

EXHIBIT 4
FILED UNDER SEAL

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

4 APPLE INC., a California
corporation,

5
6 Plaintiff,

7 vs.

Case No. 11-CV-01846-LHK

SAMSUNG ELECTRONICS CO., LTD.,

8 a Korean business entity;

SAMSUNG ELECTRONICS AMERICA,

9 INC., a New York corporation;

SAMSUNG TELECOMMUNICATIONS

10 AMERICA, LLC, a Delaware

limited liability company,

11 Defendants.

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14 *HIGHLY CONFIDENTIAL UNDER THE PROTECTIVE ORDER*

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16
17 VIDEOTAPED DEPOSITION OF BAS ORDING

Redwood Shores, California

18 Tuesday, August 9, 2011

19
20 Reported by:

LORRIE L. MARCHANT, CSR No. 10523, RPR, CRR, CCRR, CLR

21 JOB NO. 40970
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1 a touchscreen?

2 MR. BRIDGES: Objection. Vague and ambiguous.

3 THE WITNESS: I don't know. It could be,
4 but ...

5 MR. JOHNSON: A copy of the '381 patent.

6 (Marked for identification purposes,
7 Exhibit 71.)

8 BY MR. JOHNSON:

9 Q. You recognize this as your patent; right?

10 A. I recognize this as the patent that I'm shown
11 as an inventor.

12 Q. Now, if -- I turn -- if you turn to the back,
13 Column 35?

14 A. Right.

15 Q. -- there -- there are claims that are numbered
16 1 to 20 there.

17 Do you see that?

18 A. Yes, I see that.

19 Q. And if I ask you about terms that are contained
20 in this claim, these claims, so, for example, if I ask
21 you to look at Claim 1 --

22 A. Yeah.

23 Q. -- right, it says, A computer-implemented
24 method comprising at a -- comprising: At a device with
25 a touchscreen display.

1 Can you tell me what "at a device with a
2 touchscreen display" means?

3 MR. BRIDGES: And I'll object as call for a
4 legal conclusion.

5 THE WITNESS: Yeah. I don't know what it means
6 legally, but in my own terms, I think it's about some --
7 yeah, some device with a touchscreen.

8 BY MR. JOHNSON:

9 Q. Okay. And how about the next -- the next
10 limitation: Displaying a first portion of an electronic
11 document, what -- what does that mean?

12 MR. BRIDGES: Same objection. Calls for a
13 legal conclusion.

14 THE WITNESS: In my own words, it would display
15 part of a -- I guess an electronic document, which could
16 mean different things.

17 BY MR. JOHNSON:

18 Q. Well, what -- what -- what does an "electronic
19 document" mean?

20 MR. BRIDGES: Objection. Again, calls for a
21 legal conclusion.

22 THE WITNESS: To me it means things that are
23 electronically stored on some kind of computer, I
24 believe. And I guess in the context of this idea,
25 it's -- it has to do with something that's visible.

1 BY MR. JOHNSON:

2 Q. What do you mean, "something that's visible"?

3 A. Or something that can be displayed somehow.

4 Q. On a touchscreen, for example? Or it doesn't
5 have to be on a touchscreen?

6 MR. BRIDGES: Same objection as before. Calls
7 for a legal conclusion now, as well as expert testimony.

8 THE WITNESS: Well, in my opinion, electronic
9 documents are -- can be on any kind of computer, as far
10 as I know.

11 BY MR. JOHNSON:

12 Q. Okay. The next element says -- the next
13 limitation says, Detecting a movement of an object on or
14 near the touchscreen display.

15 What -- what does that mean?

16 MR. BRIDGES: Same objections. Calls for
17 expert testimony and legal conclusion.

18 THE WITNESS: Oh, just the next sentence --
19 yeah. Yeah. So I don't know the exact legal meaning,
20 but from my perspective, the idea that I worked on
21 is where you could move your finger on the touchscreen.
22 So I assume that that's what it's referring to.

23 BY MR. JOHNSON:

24 Q. Okay. How about the next -- the next
25 limitation: In response to detecting the movement,

1 translating the electronic document displayed on the
2 touchscreen display in a first direction to display a
3 second portion of the electronic document, wherein the
4 second portion is different from the first portion?

5 A. So are you -- so are you asking me what I think
6 it means?

7 Q. Yeah.

8 MR. BRIDGES: Same objections as before. Calls
9 for a legal conclusion and expert testimony.

10 THE WITNESS: Again, legally, I'm not sure what
11 it really means. Also, because of the wording, I've --
12 I'm not quite sure exactly that the -- what it means
13 with first and second portions. I'm not sure what that
14 means.

15 But I think it relates to -- and -- my idea
16 where you could move something on the screen with your
17 finger, that you can move it in a certain direction.

18 BY MR. JOHNSON:

19 Q. So you don't know what the "first portion"
20 refers to or the "second portion"?

21 MR. BRIDGES: Objection. Same -- same
22 objections as before.

23 THE WITNESS: I -- I wouldn't, like, you know,
24 describe it like that, personally.

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CERTIFICATE

STATE OF CALIFORNIA)

: SS

COUNTY OF SONOMA)

I, Lorrie L. Marchant, a Certified Shorthand Reporter, a Registered Professional Reporter, a Certified Realtime Reporter, and a Certified Realtime Professional within and for the State of California, do hereby certify:

That BAS ORDING, the witness whose deposition is herein set forth, was duly sworn/affirmed 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 11th day of August, 2011.



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