

KANG DECLARATION EXHIBIT 7

Exhibit 38

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,

CASE NO.
11cv01846-LHK

7 v.

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

15 Defendants.

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

23 Counterclaim-Plaintiffs,

24 v.
25 APPLE, INC., a California
corporation,

Counterclaim-Defendant.

*** HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY ***

VIDEOTAPED 30(b)(6) DEPOSITION OF:
KIWON LEE

March 8, 2012
Kim & Chang
Seoul, South Korea
1:01 P.M. - 4:52 P.M.

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1 APPEARANCES:

2 For the Plaintiff/Counterclaim-Defendant, Apple, Inc.

3 MORRISON & FOERSTER, LLP
 BY: Karl J. Kramer, Esq.
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7 For the Defendants/Counterclaim-Plaintiffs, the Samsung
 entities:

8 QUINN EMANUEL URQUHART & SULLIVAN, LLP
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13 Also present:

14 Rosa W. Kim, Samsung
 Sang Mee Moon, Lead Interpreter
 Kathy Sim, Check Interpreter
 Marc Friedman, Videographer
 Michael E. Miller, Court Reporter

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1 PROCEEDINGS

2 (March 8, 2012 at 1:01 p.m.)

3 THE VIDEOGRAPHER: We are on the record. The

4 time is 1:02 p.m. Today's date is March 8th, 2012. My

5 name is Marc Friedman, Certified Legal Videographer with

6 American Realtime Court Reporters Asia.

7 This deposition is being held in the office of

8 Kim & Chang, located in Jeongdong, Seoul, South Korea.

9 The caption of this case is Apple, Inc., a California

10 corporation vs. Samsung Electronics, Inc., Ltd., et al. in

11 the United States District Court, Northern District of

12 California, San Jose Division, Civil Action

13 No. 11-CV-01846.

14 This is a 30(b)(6) deposition of witness Kiwon

15 Lee.

16 At this time, counsel will identify themselves,

17 state whom they represent, starting with the noticing

18 attorney.

19 MR. KRAMER: Karl Kramer representing Apple.

20 With me today is Samantha Kim, an attorney with Morrison &

21 Foerster.

22 MR. ALEXANDER: My name is Wayne Alexander.

23 I'm with Quinn Emanuel. We represent Samsung Electronics.

24 THE VIDEOGRAPHER: Counsel please state any

25 stipulations or statements on the record.

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1 WITNESS: INDEX PAGE

2 KIWON LEE

3 EXAMINATION BY MR. KRAMER 5

4

5 E X H I B I T S

6 NUMBER DESCRIPTION PAGE

7 Exhibit 2387 Affidavit of Kiwon Lee 13
 (S-ITC-000092584 - S-ITC-000092592)

8 Exhibit 2388 Atmel mXT224 Protocol Guide 17
 (Sss 11306799 - sss 11306888)

9 Exhibit 2389 Chain of E-mails 53
 (S-ITC-003401487 - S-ITC-003401507)

10 Exhibit 2390 Chain of E-mails 54
 (S-ITC-003401550 - S-ITC-003401555)

11 Exhibit 2391 Chain of E-mails 57
 (S-ITC-003680954 - S-ITC-003680967)

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16 R E F E R E N C E D E X H I B I T S

17 NUMBER PAGE

18 HS Jung 8

19 Exhibit 2380

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1 MR. KRAMER: We understand the court reporter

2 is not authorized to administer oaths in this venue.

3 Nevertheless, we request that he administer the oath, and

4 we stipulate that we waive any objection to the validity

5 of the deposition based on the oaths. Agreed?

6 MR. ALEXANDER: Agreed.

7 THE VIDEOGRAPHER: Our court reporter, Mike

8 Miller of American Realtime Court Reporters Asia, will now

9 swear in the interpreters and witness, and we shall

10 proceed.

11 (Interpreters sworn.)

12 KIWON LEE,

13 having been first duly sworn,

14 testified as follows:

15 EXAMINATION

16 BY MR. KRAMER:

17 Q. What is your name?

18 A. Kiwon Lee.

19 LEAD INTERPRETER: Phonetically spelled as

20 K-I-W-O-N, L-E-E.

21 BY MR. KRAMER:

22 Q. By whom are you currently employed?

23 A. I'm at Samsung Electronics.

24 Q. What is your position there?

25 A. I'm a lead engineer.

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1 Q. Can you describe for us briefly your
 2 educational background, starting from your first
 3 experience at college or university.
 4 CHECK INTERPRETER: May the check interpreter
 5 first make a belated correction of the witness' position.
 6 It's "engineer."
 7 MR. KRAMER: Do you agree?
 8 LEAD INTERPRETER: I was told by Samsung that
 9 it's an engineer, but I was told by the taking counsel
 10 that you call it lead engineer, so for the sake of
 11 understanding, I said "lead engineer."
 12 MR. KRAMER: All right. We'll leave that one
 13 alone.
 14 Now, could I have an answer to my question?
 15 Could you reinterpret it for him, please?
 16 A. I have bachelor's degree in computer
 17 engineering.
 18 BY MR. KRAMER:
 19 Q. From what institution do you have a bachelor's
 20 degree in computer engineering?
 21 A. Inhwa University.
 22 LEAD INTERPRETER: Phonetically spelled as
 23 I-N-H-W-A.
 24 BY MR. KRAMER:
 25 Q. And what year did you earn your degree from

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1 marked as Exhibit 2380, which is Apple's Sixth
 2 Rule 30(b)(6) Deposition Notice. Have you seen this
 3 document before?
 4 A. Let me go through it first.
 5 (Witness reviews document.)
 6 A. I haven't seen this document.
 7 BY MR. KRAMER:
 8 Q. Can you turn to page 9 of this document,
 9 Exhibit 2380, the Apple Sixth Rule 30(b)(6) Deposition
 10 Notice? Do you understand that you have been designated
 11 today to testify on behalf of Samsung Electronics on
 12 topics 11 and 12 listed on this page 9?
 13 A. Yes, I know.
 14 Q. Can you describe for me -- strike that.
 15 Excluding from your answer the communications
 16 you may have had with counsel for Samsung, can you
 17 describe for me what you did to prepare to investigate and
 18 be able to testify about the topics in 11 and 12?
 19 MR. ALEXANDER: Objection. Yeah, I appreciate
 20 that you excluded the potential privileged,
 21 attorney-client privileged stuff, but I think how he
 22 prepared is also work product privilege. I mean, if you
 23 have specific suggestions as to what he may have looked at
 24 to prepare, I think that would be appropriate, but an
 25 open-ended question of how he prepared is covered by the

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1 that institution?
 2 A. Year 2006.
 3 Q. Could you describe your employment history
 4 since graduation from college?
 5 A. I started working in Samsung Electronics in
 6 November of 2005, and I've been working on HSP. What is
 7 currently called HSP is the Bada OS, and I've been working
 8 here for over four years. And after that, for over about
 9 two years, I've been working in Android.
 10 Q. What is HSP?
 11 A. It's SHP. It's Samsung's handset platform, and
 12 publicly it's known as Bada.
 13 Q. And you are still working on Android-related
 14 projects for Samsung, correct?
 15 A. Yes. Correct.
 16 Q. Have you had any training in English language
 17 skills?
 18 A. Yes. I've received English language training
 19 in public schools, and also I've been to English
 20 institution several times.
 21 Q. Is it fair to say that in your job for Samsung,
 22 you, on occasion, are called upon to speak and write in
 23 English?
 24 A. Yes, sometimes.
 25 Q. I'm going to show you what's been previously

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1 work product privilege.
 2 MR. KRAMER: And you'll instruct him to not
 3 answer on that basis?
 4 MR. ALEXANDER: Yes.
 5 BY MR. KRAMER:
 6 Q. Can you describe for me -- strike that.
 7 Did you review any source code in connection
 8 with your preparation to provide substantive answers in
 9 response to topic number 11, which is, "The source code
 10 for each product at issue relating to processing
 11 touchscreen contacts, including code that detects,
 12 interprets, e.g., by interpreting as a gesture, or
 13 distinguishes between tapping, dragging, flicking,
 14 flinging, pinching/de-pinching, rotation or other screen
 15 contacts?"
 16 A. Yes, I saw the code.
 17 Q. What code did you see in preparation to answer
 18 the questions relating to topic 11?
 19 A. I've looked into the code that processes touch
 20 event in application and the parts related to scroll.
 21 Q. You said "in application." Which application
 22 is that?
 23 A. Browser web.
 24 (Interruption by the reporter.)
 25 A. Browser app.

[REDACTED]

21 MR. ALEXANDER: Counselor, we've been going for
22 more than an hour now, so at a convenient point --
23 MR. KRAMER: This is a good time for a break.
24 MR. ALEXANDER: Okay.
25 THE VIDEOGRAPHER: Stand by. The time is 2:04.

[REDACTED]

5 THE WITNESS: Can you repeat the translation?
6 A. I really don't understand the question. Can
7 you clarify that?
8 BY MR. KRAMER:

[REDACTED]

1 We're going off the record. This will end Recording
2 No. 1.
3 (Recess taken, 2:04 p.m. to 2:14 p.m.)
4 THE VIDEOGRAPHER: The time is 2:15. We are
5 back on the record. This will be the start of Recording
6 No. 2.
7 BY MR. KRAMER:

[REDACTED]

[REDACTED]

6 THE WITNESS: Can you repeat the translation?
7 A. No, I cannot answer the question. I don't know
8 that part.
9 BY MR. KRAMER:
10 Q. Can you describe the sequence that occurs in
11 the operation of all of the code in the Samsung Galaxy
12 products once a touch event occurs on the touchscreen of a
13 Galaxy device, such as those accused in this case?
14 A. Are you talking about at the application level?
15 Q. Let me make it simpler.
16 Describe for us at the first place you are
17 aware of in the operation of any code in the Samsung
18 Galaxy products where something occurs in response to my
19 touching a screen on the Samsung Galaxy device.

[REDACTED]

25 BY MR. KRAMER:

