

# Exhibit 12

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN JOSE DIVISION

4 - - - - -  
5 APPLE INC.,

6 Plaintiff/Counterclaim Defendant,

7 vs.

Case No. 11-cv-01846-LHK

8 SAMSUNG ELECTRONICS CO., LTD.,

9 SAMSUNG ELECTRONICS AMERICA,

10 INC., SAMSUNG

11 TELECOMMUNICATIONS AMERICA,

12 LLC,

13 Defendants/Conterclaim Plaintiffs,  
14 - - - - -

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16  
17 VIDEOTAPE DEPOSITION OF ROBERT ANDERS, IDSA

18 Washington, D.C.

19 Thursday, April 26, 2012  
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21  
22

23 Reported by:

24 SUSAN ASHE, RMR/CRR

25 Job No.: 49049

1           MR. McELHINNY: My name is Harold           09:03  
2 McElhinny; I'm here with Francis Ho from Morrison   09:03  
3 and Foerster, representing the plaintiff, Apple Inc.   09:03  
4           MR. BEDECARRE: Al Bedecarre from Quinn       09:03  
5 Emanuel for Samsung.                                   09:03  
6           VIDEOGRAPHER: Will the court reporter       09:03  
7 please swear in the witness.                           09:03  
8 Whereupon,   09:03  
9                       ROBERT ANDERS, IDSA,               09:03  
10 the Witness, called for examination by the           09:03  
11 Plaintiffs, having been first duly sworn according   09:03  
12 to law, was examined and testified as follows:       09:03  
13           EXAMINATION BY COUNSEL FOR PLAINTIFFS       09:03  
14 BY MR. McELHINNY:                                   09:03  
15           Q     Good morning, Mr. Anders.               09:04  
16           A     Good morning, sir.                       09:04  
17           Q     You heard the introduction slightly. My   09:04  
18 name is Harold McElhinny. I'm an attorney for Apple   09:04  
19 Inc. I'm going to be taking your deposition today.    09:04  
20                       Would you state your full name for the   09:04  
21 record, please.                                       09:04  
22           A     Yes, Robert John Anders.               09:04  
23           Q     And your home address, please.           09:04  
24           A     P.O. Box 609, Warwick, New York, 10990.   09:04  
25           Q     Sir, I take it that you have had your     09:04

1 A Well, I compare. 11:53

2 Q Okay. And I guess my question is: In any 11:53

3 of the comparisons that you did, did you eliminate 11:53

4 any elements of Apple's claims on the ground that 11:53

5 they were functional? 11:53

6 A No. 11:53

7 Q Why not? 11:53

8 A First of all, I was only assigned to do an 11:53

9 infringement report, not a validity report. 11:53

10 And therefore, I limited my analysis to 11:53

11 just the infringement. 11:54

12 And a lot of these products are basically 11:54

13 so simple and understated that they're not complex 11:54

14 structures like a golf cart. 11:54

15 And so, I just concentrated on what I 11:54

16 believed were all the ornamental features. 11:54

17 Q Okay. To be clear, you have a section in 11:54

18 your report called your -- that describes your 11:54

19 working knowledge of applicable laws -- 11:54

20 A Correct. 11:54

21 Q -- correct? 11:54

22 MR. BEDECARRE: And you have to wait until 11:54

23 he finishes the question so that you actually know 11:54

24 what the question is before you answer it. 11:54

25 Q As you understand an infringement 11:54

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CERTIFICATE

I, SUSAN ASHE, a Registered Merit Reporter and Notary Public, hereby certify that the foregoing is a true and accurate transcript of the deposition of said witness, who was first duly sworn by me on the date and place hereinbefore set forth.

I FURTHER CERTIFY that I am neither attorney nor counsel, nor related to or employed by any of the parties to the action in which this deposition was taken, and further that I am not a relative or employee of any attorney or counsel employed in this action, nor am I financially interested in this case.

Dated this 26th day of  
April 2012.

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Susan Ashe, Notary Public  
of the District of Columbia

My commission expires: May 31, 2012.