for the record and state whom you represent,
 15 starting with the noticing party, and will the
 16 court reporter then please swear in the
 17 witness.
 18 MR. DUNNE: Brian Dunne of Quinn Emanuel
 19 Urquhart & Sullivan representing Respondents,
 20 Motorola Solutions, formerly known as Motorola
 21 Inc. and Motorola Mobility.
 22 MS. CAPPELLA: Anne Cappella with Weil
 23 Gotshal & Manges representing the witness and
 24 Apple, Inc.
 25

2 (Pages 2 to 5)

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1 Thereupon:
 2 JOSHUA STRICKON
 3 a witness named in the notice heretofore filed,
 4 being of lawful age and having been first duly
 5 sworn, testified on his oath as follows:
 6 EXAMINATION
 7 BY MR. DUNNE:
 8 Q. All right. So welcome, Mr. Strickon.
 9 Could you please state your full name for the
 10 record?
 11 A. Joshua Andrew Strickon.
 12 Q. Have you ever been deposed before?
 13 A. No.
 14 Q. Do you understand that you are under oath,
 15 and although we are in a lawyer's office, the
 16 testimony you give today is under oath just as if it
 17 were in a courtroom?
 18 A. Yes.
 19 Q. Is there anything that could prevent you
 20 from testifying truthfully and accurately today?
 21 A. No.
 22 Q. Are you currently employed?
 23 A. Self-employed.
 24 Q. All right. And how long have you been
 25 self-employed?

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1 A. Three years.
 2 Q. What is it that you currently do?
 3 A. Technology consulting. Software and
 4 hardware.
 5 Q. And do you currently do any consulting for
 6 Apple?
 7 A. No.
 8 Q. Are you being paid by Apple for your
 9 testimony today?
 10 A. No.
 11 Q. Is Apple paying for your representation in
 12 connection with this deposition?
 13 A. Yes.
 14 Q. And did you produce a copy of your current
 15 resume or curriculum vitae in connection with the
 16 subpoena in this deposition?
 17 A. Yes.
 18 Q. And is that a currently accurate CV that
 19 you produced?
 20 A. Yes.
 21 Q. So I guess to start off on some
 22 background, where did you go for your undergraduate?
 23 A. Massachusetts Institute of Technology.
 24 Q. And did you receive an undergraduate
 25 degree --

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1 A. Yes.
 2 Q. -- from MIT?
 3 And what year did you receive your
 4 bachelor's?
 5 A. 1998.
 6 Q. And in what field?
 7 A. Electrical engineering, computer science.
 8 Q. And after graduating from MIT in 1998, did
 9 you then begin employment?
 10 A. No.
 11 Q. Did you go to graduate school?
 12 A. I stayed at MIT.
 13 Q. And how long were you at MIT after 1998?
 14 A. I left MIT at the end of 2002.
 15 Q. Okay. And what other degrees did you
 16 receive in that time?
 17 A. I got my master's in electrical
 18 engineering, computer science in 1999, and my Ph.D.
 19 in media arts and sciences, class of 2003.
 20 Q. And did you complete a thesis or
 21 dissertation in connection with your Ph.D.?
 22 A. Yes.
 23 Q. What was the title of that?
 24 A. What was it called? It is a really long
 25 title.

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1 "Smoke and Mirrors to Modern Computers:
 2 Rethinking the Design and Implementation of
 3 Interactive Location-based Entertainment Systems."
 4 Q. And what was the subject matter of that
 5 thesis?
 6 A. I developed a software platform for
 7 programming and scripting a variety of different
 8 kinds of interactive installations from new kinds of
 9 theater shows, museum installations that integrated
 10 digital audio, interactive music through MIDI,
 11 lighting control, as well as sensor input.
 12 Q. And when did you first discuss -- well,
 13 after graduation from MIT, what was your first
 14 employment?
 15 A. At Apple Computer.
 16 Q. And when did you begin working at Apple?
 17 A. The last week of March 2003.
 18 Q. When did you first begin -- when did you
 19 first have discussions with Apple about potential
 20 employment there?
 21 A. I believe it was in the fall of 2002.
 22 Q. And did you initiate those discussions?
 23 A. Apple came to do on-campus recruiting.
 24 Q. Do you recall who came to do on-campus
 25 recruiting?