# **EXHIBIT 5 FILED UNDER SEAL**

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Page 1
1
                 UNITED STATES DISTRICT COURT
                NORTHERN DISTRICT OF CALIFORNIA
3
                      SAN JOSE DIVISION
4
    APPLE INC., a California
    corporation,
6
                  Plaintiff,
7
                                  CASE NO. 11-cv-01846-LHK
    VS.
8
    SAMSUNG ELECTRONICS CO.,
    LTD., a Korean business
    entity; SAMSUNG ELECTRONICS
10
    AMERICA, INC., a New York
    corporation; SAMSUNG
11
    TELECOMMUNICATIONS AMERICA,
    LLC, a Delaware limited
    liability company,
12
13
                  Defendants.
14
15
16
                    CONFIDENTIAL
17
             ATTORNEYS EYES ONLY
18
19
             VIDEOTAPED DEPOSITION OF QI LING
20
                 SAN FRANCISCO, CALIFORNIA
21
                WEDNESDAY, FEBRUARY 1, 2012
22
23
    BY: ANDREA M. IGNACIO HOWARD, CSR, RPR, CCRR, CLR
24
    CSR LICENSE NO. 9830
25
    JOB NO. 45295
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1	MR. TUNG: Mark Tung from Quinn Emanuel for	09:31
2	Samsung.	09:31
3	MS. YANG: Michelle Yang for Samsung.	09:31
4		09:31
5	QI LING,	09:31
6	having been sworn as a witness	09:31
7	by the Certified Shorthand Reporter,	09:31
8	testified as follows:	09:40
9		09:40
10	EXAMINATION BY MR. KREEGER	09:31
11	MR. KREEGER: Good morning, Mr. Ling. My	09:31
12	name is Matthew Kreeger, and I'm an attorney for	09:31
13	Apple, and I'm here to take your deposition today.	09:32
14	Q Have you ever been deposed before?	09:32
15	A No.	09:32
16	Q Why don't we start by if you could give us	09:32
17	your full name.	09:32
18	A Sure.	09:32
19	My last name is L-I-N-G, Ling. First name is	09:32
20	Q-I, Qi.	09:32
21	Q And where do you live, Mr. Ling, your home	09:32
22	address?	09:32
23	A Home address is 1235 Wildwood Avenue,	09:32
24	Apartment 190, Sunnyvale. ZIP code is 4 I'm	09:32
25	sorry 94089.	09:32
I		

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1	THE WITNESS: Anyone.	11:21
2	MR. KREEGER: Q. I don't mean to limit it.	11:21
3	A As long as there is one people.	11:21
4	Q I want to know if anybody in San Jose worked	11:21
5	on this feature as part of the browser.	11:21
6	MR. TUNG: Objection; lacks foundation.	11:21
7	THE WITNESS: I can only say for the Tiger	11:21
8	team. Anybody else, I don't know.	11:21
9	MR. KREEGER: Q. What about the Tiger team?	11:21
10	MR. TUNG: Objection; vague.	11:21
11	THE WITNESS: I remember we got requests from	11:21
12	HQ regarding the double tap zoom.	11:21
13	MR. KREEGER: Q. What requests do you	11:21
14	remember?	11:21
15	A I think the complaint is after double tap	11:22
16	zoom out, there's the update of the web page is not	11:22
17	quick enough.	11:22
18	Q HQ was complaining that when you double tap	11:22
19	zoom out, it took too long to update the web page?	11:22
20	A Too long to see the updated web page.	11:22
21	Q Was this the checkerboard problem?	11:22
22	MR. TUNG: Objection; vague.	11:22
23	THE WITNESS: What do you mean by	11:23
24	"checkerboard problem"?	11:23
25	MR. KREEGER: Q. Was the problem that you	11:23

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1	would see a checkerboard pattern instead of the	11 <b>:</b> 23
2	updated web page?	11 <b>:</b> 23
3	A I believe not every version has a	11 <b>:</b> 23
4	checkerboard.	11 <b>:</b> 23
5	Q So you mentioned that HQ had an issue with it	11 <b>:</b> 23
6	taking too long to update the page on a zoom out.	11 <b>:</b> 23
7	Do you remember any other requests from HQ	11 <b>:</b> 23
8	that had anything to do with the double tap zoom	11:23
9	feature?	11 <b>:</b> 23
10	A In a browser?	11 <b>:</b> 23
11	Q In a browser.	11 <b>:</b> 23
12	A I think there is a request that HQ complains	11 <b>:</b> 24
13	the time user finished a finger gesture to the	11 <b>:</b> 24
14	animation really start, the time is too long.	11 <b>:</b> 24
15	Q Any other requests from HQ relating to double	11 <b>:</b> 24
16	tap zoom in a browser?	11 <b>:</b> 24
17	A Again, I forgot to say those requests are	11 <b>:</b> 25
18	specifically for a particular product, not for the	11 <b>:</b> 25
19	whole not for all product. It's just saying for	11 <b>:</b> 25
20	this product, this is slow, or something like that.	11:25
21	Q Understood.	11 <b>:</b> 25
22	A No, I cannot remember any.	11 <b>:</b> 25
23	Q Do you know whether in whether or not in	11 <b>:</b> 25
24	some Samsung products, the bounce effect has been	11 <b>:</b> 25
25	replaced by a blue glow?	11:25

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1	MR. TUNG: Objection; vague.	11 <b>:</b> 25
2	THE WITNESS: What you mean by "replaced"?	11 <b>:</b> 25
3	MR. KREEGER: Q. Are there any products	11 <b>:</b> 26
4	that are there any Samsung products where, instead	11:26
5	of bouncing it, there is a blue glow?	11:26
6	A Blue glow?	11:26
7	Q Yes.	11:26
8	A You mean the product on the market or the	11:26
9	product in our lab? Because we are using testing	11:26
10	binaries, not official binaries.	11:26
11	MR. TUNG: I'll just caution you not to	11:26
12	reveal products future products in development.	11:26
13	MR. KREEGER: Q. What about in your lab?	11:26
14	Have you come across any Samsung products where,	11:26
15	instead of bouncing, there's a blue glow?	11:26
16	A I think I saw a tablet with old binary that	11 <b>:</b> 27
17	has a bounce effect. And with new binary, there's no	11:27
18	bounce effect and with a blue glow writing.	11 <b>:</b> 27
19	Q Do you know who was involved in designing the	11 <b>:</b> 27
20	source code that created the blue glow?	11 <b>:</b> 27
21	A Created blue glow? I think it's created by	11 <b>:</b> 27
22	Google.	11 <b>:</b> 27
23	Q So in the Samsung tablet you were looking at,	11:27
24	it was Google code that created the blue glow?	11 <b>:</b> 27
25	A I'm not 100 percent sure. I only look at a	11:27

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device. I'm not looking at the source code.	11:27
Q Did anybody at the San Jose to your	11:28
knowledge, did anybody at the San Jose Mobile	11:28
Communications Lab have any involvement in	11:28
implementing source code that would create this blue	11:28
glow?	11:28
MR. TUNG: Objection; lacks foundation.	11:28
THE WITNESS: Again, it's just created by	11:28
Google, not by us.	11:28
MR. KREEGER: Q. Is there some other kind of	11:28
glow? You mentioned you had a question about blue	11:28
glow. Are there other colors of glow that you've seen	11:28
implemented in Samsung devices instead of a bounce?	11:28
A In the honeycomb version, it is blue glow.	11:28
And in the gingerbread version, I think it's not blue	11:28
glow; it's another color. I'm talking about browser	11:28
only.	11:28
Q And you think, again, that's that's	11:28
strictly Google code?	11:28
MR. TUNG: Objection; mischaracterizes	11:28
testimony.	11:29
THE WITNESS: Strictly Google code; what do	11:29
you mean?	11:29
MR. KREEGER: Q. The code that creates the	11:29
blue or other color glow instead of a bounce, that's	11:29
	Rnowledge, did anybody at the San Jose — to your knowledge, did anybody at the San Jose Mobile  Communications Lab have any involvement in implementing source code that would create this blue glow?  MR. TUNG: Objection; lacks foundation.  THE WITNESS: Again, it's just created by  Google, not by us.  MR. KREEGER: Q. Is there some other kind of glow? You mentioned — you had a question about blue glow. Are there other colors of glow that you've seen implemented in Samsung devices instead of a bounce?  A In the honeycomb version, it is blue glow.  And in the gingerbread version, I think it's not blue glow; it's another color. I'm talking about browser only.  Q And you think, again, that's — that's strictly Google code?  MR. TUNG: Objection; mischaracterizes testimony.  THE WITNESS: Strictly Google code; what do you mean?  MR. KREEGER: Q. The code that creates the