

Exhibit 2  
(Submitted Under Seal)

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN JOSE DIVISION  
4

5 APPLE INC., a California )  
corporation, )

6 )  
Plaintiff, )

7 )  
vs. )

No: 11-cv-01846

8 )  
LHK

SAMSUNG ELECTRONICS CO., LTD., )

9 a Korean business entity; )

SAMSUNG ELECTRONICS AMERICA, )

10 INC., a New York corporation, )

SAMSUNG TELECOMMUNICATIONS )

11 AMERICA, LLC, a Delaware )

limited liability company, )

12 )  
Defendants. )

13 \_\_\_\_\_ )

14  
15 DEPOSITION OF CHRISTOPHER STRINGER  
16 Redwood Shores, California  
17 Wednesday August 3, 2011  
18  
19  
20  
21  
22

23 Reported By:

24 LINDA VACCAREZZA, RPR, CLR, CRP, CSR. NO. 10201

25 JOB NO. 40906

August 3, 2011  
9:05 a.m.

Videotaped Deposition of  
CHRISTOPHER STRINGER, held at Quinn  
Emanuel, 555 Twin Dolphin Drive,  
Redwood Shores, California, pursuant  
to Subpoena before Linda Vaccarezza, a  
Certified Shorthand Reporter of the  
State of California.

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A P P E A R A N C E S:

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Attorneys for Apple Inc.

425 Market Street  
San Francisco, California 94105

BY: MICHAEL A. JACOBS, ESQ.

PATRICK ZHANG, ESQ.

Also present: Erica Tierney, Apple Inc.

Videographer: Adam Del Rio

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THE VIDEOGRAPHER: Good  
morning. This is the start of the tape  
labeled Number 1 to the videotaped  
deposition of Christopher Stringer in the  
matter of Apple, Incorporated versus  
Samsung Electronics Company, Limited.

This deposition is being held  
at 555 Twin Dolphin Drive on the 5th  
floor in Redwood Shores, California, on  
August 3rd 2011. And the approximate  
time is 9:31 a.m.

My name is Adam Del Rio, the  
legal video specialist from TSG  
Reporting. The court reporter today is  
Linda Vaccarezza from TSG Reporting,  
headquartered at 747 3rd Avenue, New York  
City, New York.

Counsel and all present please  
identify yourselves for the record,  
beginning with the questioning attorney,  
please.

MR. ZELLER: Mike Zeller, Quinn  
Emanuel for Samsung.

MS. BUCHAKJIAN: Tamar Buchakjian,  
Quinn Emanuel for Samsung.

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MS. CARUSO: Margret Caruso, Quinn  
Emanuel, for Samsung.

MR. JACOBS: Michael Jacobs,  
Morrison Foerster, for Apple.

MR. ZHANG: Patrick Zhang,  
Morrison Foerster, for Apple.

MS. TIERNEY: Erica Tierney for  
Apple.

THE VIDEOGRAPHER: Thank you.  
Will the court reporter please administer  
the oath, and we can proceed.

CHRISTOPHER STRINGER:

called as a witness, having been duly  
sworn by the Certified Shorthand  
Reporter, was examined and testified as  
follows:

EXAMINATION BY:

MR. ZELLER:

Q Good morning.

A Hi.

Q Have you ever had your deposition  
taken before?

A Yes.

Q On how many times?

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1 **Q. Any other purpose?**  
 2 A. No.  
 3 **Q. The iPad does, in fact, have a**  
 4 **black border underneath the clear flat surface.**  
 5 **True?**  
 6 A. True.  
 7 **Q. The iPad 2 does as well, true?**  
 8 A. It does include a black version,  
 9 yes.  
 10 **Q. What does the black border do for**  
 11 **the iPad?**  
 12 MR. JACOBS: Objection. Vague.  
 13 THE WITNESS: Our intention is  
 14 that it creates a seamless black surface  
 15 on the entirety of the front of the  
 16 product when the display is off such that  
 17 when the display is lit, it magically  
 18 appears in the center of this previously  
 19 singular black surface.  
 20 **Q. Does the black border of the iPad**  
 21 **perform any function at all?**  
 22 MR. JACOBS: Objection. Vague.  
 23 THE WITNESS: No.  
 24 **Q. Does the black border of the iPad**  
 25 **2 perform any function at all?**  
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1 MR. JACOBS: Objection. Vague.  
 2 THE WITNESS: No, not to my  
 3 understanding of a described function.  
 4 **Q. What did you do to try to**  
 5 **determine whether or not that black border for**  
 6 **the iPad and the iPad 2 performed any function?**  
 7 A. The function was aesthetic, as I  
 8 described.  
 9 **Q. My question is: What did you do**  
 10 **to determine whether or not the black border for**  
 11 **the iPad and the iPad 2 performed any function?**  
 12 MR. JACOBS: Object to the form of  
 13 the question.  
 14 THE WITNESS: We discussed the  
 15 process of design and we recalled clearly  
 16 our objective in terms of creating that  
 17 singular black oily pond-like surface  
 18 across the front of the product. That  
 19 was the purpose of the black border.  
 20 **Q. Anything else?**  
 21 A. That was the purpose of the black  
 22 border.  
 23 **Q. My question is: Did you do**  
 24 **anything else to investigate that?**  
 25 MR. JACOBS: Objection. Vague,  
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1 form.  
 2 THE WITNESS: I did not do  
 3 anything other than to discuss with the  
 4 aforementioned designers.  
 5 **Q. What is underneath the black**  
 6 **borders of the iPad product?**  
 7 A. There are structural elements.  
 8 There are technologies and connectors and buttons  
 9 at some place beneath the black borders and in  
 10 front of the rear surface.  
 11 **Q. That's true of the iPad 2 as well,**  
 12 **right?**  
 13 MR. JACOBS: Object to the form.  
 14 THE WITNESS: Yes.  
 15 **Q. Please tell me what's your**  
 16 **understanding as to why the display screen itself**  
 17 **for the iPad or the iPad 2 doesn't run from edge**  
 18 **to edge and it has borders.**  
 19 A. Could you say that again?  
 20 **Q. Please explain for me your**  
 21 **understanding as to why the iPad and the iPad 2**  
 22 **have a screen that doesn't run all the way to**  
 23 **each edge? Why don't they have edge-to-edge**  
 24 **display screens?**  
 25 A. We chose to have a complete  
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1 housing that without any breaks in product lines  
 2 extends up to the top surface of the product.  
 3 **Q. Are there any technical challenges**  
 4 **to having an edge-to-edge display screen for a**  
 5 **portable electronic device?**  
 6 A. There are technical challenges in  
 7 extending glass any amount past the display area  
 8 that needs to be transparent.  
 9 **Q. It true that you understand a**  
 10 **purpose of the black border for the iPad and the**  
 11 **iPad 2 is in order to hide the electronic**  
 12 **components that are underneath the surface, true?**  
 13 A. There are numerous ways to conceal  
 14 components beneath the edge of the screen.  
 15 **Q. I'm not asking you about**  
 16 **alternatives. My question is: Is it not true**  
 17 **that that is, in fact, a purpose of the black**  
 18 **border?**  
 19 A. The purpose of the black border is  
 20 a design goal which is to extend a single  
 21 monotone plain that resembles an oily pond across  
 22 the entire front surface of the product such that  
 23 the display when lit emerges magically from the  
 24 center.  
 25 **Q. Please tell me yes or no. Does**  
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1 **"Question: You'll agree with me**  
2 **that the thicknesses of the iPad**  
3 **and the iPad 2 are defined by the**  
4 **technical specifications to be**  
5 **met in a way, can be manufactured**  
6 **and sold to consumers at a cost**  
7 **that consumers will pay?")**

8 MR. JACOBS: Objection. Form.

9 THE WITNESS: I don't agree with  
10 that statement as stated.

11 **Q. So the design of the iPad and the**  
12 **iPad 2 has the profile of it made in a completely**  
13 **arbitrary thickness independent of technical and**  
14 **cost considerations; is that true? Is that your**  
15 **testimony?**

16 A. What we do is that we define the  
17 technical specification as we design the product,  
18 which means that we manipulate the technical  
19 specifications and invent solutions in order to  
20 package them within our designs.

21 **Q. Are any aspects of the design of**  
22 **the iPad and the iPad 2 dictated by functional**  
23 **considerations?**

24 A. No.

25 **Q. You can't think of a single one**

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1 **that is. Is that true?**

2 MR. JACOBS: Object to the form.

3 THE WITNESS: As I understand the  
4 question.

5 **Q. And the same is true of the iPhone**  
6 **products; is that right? Not a single element of**  
7 **the design of those products is dictated by**  
8 **functional considerations at all, right?**

9 MR. JACOBS: Objection. Form.

10 THE WITNESS: The design is  
11 defined aesthetically, and we work very  
12 hard to find technical solutions to  
13 enable and implement the designs.

14 **Q. Can you, as an industrial**  
15 **designer, think of a single advantage, just even**  
16 **one, to having an electronic device that is in**  
17 **the form of a rectangle?**

18 MR. JACOBS: Objection.

19 MR. ZELLER: Has even one occurred  
20 to you?

21 MR. JACOBS: Object to the form.

22 THE WITNESS: I cannot relate to  
23 the question. I do not understand it.

24 **Q. Can you think of any advantage to**  
25 **having an electronic device that has a flat**

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1 **surface?**

2 MR. JACOBS: Object to the form.

3 THE WITNESS: I do not believe  
4 that iPad -- iPad, the first iPad and the  
5 second iPad differ in that one is flat  
6 and one is not. It is subjective to the  
7 idea that one is better than the other.

8 **Q. Isn't it true that one functional**  
9 **advantage to having electronic devices with a**  
10 **flat surface is that it will sit flat on a table,**  
11 **yes or no?**

12 A. If that is an important criteria,  
13 it is arguably so.

14 **Q. So you can't even answer that**  
15 **question whether one functional advantage of**  
16 **having electronic device with a flat surface is**  
17 **that it will sit flat on a table; is that right?**

18 A. It's easier to pick up a device  
19 that does not sit flat on a table.

20 **Q. You can't think of a single**  
21 **advantage from having an electronic device that**  
22 **can sit flat on a table, is that your testimony?**

23 MR. JACOBS: Object to the form.

24 THE WITNESS: I think the merits  
25 of sitting flat on a table are

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1 subjective.

2 **Q. So you don't think it's an**  
3 **advantage to having an electronic device that can**  
4 **sit flat on a table as opposed to rolling off of**  
5 **it; is that right?**

6 MR. JACOBS: Object to the form.

7 THE WITNESS: Having a surface  
8 that is not flat does not indicate that  
9 it would ever roll off a flat surface.

10 **Q. Why is it that the back of the**  
11 **iPhone 4 is flat as opposed to the earlier**  
12 **versions of the iPhone? Do you know why?**

13 A. We chose to put glass on both  
14 front and back so that we could carry the same  
15 aesthetic on both sides of the product.

16 **Q. Isn't it true that one reason why**  
17 **the surface of the back of the iPhone 4 is flat**  
18 **is because consumers complained that the earlier**  
19 **versions of the iPhone had rounded backs and**  
20 **wouldn't sit flat on a table?**

21 A. The reason the back of that phone  
22 is flat is because we chose it to have the same  
23 aesthetics as the front side of the product and  
24 to be made in the same materials in the same  
25 manner, giving the same visual appearance.

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1 **Q. I asked you about one reason. You**  
2 **keep on dodging this question. Isn't it true**  
3 **that one reason why the surface of the back of**  
4 **the iPhone four is flat is because consumers**  
5 **complained, consumers complained that the earlier**  
6 **version of the iPhone had rounded backs and**  
7 **wouldn't sit flat on a table?**

8 A. That is not the reason why we  
9 dictated the design would be flat on the back  
10 surface.

11 **Q. You keep on saying that is not the**  
12 **reason why. I'm asking you, isn't it true that**  
13 **that was a reason?**

14 A. I cannot say that it was a  
15 contributing reason.

16 **Q. Consumers did make that complaint,**  
17 **true?**

18 A. I do not know exactly what  
19 complaints consumers made. I do not have a  
20 recollection within the time frame.

21 **Q. You say exactly. You know you**  
22 **know full well that consumers complained about**  
23 **that, don't you, generally?**

24 A. I do not have a clear, dated  
25 memory of when I may or may not have heard

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1 feedback. I have also never -- it has never been  
2 dictated to us that we respond to consumer  
3 comments.

4 **Q. I'm not asking about what's been**  
5 **dictated to you. I'm asking you about advantages**  
6 **and disadvantages of designs. Do you not --**  
7 **don't you have enough information to be able to**  
8 **talk about what an advantage or disadvantage**  
9 **might be of a design?**

10 MR. JACOBS: Object to the form.

11 THE WITNESS: We discuss every  
12 detail of designs.

13 **Q. Can you imagine any circumstance,**  
14 **any one at all where it might be advantageous to**  
15 **have an electronic device with a flat surface?**

16 MR. JACOBS: Object to the form.

17 THE WITNESS: I can see so many  
18 different ways a product can be. I do  
19 not -- I don't think that way.

20 **Q. So when you approach your design**  
21 **functions there at Apple, you make the designs**  
22 **100 percent completely arbitrary, divorced**  
23 **entirely from purpose, function, cost or**  
24 **manufacturability of the devices; is that true?**

25 MR. JACOBS: Objection. Form.

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1 THE WITNESS: Our purpose is to  
2 make strong, iconic, beautiful products.  
3 We take into account many factors and  
4 trade-offs can be made.

5 **Q. Tell us what factors you take into**  
6 **account.**

7 MR. JACOBS: In general, Counsel,  
8 or --

9 MR. ZELLER: Yeah.

10 MR. JACOBS: -- in connection with  
11 a particular product?

12 MR. ZELLER: In general.

13 THE WITNESS: We take.

14 MR. JACOBS: Object to the form.

15 THE WITNESS: We take into account  
16 what you may use it for, what you may use  
17 it to do, its weight, and each of those  
18 things are very broad, broad topics.

19 **Q. Do you take into account**  
20 **manufacturability ever?**

21 A. We are constantly inventing ways  
22 to realize our designs.

23 **Q. Have there ever been times when**  
24 **technical solutions could not be found for a**  
25 **design that you envisioned there at Apple?**

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1 A. I do not -- I am not able to be  
2 specific about any instance, but I am sure that  
3 at some point, that has occurred.

4 **Q. Why is it for the iPad, the iPad 2**  
5 **and the iPhones, that Apple chose to put those**  
6 **products in the common shape of a rectangle?**

7 A. We wanted to produce a very pure  
8 and simple iconic shape that distinguished itself  
9 from everything that had gone before it that had  
10 not been clean, simple, elegant rectangles.

11 **Q. Any other reason?**

12 A. We chose to make instant iconic  
13 statements that could be easily recognizable by  
14 consumers.

15 **Q. So the fact that those products**  
16 **have display screens is completely unrelated to**  
17 **the fact that they are in a rectangular shape**  
18 **generally; is that true?**

19 A. That's true, because the display  
20 screen does not define the outside shape of that  
21 product.

22 **Q. I didn't say defined. I said**  
23 **completely unrelated altogether. Is that your**  
24 **testimony?**

25 A. Yes.

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1 **that you've now given for display screen. What's**  
2 **the shape of them?**

3 A. What's the shape of which? Could  
4 you be specific?

5 **Q. Start with the first one you had,**  
6 **just go through them in order.**

7 A. The active area is essentially  
8 rectangular.

9 **Q. What about the other display**  
10 **screen definitions you've given, what shape are**  
11 **those?**

12 A. The LCD module is predominantly  
13 rectangular but it can have surfaces removed,  
14 notched. There can be mounting tabs. There can  
15 be pockets and recesses, and it can vary in  
16 thickness over the entire area, depending on  
17 where the electronics may be housed, which can  
18 all be manipulated to fit in to a design of any  
19 given shape.

20 **Q. Let's think of display screen in**  
21 **the sense that a consumer using the iPad and iPad**  
22 **2 would give to it. What's the shape of that**  
23 **display screen from a consumer perspective?**

24 MR. JACOBS: Objection. Form.

25 THE WITNESS: The visual portion

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1 of the display screen is rectangular.

2 **Q. Is there any relationship at all**  
3 **between the fact that the active area, the active**  
4 **screen of the display screen, as you've now**  
5 **defined it, is rectangular and the fact that the**  
6 **overall product form is rectangular?**

7 MR. JACOBS: Objection. Vague.

8 THE WITNESS: No.

9 **Q. And the same is true of the iPhone**  
10 **as well; is that right?**

11 A. Correct.

12 **Q. Why are the corners of the iPad**  
13 **and the iPad 2 rounded?**

14 A. It's an aesthetic decision.

15 **Q. Are there any advantages to**  
16 **consumers to having rounded corners?**

17 MR. JACOBS: Objection. Form.

18 THE WITNESS: We set out to make a  
19 beautiful, iconic, instantly recognizable  
20 object, and that was our aesthetic  
21 decision.

22 **Q. Are there any functional**  
23 **advantages or any manufacturing advantages or any**  
24 **cost manufacturings -- cost advantages of any**  
25 **kind for having a tablet product that has rounded**

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1 **corners?**

2 A. It is disadvantage for the cost of  
3 the tablet to have rounded corners.

4 **Q. You did hear my question, right?**  
5 **Was something -- was there something unclear**  
6 **about my question to you?**

7 A. You asked if there were  
8 advantages.

9 MR. JACOBS: The question was  
10 compound, Counsel, and the witness  
11 properly dissected it. You want to  
12 divide it up, maybe you won't get answers  
13 you're not happy with.

14 MR. ZELLER: I asked if there were  
15 any functional advantages. You heard  
16 that word, right?

17 THE WITNESS: I heard that word.

18 **Q. So why did you point out a**  
19 **disadvantage?**

20 A. Because it is the opposite of  
21 advantage which would indicate that it was not an  
22 advantage.

23 **Q. Let's just start with some simple**  
24 **questions. Tell me yes or no. Can you think of**  
25 **a single advantage, functional advantage of any**

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1 **kind to having rounded corners for a tablet**  
2 **computer product?**

3 MR. JACOBS: Objection. Form.

4 THE WITNESS: Rounded corners is a  
5 generic expression. There are small  
6 rounded corners, there are big rounded  
7 corners. I find it a subjective  
8 question.

9 **Q. So you can't answer that**  
10 **question. It just doesn't make any sense to you;**  
11 **is that true?**

12 A. True.

13 **Q. We need to change tapes.**

14 MR. JACOBS: Let's break.

15 THE VIDEOGRAPHER: This marks the  
16 end of Tape Number 2 in today's  
17 deposition of Christopher Stringer. The  
18 time is 3:02 p.m. and we are off the  
19 record.

20 (recess taken from 3:02

21 THE VIDEOGRAPHER: This marks  
22 the beginning of Tape Number 3 of today's  
23 deposition of Christopher Stringer. The  
24 time is 3:15 p.m. and we are on record.

25 BY MR. ZELLER:

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1 important?

2 A. I do not recall any breakdown of  
3 which particular characteristics of a design  
4 would have attracted consumers nor --

5 **Q. Whether or not you recall any  
6 breakdown, do you have any knowledge or  
7 information on that subject?**

8 A. You're asking me about specific  
9 portions of a design, so you're asking me for a  
10 specific breakdown. I do not understand the  
11 question any other way.

12 **Q. Do consumers consider it to be  
13 important from a design perspective, an aesthetic  
14 perspective, that the iPhone and the iPad  
15 products are rectangular?**

16 A. No, I've never seen any comment of  
17 that nature.

18 **Q. Do consumers consider it to be  
19 important from an aesthetic or design perspective  
20 that the iPhone and the iPad products have  
21 rounded corners?**

22 A. I do not --

23 MR. JACOBS: Objection. Form.

24 THE WITNESS: -- have any survey  
25 data of that particular issue.

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1 **Q. So you don't know?**

2 A. When you refer to "rounded," I  
3 imagine a multitude of shapes. You need to be  
4 more specific in what I'm comparing them to.

5 **Q. I'm not comparing it to anything.  
6 I'm asking about the rounded corners that the  
7 iPhone and the iPad products use.**

8 **Do you have any information or  
9 information as to whether or not consumers  
10 consider it to be important, from an aesthetic or  
11 design perspective, that those products have  
12 rounded corners?**

13 A. My understanding of what you're  
14 referring to regarding rounded corners is the  
15 front view of the product, whereas a more  
16 sophisticated understanding of design would  
17 interpret the surface, the entirety of the back  
18 form, it is a singular surface.

19 The fact that we have one surface  
20 that envelopes the entire back of the product and  
21 the size of the product creates a very simple  
22 appearance.

23 **Q. And from your perspective, it's  
24 important to consumers, so far as the design or  
25 the aesthetics of the phone, that those are all**

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1 **of one piece; is that true?**

2 A. We designed something that we  
3 thought was most beautiful as the singular volume  
4 free of complication such that it is a very calm  
5 and attractive object.

6 **Q. Do you have knowledge or  
7 information as to whether any particular elements  
8 or features of the designs of the iPhone or the  
9 iPad products are important to consumers?**

10 A. Could you tell me what you mean by  
11 "features" in this instance?

12 **Q. It's unclear to you?**

13 A. Yes.

14 **Q. Do you know what the word  
15 "element" means?**

16 A. Yes.

17 **Q. That was part of my question, too.**

18 A. Uh-huh.

19 **Q. So do you know what a "design  
20 element" is?**

21 A. I have my understanding of what  
22 that means.

23 **Q. Do you have any knowledge or  
24 information as to whether any particular design  
25 elements of the iPad or the iPhone products are**

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1 **important to consumers?**

2 A. I know that the complete solution  
3 is attractive to consumers. I do not have  
4 information that breaks down feature by feature,  
5 element by element, to what degree the consumer  
6 responds positively to that product.

7 **Q. You mentioned earlier that Apple  
8 was making to look -- make the designs look calm  
9 and attractive.**

10 **Please tell me what that means?**

11 A. We strive towards simplification.  
12 In many instances, that means removing parts,  
13 integrating parts, and generally creating  
14 something that is the least that it can be.

15 **Q. What do you mean by "the least it  
16 can be"?**

17 A. The iPad is essentially two parts,  
18 the housing and the clear glass front, with just  
19 one gap between those two parts, which is quite  
20 unique for a product. It is entirely unique, in  
21 my understanding, of products that previously  
22 existed in this category. That is the kind of  
23 simplicity that I'm referring to.

24 **Q. Anything else?**

25 A. That is the biggest most

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1 Uh-huh.  
 2 **Q. And, specifically, it's the front**  
 3 **surface of the first iPhone along with a -- at**  
 4 **least the bezeled portion of it inside profile?**  
 5 A. That is correct.  
 6 **Q. Let me show you what was**  
 7 **previously marked as Exhibit 7, which is U.S.**  
 8 **design Patent 618677.**  
 9 **Do you recognize this document?**  
 10 A. Yes.  
 11 **Q. What do you recognize this**  
 12 **document as?**  
 13 A. The first iPhone.  
 14 **Q. And, specifically, you recognize**  
 15 **this as the front surface of the first iPhone,**  
 16 **and in this view doesn't depict the bezel?**  
 17 A. Yes.  
 18 **Q. You'll see that Exhibit 7 has a**  
 19 **list of inventors?**  
 20 A. Yes.  
 21 **Q. And if I asked you the same**  
 22 **questions about who participated and contributed**  
 23 **what in terms of the ideas and the designs that**  
 24 **are depicted here in Exhibit 7, you would give me**  
 25 **the same answers?**  
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1 A. I would give you the same answers  
 2 of the related question that you asked regarding  
 3 the iPad.  
 4 **Q. In other words, you can't break it**  
 5 **out into a particular person's specific**  
 6 **contribution, right?**  
 7 A. It is the product of this team.  
 8 **Q. And the same is true of Exhibit**  
 9 **6. If I were to ask you those questions, you**  
 10 **would give me the same answer?**  
 11 A. That is correct.  
 12 **Q. Focusing your attention on Exhibit**  
 13 **6 and 7. You'll see that the speaker slot is**  
 14 **located in a particular position?**  
 15 A. I see it.  
 16 **Q. Why was the slot put in that**  
 17 **position?**  
 18 A. Because it was the most calm and  
 19 simple impression that we could create for that  
 20 feature on the front face of the product.  
 21 **Q. Are there any user constraints**  
 22 **that you're aware of concerning the placement of**  
 23 **the speaker slot on the phone?**  
 24 A. Repeat the question.  
 25 **Q. Sure. Are there any user**  
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1 **constraints or any other constraints that you're**  
 2 **aware of about where a slot for the speaker that**  
 3 **goes to the ear of a phone can be located?**  
 4 A. If you really think about it, you  
 5 could put it pretty much anywhere.  
 6 **Q. Are there any constraints that you**  
 7 **know, from a technical or commercial viability**  
 8 **perspective, on the placement?**  
 9 A. It would be more commercial viable  
 10 to put it to the left a little.  
 11 **Q. Why is the shape of the ear piece**  
 12 **hole in a -- with kind of rounded edges?**  
 13 A. Excuse me? Why?  
 14 **Q. Why is the shape of this ear piece**  
 15 **hole in a slot shape?**  
 16 A. It is a slot shape for aesthetic  
 17 reasons, and that it's a very simple, calm shape  
 18 that allowed us to get an opening over the  
 19 location where the receiver is on the product.  
 20 **Q. What's the purpose of that**  
 21 **opening?**  
 22 A. There is a need not to occlude the  
 23 path of the sound.  
 24 **Q. It's the hole where people put**  
 25 **their ear up to the phone to hear, right?**  
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1 A. That is correct.  
 2 **Q. Were there alternative designs**  
 3 **that Apple considered where the ear hole there,**  
 4 **the slot was in places other than the upper half**  
 5 **of the phone?**  
 6 A. I believe there were some concepts  
 7 where the slot was not on the front face, if that  
 8 answers your question.  
 9 **Q. From your perspective, is it**  
 10 **important from a design perspective where this**  
 11 **ear hole slot is placed on a design?**  
 12 A. From a design perspective?  
 13 **Q. Yes?**  
 14 A. From an aesthetic --  
 15 **Q. Right?**  
 16 A. -- purpose? We found this to be  
 17 the most attractive location and -- yeah.  
 18 **Q. Let me ask you this: Assuming**  
 19 **that the ear hole slot was moved up higher on the**  
 20 **phone, on the front surface of the phone than**  
 21 **what's depicted here near the top, from your**  
 22 **perspective, would that make the design**  
 23 **substantially different or would it still be**  
 24 **substantially the same?**  
 25 A. Substantially the same.  
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1 but I do recall exhaustive meetings discussing  
 2 what form factor we would want of such a device.  
 3 **Q. And how about the aesthetic**  
 4 **aspects of the device, where did those come from?**  
 5 A. We, the team that is credited on  
 6 the patent documents, all -- actually, I just  
 7 went blank and forgot the question.  
 8 **Q. How were the aesthetic aspects of**  
 9 **the device?**  
 10 A. Yeah. Those mentioned in the  
 11 design team were all active participants in  
 12 thrashing through and creating, representing  
 13 ideas, either verbally or in sketches or in  
 14 whatever way you choose to. There are no rules.  
 15 It is a very free-flowing, very creative. The  
 16 design team has been together. Essentially, we  
 17 have been accumulating designers in the last 18  
 18 years. I've been there nearly 16. Many of us,  
 19 we have never lost a designer that we truly value  
 20 in that period of time. So that the level of  
 21 discussion is very free-flowing, very natural,  
 22 and very much in tune where we have a very  
 23 productive dynamic.  
 24 **Q. With respect to the iPhone, was**  
 25 **the general process that you've described**  
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1 idea heavily in that we wanted to have that same  
 2 black, mysterious, oily surface that projected  
 3 the full extent of the front face of the product  
 4 which the magical experience of the display  
 5 appearing, and to be able to interact with it.  
 6 Also, we wanted to create this strong looking  
 7 metal band around the perimeter of the product,  
 8 which we call the metal bezel, which is an  
 9 uninterrupted surface that extrudes all the way  
 10 around the product, and not being affected by any  
 11 other features, whether that be IO's, switches or  
 12 speaker details, so that we had a very distinct,  
 13 clear icon that you could recognize readily from  
 14 a good long range indisputably an Apple product.  
 15 I think it has to be added that  
 16 you may note that our products rely on this  
 17 maniacal design process in order to get a strong,  
 18 marketable icon that represents a product in an  
 19 entirely new way such that we do not even need to  
 20 put our brand on the front of the product, which  
 21 we do not do on iPods or iPhones or iPads.  
 22 MR. JACOBS: I have no further  
 23 questions. I do want to note that we  
 24 have brought with us, in case you had  
 25 wanted to ask, a secure computer with CAD  
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1 **followed?**  
 2 A. Yes.  
 3 **Q. And so it's a little nearer in**  
 4 **time, can you describe in general how the iPhone**  
 5 **was designed, the process of design for the**  
 6 **iPhone?**  
 7 A. The original iPhone or all the  
 8 iPhones?  
 9 **Q. Let's start with the original**  
 10 **iPhone, the one that's reflected in the design**  
 11 **patents that are before us today, the 087 and 677**  
 12 **design patents.**  
 13 A. How it was designed?  
 14 **Q. Let me ask a slightly different**  
 15 **question.**  
 16 A. Can you ask a more specific  
 17 question?  
 18 **Q. You talked about in connection**  
 19 **with the iPad this idea of an oily puddle?**  
 20 A. Uh-huh.  
 21 **Q. What -- do you have a similar --**  
 22 **do you have a formulation to describe the design**  
 23 **aesthetic or your design goal for the original**  
 24 **iPhone?**  
 25 A. The iPhone was leveraging that  
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1 designs on it so that the witness could  
 2 be asked about CAD designs, and I'm  
 3 holding it for the video camera now.  
 4 Other than that, I think we are done.  
 5 MR. ZELLER: And we obviously  
 6 reserve our rights and I think you intend  
 7 to leave, if I understand things  
 8 correctly.  
 9 MR. JACOBS: Off the record.  
 10 THE VIDEOGRAPHER: This marks the  
 11 end of Tape Number 5 of five and  
 12 concludes today's deposition of  
 13 Christopher Stringer. The time is  
 14 7:04 p.m. and we are off the record.  
 15 (Time noted: 7:04 p.m.)  
 16  
 17  
 18  
 19  
 20  
 21  
 22  
 23  
 24  
 25  
 \_\_\_\_\_  
 CHRISTOPHER STRINGER  
 Subscribed and sworn to before me  
 This day of , 2011.  
 \_\_\_\_\_  
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CERTIFICATE  
STATE OF CALIFORNIA )  
)  
COUNTY OF SAN FRANCISCO )

I, LINDA VACCAREZZA, a Certified  
Shorthand Reporter for the State of  
California, do hereby certify:

That CHRISTOPHER STRINGER, the  
witness whose deposition is hereinbefore  
set forth, was duly sworn by me and that  
such deposition is a true record of the  
testimony given by such witness.

I further certify that I am not  
related to any of the parties to this  
action by blood or marriage; and that I  
am in no way interested in the outcome of  
this matter.

IN WITNESS WHEREOF, I have hereunto  
set my hand this 3rd day of  
August, 2011.

\_\_\_\_\_  
LINDA VACCAREZZA, CSR. NO. 10201

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