

# EXHIBIT 29

BEFORE THE  
UNITED STATES INTERNATIONAL TRADE COMMISSION

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In the Matter of: ) Investigation No.  
CERTAIN ELECTRONIC DIGITAL ) 337-TA-796  
MEDIA DEVICES AND )  
COMPONENTS THEREOF )

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Main Hearing Room

United States  
International Trade Commission  
500 E Street, Southwest  
Washington, D.C.

Wednesday, June 6, 2012

Volume 5

The parties met, pursuant to the notice of the  
Judge, at 8:46 a.m.

BEFORE: THE HONORABLE THOMAS B. PENDER

1 APPEARANCES:

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20 Also Present: Albert Kim, Interpreter

21 Ann Park, Check Interpreter

22

23

24 \*\*\* Index appears at end of transcript \*\*\*

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1 complex in its design?

2 "ANSWER: The geometry doesn't have  
3 any flat surfaces.

4 "QUESTION: And when you're referring  
5 to the geometry that has no flat surfaces,  
6 you're referring to the iPhone 3G?

7 "ANSWER: Yes."

8 Do you see that?

9 A. I see that, but, I mean, the iPhone 3G  
10 has a flat front surface as well. And,  
11 frankly, the flat front surface is a much  
12 stronger dominant creator of overall impression  
13 than the curvature of the rear.

14 JUDGE PENDER: Quit while you're  
15 ahead, Mr. Zeller.

16 BY MR. ZELLER:

17 Q. Does the back have any flat surfaces,  
18 of the iPhone 3G?

19 A. I happened to put a ruler across the  
20 back of one, and I found a flat portion.  
21 Again, I don't think that creates a significant  
22 portion of the overall impression.

23 Q. Is the back of the iPhone 3G, by your  
24 definition, flat?

25 A. Based on what is said here, it may not

1 be.

2 Q. Now, going from a flat to a nonflat  
3 surface is a major design change in your  
4 opinion, correct?

5 A. Focusing on that one element of the  
6 phone, there is a difference, yes.

7 Q. In fact, in your witness statement you  
8 said, "flat versus nonflat surfaces represent a  
9 major design choice."

10 Correct?

11 A. I don't believe I was talking about  
12 that in reference to this phone. I believe I  
13 was talking about it in reference to the '638,  
14 and that is the front of the phone, where the  
15 major impression for overall impression for the  
16 ordinary observer would be from the front or  
17 three-quarter view of the phone. Exactly  
18 whether the back was flat or curved would not  
19 have as strong an influence on their  
20 overall --

21 Q. My question is didn't you say in your  
22 expert rebuttal report or witness statement,  
23 "flat versus nonflat surfaces represents a  
24 major design choice"?

25 A. For the front of the phone, I believe



1 that's true.

2 Q. And in your view, flat versus nonflat  
3 is treated differently if you're looking at the  
4 back of a design patent, is that true?

5 A. I believe different portions of a  
6 device have a different overall effect on the  
7 overall impression of the ordinary observer.

8 Q. And so you -- you give different  
9 weight to different -- different views of the  
10 design patents when you're distinguishing  
11 between them, is that true?

12 A. Depending upon the design, that may or  
13 may not be appropriate.

14 Q. I'm not asking you what's appropriate,  
15 I'm trying to find out what did you do.

16 Is it true that when you did your  
17 invalidity analysis in this case, you gave  
18 different weight to different perspectives or  
19 views of the designs that you were evaluating?

20 A. No, I gave equal weight to the views.  
21 I may have given differential weight to one  
22 smaller feature or a larger feature depending  
23 upon the -- depending upon my understanding of  
24 the design.

25 Q. Now, it's true that you also have

1 given the opinion that the differences between  
2 the iPhone 3G and the first iPhone, even though  
3 there's that difference in the curved back that  
4 we talked about, is a "minor detail that would  
5 not alter the overall visual impression formed  
6 by the ordinary observer," correct?

7 A. That sounds exactly like my opinion,  
8 yes.

9 Q. Now, let's take a look at RDX-61C-14.

10 Now, you recall the last time you were  
11 here you testified to His Honor that the  
12 Galaxy S 4G lacks a perfectly flat back,  
13 correct?

14 MR. BARQUIST: Objection, Your Honor.  
15 Once again, we're recrossing on infringement  
16 issues from last week. This is not prior art.  
17 The Galaxy S 4G is an accused product.

18 MR. ZELLER: It's to show his  
19 inconsistencies, Judge.

20 MR. BARQUIST: And Your Honor will  
21 recall that the infringement cross-examination  
22 itself went two and a half to three hours. I  
23 don't think we need to do it again.

24 JUDGE PENDER: Mr. Lucas.

25 MR. LUCAS: Your Honor, I don't know

CERTIFICATE OF REPORTER

TITLE: Certain Electronic Digital Media Devices

INVESTIGATION NO: 337-TA-796

HEARING DATE: June 6, 2012

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NATURE OF HEARING: Volume 5

I hereby certify that the foregoing/attached transcript is a true, correct and complete record of the above-referenced proceedings of the U.S. International Trade Commission.

Date: June 6, 2012

SIGNED: CYNTHIA OTT \_\_\_\_\_

Signature of the Contractor of the  
Authorized Contractor's Representative  
1220 L Street, N.W, Suite 600  
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I hereby certify that I am not the Court Reporter and that I have proofread the above-referenced transcript of the proceedings of the U.S. International Trade Commission, against the aforementioned Court Reporter's notes and recordings, for accuracy in transcription in the spelling, hyphenation, punctuation and speaker identification and did not make any changes of a substantive nature. The foregoing/attached transcript is a true, correct and complete transcription of the proceedings.

SIGNED: H. NGUYEN \_\_\_\_\_  
Signature of Proofreader

I hereby certify that I reported the above-referenced proceedings of the U.S. International Trade Commission and caused to be prepared from my tapes and notes of the proceedings a true, correct and complete verbatim recording of the proceedings.

SIGNED: CYNTHIA OTT \_\_\_\_\_  
Signature of the Court Reporter