

KANG DECLARATION  
EXHIBIT 6

Exhibit 35

Filed Under Seal

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

4 APPLE, INC., a California  
5 Corporation,  
6 Plaintiff,

7 vs.

Civil Action. No.  
11-CV-01846-LHK

8 SAMSUNG ELECTRONICS CO., LTD., a  
9 Korean business entity, SAMSUNG  
10 ELECTRONICS AMERICA, INC., a New  
11 York corporation, and SAMSUNG  
12 TELECOMMUNICATIONS AMERICA, LLC,  
13 a Delaware limited liability  
14 company, a California corporation.

15 Defendants.

16 SAMSUNG ELECTRONICS CO., LTD., a  
17 Korean business entity, SAMSUNG  
18 ELECTRONICS AMERICA, INC., a New  
19 York corporation, and SAMSUNG  
20 TELECOMMUNICATIONS AMERICA, LLC,  
21 a Delaware limited liability  
22 company, a California corporation.

23 Counterclaim-Plaintiffs,

24 vs.

25 APPLE, INC., a California  
corporation,  
Counterclaim-Defendant.

\*\*\* HIGHLY CONFIDENTIAL \*\*\*  
\*\*\* ATTORNEYS' EYES ONLY \*\*\*

VIDEOTAPED 30(b)(6) DEPOSITION OF:  
SEONG HEE HWANG

March 7, 2012  
Kim & Chang  
Seoul, South Korea  
2:43 p.m. - 5:11 p.m.

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1 APPEARANCES:

2 For the Plaintiff and Counterclaim Defendant, Apple,  
Inc.

3

4 MORRISON FOERSTER, LLP  
By: Deok Keun Matthew Ahn, Esq.  
425 Market Street  
San Francisco, California 94105-2482  
6 (415) 276-7263

7 For the Defendants and Counterclaim Plaintiffs, the  
Samsung entities:

8

9 QUINN, EMANUEL, URQUHART & SULLIVAN, LLP  
By: Mark Tung, Ph.D., Esq.  
555 Twin Dolphin Drive  
Suite 560  
10 Redwood Shores, California 94065  
11 (650) 801-5016

12 Also present:

13

14 Sujin Woo, Lead Interpreter  
Hie Chun Koh, Check Interpreter  
David Son, Morrison Foerster  
15 Rosa Kim, Samsung  
Inga Kornev, Videographer  
16 Melanie Giamarco, Court Reporter

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1	WITNESS:	I N D E X	PAGE
2	SEONG HEE HWANG		5
3	By Mr. Ahn	E X H I B I T S	
4	NUMBER	DESCRIPTION	PAGE
5	Exhibit 2244	February 23, 2012 letter to Mia Mazza from Rachel Kassabian, one page	11
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7	Exhibit 2245	Apple, Inc.'s Sixth Rule 30(b)(6) Deposition Notice	11
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9	Exhibit 2246	E-mail, Saturday, May 7, 2011 2:16 a.m. S-ITC-008814170 - 14171	47
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1 P R O C E E D I N G S

2 VIDEOGRAPHER: My name is Inga Kornev, a  
3 videographer with American Realtime Court Reporters in  
4 Asia. Today's date is March 7th, 2012, and the time on  
5 the video monitor is 2:43. This video deposition is  
6 being held at the offices of Kim & Chang located at the  
7 Jeongdong Building, Seoul, Korea.

8 The caption of this case is Apple, Inc.  
9 versus Samsung Electronics, Co., et al., held in the  
10 United States District Court, Northern District of  
11 California, San Jose Division. Civil Number is  
12 11-CV-01846 LHK.

13 The name of the witness today is Seong Hee  
14 Hwang testifying in her capacity as a 30(b)(6) witness.  
15 The court reporter today is Melanie Giamarco, also with  
16 American Realtime Court Reporters in Asia.

17 At this time, I would like to ask all counsel  
18 and interpreters to please state their appearances and  
19 whom they represent for the record.

20 MR. AHN: Matthew Ahn of Morrison & Foerster  
21 on behalf of Apple, Inc. With me today is David Son.

22 MR. TUNG: Mark Tung from Quinn, Emanuel  
23 representing Samsung.

24 MS. KIM: Rosa Kim from Samsung.

25 LEAD INTERPRETER: Sujin Woo, lead

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1 interpreter.

2 CHECK INTERPRETER: Hie Chun Koh, the check  
3 interpreter.

4 VIDEOGRAPHER: Thank you.

5 MR. AHN: We understand the court reporter  
6 is not authorized to administer oaths in this venue.  
7 Nevertheless, we request that she administer the oath  
8 and we stipulate that we waive any objection to the  
9 validity of the deposition based on the oaths.

10 VIDEOGRAPHER: At this time, our court  
11 reporter will swear in the witness and interpreters,  
12 and we can proceed.

13 (Interpreters sworn.)

14 SEONG HEE HWANG,  
15 after having been duly sworn by the reporter, pursuant  
16 to stipulation of counsel, was examined and testified  
17 through the interpreter as follows:

18 EXAMINATION

19 BY MR. AHN:

20 Q. Good afternoon.

21 A. Good afternoon.

22 Q. Please state your name and spell it in the  
23 English alphabet, please.

24 A. My name is Seong Hee Hwang. In English,  
25 it's spelled as H-w-a-n-g, S-e-o-n-g, H-e-e.

1 Q. Have you ever seen a window that appears if  
2 you press a volume-up key on a phone?

3 MR. TUNG: Objection, vague, beyond the  
4 scope.

5 A. Yes, I've seen it on an Android phone.

6 Q. (By MR. AHN) What do you call that?

7 MR. TUNG: Objection, beyond the scope.

8 A. I'm not sure. I just call it pop-up.

9 Q. (By MR. AHN) You don't call it a toast,  
10 correct?

11 MR. TUNG: Objection, beyond the scope.

12 A. Yes, I do not call it toast.

13 Q. (By MR. AHN) For Samsung Android 3.0  
14 products that exhibit that pop-up, what is the name of  
15 the source code file that controls its appearance?

16 MR. TUNG: Objection, vague, beyond the  
17 scope, assumes facts.

18 A. What does Samsung Android 3.0 mean?

19 Q. (By MR. AHN) You don't know what that  
20 means?

21 MR. TUNG: Objection, beyond the scope.

22 A. Yes. Yes, I do not know.

23 Q. (By MR. AHN) For Samsung products that use  
24 Android version 3.0 that exhibit the volume pop-up that  
25 we just discussed, what is the name of the source code

1 A. If that is a volume pop-up, yes, I've seen  
2 it.

[REDACTED]

24 MR. TUNG: Counsel, I'm going to object to  
25 this line of questioning. Are you asking her to spend

1 file that controls the appearance of that pop-up?

2 MR. TUNG: Objection, vague, beyond the  
3 scope, assumes facts.

4 A. I do not know at all what 3. -- version 3.0  
5 is because I only look at source code.

6 Q. (By MR. AHN) If you were to look for source  
7 code relating to a pop-up related to the volume keys,  
8 where would you look?

9 MR. TUNG: Objection, vague.

10 A. The question was long, so I didn't  
11 understand the question. I would like to have it  
12 reinterpreted.

13 MR. AHN: Please reinterpret.

14 LEAD INTERPRETER: (Speaking Korean.)

15 MR. TUNG: Same objection.

[REDACTED]

19 MR. TUNG: Counsel, we've been going about  
20 an hour, if you can break.

21 MR. AHN: Give me five minutes.

22 Q. (By MR. AHN) Have you, in fact, seen source  
23 code relating to the volume pop-up that we just  
24 discussed?

25 MR. TUNG: Objection, vague.

1 time on the record to flip through the entire set of  
2 two Redwelds of source code?

3 MR. AHN: I think my question to her was  
4 clear.

5 Q. (By MR. AHN) Can you answer my question?

6 MR. TUNG: I'm going to object to that  
7 question as asking the witness to go through thousands  
8 and thousands of pages of source code. And it's also  
9 vague. It's also an incomplete hypothetical.

10 A. If you're asking me to find the file, then  
11 it may be possible. I don't know if you want me to do  
12 it at home and by what the deadline is.

13 Q. (By MR. AHN) Can you do it sitting here  
14 today? It's okay if you can't. I just need to know  
15 your answer.

16 MR. TUNG: Objection, leading. Objection,  
17 vague. Objection; again, calling for the witness to go  
18 through 5,000 pages of code. It's also an incomplete  
19 hypothetical.

20 MR. AHN: Counsel, you've stated your  
21 objections. Stop coaching the witness.

22 MR. TUNG: And I'm allowed to state  
23 objections. I'm not coaching the witness. The record  
24 is clear.

25 A. I think it will be difficult to do it here



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1 Q. (By MR. AHN) Have you ever seen a pop-up  
 2 disappear without any action by a user?  
 3 MR. TUNG: Objection, vague, beyond the  
 4 scope, and to the extent it calls for a legal  
 5 conclusion.  
 6 A. In what model do you mean?  
 7 Q. (By MR. AHN) Any model.  
 8 MR. TUNG: Same objections.  
 9 A. I am responsible for pop-ups common to  
 10 Android, in general. Because I develop for the Google  
 11 market, I would like to ask you to pick one and  
 12 specify.  
 13 Q. (By MR. AHN) Identify the product that you  
 14 saw a pop-up disappear on without any action by a user.  
 15 MR. TUNG: Same objections.  
 16 A. Is it okay if it's not our company's  
 17 products?  
 18 Q. (By MR. AHN) No.  
 19 MR. TUNG: Same objections.  
 20 A. I'd like to pick out GS II among the Korean  
 21 models.  
 22 Q. (By MR. AHN) Please describe to me how that  
 23 pop-up disappears without any action by a user on the  
 24 Galaxy S II?  
 25 MR. TUNG: Objection, vague, beyond the

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1 A. I can explain while looking at the source  
 2 code.  
 3 Q. (By MR. AHN) Can you do it without looking  
 4 at the source code?  
 5 MR. TUNG: Same objections.  
 6 A. No.  
 7 Q. (By MR. AHN) Tell me anything you remember  
 8 about this process that you can tell me without looking  
 9 at the source code.  
 10 MR. TUNG: Objection, vague, to the extent  
 11 it calls for a legal conclusion, calls for a narrative,  
 12 calls for speculation, lacks foundation, and beyond the  
 13 scope.  
 14 A. I can most accurately explain by explaining  
 15 it while looking at the source code.  
 16 Q. (By MR. AHN) Is there anything you can tell  
 17 me about this process without looking at the source  
 18 code?  
 19 MR. TUNG: Same objections.  
 20 A. I'm not sure about the legal aspects, but I  
 21 would appreciate if you can ask in more detail.  
 22 Q. (By MR. AHN) I just want to know if there's  
 23 anything you can tell me about the process that we just  
 24 discussed without having to look at source code.  
 25 MR. TUNG: Objection, vague, beyond the

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1 scope, and to the extent it calls for a legal  
 2 conclusion.  
 3 A. I would like you to elaborate what part.  
 4 Q. (By MR. AHN) Can you walk me through how  
 5 the source code performs that operation?  
 6 MR. TUNG: Objection, vague, and to the  
 7 extent it calls for a legal conclusion, and calls for a  
 8 narrative.  
 9 A. What source code do you mean?  
 10 Q. (By MR. AHN) The source code on the Galaxy  
 11 S II product that you just selected.  
 12 MR. TUNG: Objection, vague, beyond the  
 13 scope, to the extent it calls for a legal conclusion,  
 14 and it calls for a narrative.  
 15 A. I'm not sure about the legal aspects, but in  
 16 a developer's point of view, because it's associated  
 17 with so many things, it is impossible to explain it  
 18 all.  
 19 CHECK INTERPRETER: Rephrasing the answer.  
 20 "I don't know about the legal aspect, but from the  
 21 developer's perspective, because there are numerous  
 22 files associated with it, therefore, I cannot explain  
 23 in detail."  
 24 Q. (By MR. AHN) Can you try?  
 25 MR. TUNG: Same objections.

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1 scope, calls for speculation, lacks foundation, calls  
 2 for a narrative, and to the extent it calls for a legal  
 3 conclusion.  
 4 A. I would like to ask for the final question  
 5 that I need to answer in detail.  
 6 Q. (By MR. AHN) I'll repeat it.  
 7 I just want to know if there's anything you  
 8 can tell me about the process that we just discussed  
 9 without having to look at source code.  
 10 MR. TUNG: Same objections.  
 11 A. What process?  
 12 Q. (By MR. AHN) The one we've been discussing  
 13 for the past 15 minutes.  
 14 MR. TUNG: Same objections.  
 15 A. I would like to hear it once more in detail,  
 16 in an organized manner.  
 17 Q. (By MR. AHN) Please listen very closely.  
 18 There's a Galaxy S II product that you  
 19 identified as the product where you had seen a pop-up  
 20 window disappear without user intervention. Please  
 21 describe to me how the source code makes that process  
 22 happen.  
 23 MR. TUNG: Objection, vague, lacks  
 24 foundation, calls for speculation, beyond the scope, to  
 25 the extent it calls for a legal conclusion, calls for a

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1 narrative.  
[REDACTED]  
[REDACTED]  
[REDACTED]

5 Q. (By MR. AHN) Go ahead.  
6 MR. TUNG: Same objections.  
7 A. Because it is such a broad scope, I need  
8 time to think.  
9 Q. (By MR. AHN) How much time do you need?  
10 A. I think I would need about an hour.  
11 Q. Would you be able to answer it sitting here  
12 right now?  
13 MR. TUNG: Objection, vague, beyond the  
14 scope, incomplete hypothetical.  
15 A. I think I can describe the simple principle  
16 if I start organizing my thoughts from now and continue  
17 to do so.  
18 Q. (By MR. AHN) But can you actually begin  
19 answering my question at this moment?  
20 MR. TUNG: Objection, vague, beyond the  
21 scope, incomplete hypothetical, asked and answered.  
22 A. No, because it's related to source code as  
23 much as this folder here, and I am not a genius, I  
24 cannot explain without the source code.  
25 Q. (By MR. AHN) I'm going to hand what you has

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1 approximately five rows from the bottom, do you see the  
2 word "iPad 2"?  
3 A. Yes.  
4 Q. Can you read that sentence aloud.  
5 A. Okay. iPod -- iPad 2, in comparison to iPad  
6 2, delay -- delay in horizontal and vertical screen  
7 change.  
8 Q. And do you know what --  
9 MR. TUNG: Just to clarify the record, the  
10 witness read it in Korean, and the interpreter then  
11 translated it to English. The original document is in  
12 Korean.  
13 Q. (By MR. AHN) Do you have an understanding  
14 of what that refers to?  
15 MR. TUNG: Objection, lacks foundation,  
16 calls for speculation.  
17 A. No.  
18 Q. (By MR. AHN) Are you aware of any  
19 comparisons at Samsung between Apple products and  
20 Samsung products?  
21 MR. TUNG: Objection, vague, beyond the  
22 scope, and lacks foundation, calls for speculation.  
23 A. No.  
24 Q. (By MR. AHN) Are you aware of any study of  
25 Apple or Apple products at Samsung?

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1 been marked as Exhibit Number 2246. Exhibit Number  
2 2246 is an e-mail from Dooyoel Kam to a number of  
3 recipients, including Seong Hee Hwang, dated May 7th,  
4 2011, bearing the Bates numbers S-ITC-008814170 through  
5 008814171.  
6 (Exhibit 2246 was marked for  
7 identification.)  
8 Q. Do you recognize Exhibit 2246?  
9 A. When you say "recognize," do you mean can I  
10 read it?  
11 Q. Take a look at the top of the document. In  
12 the "To" field, do you see your name?  
13 A. Yes, I seen it -- I see it.  
14 Q. Is this an e-mail that you received?  
15 A. I'm not sure.  
16 Q. Do you have any reason to doubt that you  
17 received it?  
18 A. What do you mean by "doubt"?  
19 Q. Do you have any reason to believe that you  
20 did not receive this e-mail?  
21 A. You mean, to doubt whether receiving this  
22 e-mail? I'm not sure whether I received it or not.  
23 Q. Your name is in the "To" field, correct?  
24 A. Yes.  
25 Q. Towards the bottom of the first page,

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1 MR. TUNG: Same objections.  
2 A. No.  
3 Q. (By MR. AHN) Are you aware of any study of  
4 iOS at Samsung?  
5 MR. TUNG: Objection, vague, beyond the  
6 scope, lacks foundation, calls for speculation.  
7 A. No, I don't know well. I don't know at all.  
8 Q. (By MR. AHN) Have you personally done any  
9 study of Apple's iOS platform?  
10 MR. TUNG: Objection, vague, beyond the  
11 scope.  
12 A. No, I haven't.  
13 Q. (By MR. AHN) Did you collect any documents  
14 for production in this case?  
15 MR. TUNG: Objection, vague, and beyond the  
16 scope.  
17 A. What case do you mean?  
18 Q. (By MR. AHN) The lawsuit between Apple and  
19 Samsung.  
20 MR. TUNG: Same objections.  
21 A. What lawsuit do you mean?  
22 Q. (By MR. AHN) The lawsuit that you're  
23 currently testifying for.  
24 MR. TUNG: Same objections.  
25 A. No.



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1 MR. AHN: That's all the questions I have  
 2 for today. I will note for the record that the witness  
 3 has just testified she did not collect any documents  
 4 for production which confirms the fact that we have  
 5 received a handful of documents with Miss Hwang as a  
 6 custodian. Until we receive that production and  
 7 Samsung has satisfied its collection and production  
 8 obligations, this deposition will remain open.  
 9 In addition, I note that Miss Hwang was  
 10 unable to answer any of my questions and is  
 11 inadequately prepared to testify as a corporate  
 12 representative on the topic of source code relating to  
 13 pop-up windows.  
 14 Accordingly, Samsung must produce another  
 15 witness on this subject before the close of discovery.  
 16 MR. TUNG: So I will note that the witness  
 17 asked for source code to be shown to her multiple  
 18 times, and no source code exhibit was ever introduced  
 19 during this deposition, despite the fact that Samsung  
 20 brought thousands of pages of source code that Apple  
 21 had previously printed.  
 22 I'll also note that Miss Hwang did answer all  
 23 the questions and asked for clarification which counsel  
 24 failed to provide and, therefore, the questions were  
 25 not well-founded. Objections were noted on the record.

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1 (Counsel representing this witness should arrange for  
 2 reading and signing and thereafter distribute copies of  
 3 the signed Errata sheet to opposing counsel without  
 4 involvement of the court reporter.)  
 5 STYLE OF CASE: Apple v. Samsung (NDCAI)  
 6 DEPOSITION OF: SEONG HEE HWANG  
 7 DATE TAKEN: March 7, 2012  
 8 E R R A T A S H E E T  
 9 Page Line Change Reason  
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 18 I hereby certify that I have read my deposition and  
 19 that it is true and correct subject to any changes in  
 20 form or substance entered here.  
 21  
 22 Date \_\_\_\_\_ SEONG HEE HWANG  
 23  
 24  
 25

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1 I'll also note that, in terms of collection,  
 2 that Samsung has collected their documents and produced  
 3 them already. There is no basis to keep this  
 4 deposition open. It is now 5:13. We agreed with Apple  
 5 previously that witnesses would be available until 7  
 6 p.m. It is Apple's choice to end the deposition at  
 7 this time. There is no reason Apple cannot continue  
 8 this deposition and, therefore, this deposition is  
 9 closed.  
 10 VIDEOGRAPHER: This marks the end of Disk  
 11 Number 2 in the deposition of Seong Hee Hwang. The  
 12 time is 5:11. Going off the record.  
 13 (Time noted: 5:11 p.m.)  
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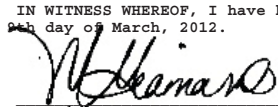
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C E R T I F I C A T E

1 )  
 2 SEOU L )  
 3 SOUTH KOREA )

4 I, Melanie L. Giamarco, Registered  
 5 Professional Reporter and Certified Realtime Reporter,  
 6 do hereby certify that the aforementioned witness was  
 7 first duly sworn by me pursuant to stipulation of  
 8 counsel to testify to the truth; that I was authorized  
 9 to and did report said deposition in stenotype; and  
 10 that the foregoing pages are a true and correct  
 11 transcription of my shorthand notes of said deposition.  
 12  
 13 I further certify that said deposition was  
 14 taken at the time and place hereinabove set forth and  
 15 that the taking of said deposition was commenced and  
 16 completed as hereinabove set out.  
 17  
 18 I further certify that I am not attorney or  
 19 counsel of any of the parties, nor am I a relative or  
 20 employee of any attorney or counsel of any party  
 21 connected with the action, nor am I financially  
 22 interested in the action.  
 23  
 24 The foregoing certification of this  
 25 transcript does not apply to any reproduction of the  
 same by any means unless under the direct control  
 and/or direction of the certifying reporter.

IN WITNESS WHEREOF, I have hereunto set my  
 hand this 7th day of March, 2012.



Melanie L. Giamarco  
 Certified Realtime Reporter  
 Registered Professional Reporter  
 Certified Shorthand Reporter

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