

EXHIBIT 2

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

8 SAMSUNG ELECTRONICS CO., LTD.,
a Korean business entity;

9 SAMSUNG ELECTRONICS AMERICA,
INC., a New York corporation;

10 SAMSUNG TELECOMMUNICATIONS
AMERICA, LLC, a Delaware
11 limited liability company,

12 Defendants.

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15 CONFIDENTIAL
16 ATTORNEYS' EYES ONLY
17 OUTSIDE COUNSEL
18 VIDEOTAPED DEPOSITION OF DANIEL COSTER
San Francisco, California
19 Thursday, October 27, 2011
20

21
22 Reported by:

LORRIE L. MARCHANT, CSR No. 10523

23 RPR, CRR, CCRR, CLR

24 JOB NO. 43003
25

1 October 27, 2011

2 9:57 a.m.

3

4 Videotaped Deposition of

5 DANIEL COSTER, held at the offices of

6 Quinn Emanuel Urquhart & Sullivan,

7 LLP, 50 California Street, 22nd

8 Floor, San Francisco, California,

9 before Lorrie L. Marchant, a Certified

10 Shorthand Reporter, Registered

11 Professional Reporter, Certified

12 Realtime Reporter, California

13 Certified Realtime Reporter and

14 Certified LiveNote Reporter.

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

FOR THE PLAINTIFF APPLE INC.:

MORRISON & FOERSTER, LLP

BY: MATTHEW I. KREEGER, ESQ.

425 Market Street

San Francisco, California 94105-2482

Phone: (415)268-6538

Fax: (415) 268-7522

e-mail: mkreeger@mofo.com

FOR THE DEFENDANTS SAMSUNG:

QUINN EMANUEL URQUHART & SULLIVAN, LLP

BY: MICHAEL ZELLER, ESQ.

865 S. Figueroa Street, 10th Floor

Los Angeles, California 90017

Phone: (213) 443-3000

Fax: (213) 443-3100

e-mail: michaelzeller@quinnemanuel.com

and

BY: SCOTT C. HALL, ESQ.

555 Twin Dolphin Drive, 5th Floor

Redwood Shores, California 94065

Phone: (650) 801-5000

Fax: (650) 801-5100

e-mail: scotthall@quinnemanuel.com

ALSO PRESENT:

David Edward Melaugh

Apple Principal Counsel Litigation

Jake Krohn, Videographer

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1 THE VIDEOGRAPHER: This is the start of
2 tape labeled No. 1 of the videotaped deposition of
3 Daniel Coster in the matter Apple Inc., versus
4 Samsung Electronics Company, Limited, et al., in the
5 United States District Court, Northern District of
6 California, San Jose Division. No. 11-CV-01846-LHK.

7 This deposition is being held at
8 50 California Street, 22nd Floor, San Francisco,
9 California, on October 27th, 2011, at approximately
10 9:57.

11 My name is Jake Krohn from TSG Reporting,
12 Inc., and I am the legal video specialist. The
13 court reporter is Lorrie Marchant, in association
14 with TSG Reporting.

15 Will counsel please introduce yourself.

16 MR. ZELLER: Mike Zeller for Samsung.

17 MR. HALL: Scott Hall for Samsung.

18 MR. KREEGER: Matthew Kreeger, Morrison &
19 Foerster, for Apple and the witness. With me is
20 David Melaugh from Apple.

21 THE VIDEOGRAPHER: Will the court reporter
22 please swear in the witness.

23 THE REPORTER: Do you solemnly swear or
24 affirm under the penalties of perjury that the
25 testimony you are about to offer will be the truth,

1 the whole truth and nothing but the truth?

2 THE WITNESS: I do.

3 EXAMINATION BY MR. ZELLER

4 BY MR. ZELLER:

5 Q. Good morning. If you could please state
6 and spell your full name for the record.

7 A. Daniel John Coster. D-A-N-I-E-L, J-O-H-N,
8 C-O-S-T-E-R.

9 Q. And where do you currently reside?

10 A. 756 Church Street, San Francisco,
11 California.

12 Q. And what is your current business address?
13 What is your current business address?

14 A. Apple, Inc. One Infinite Loop, Cupertino,
15 California.

16 Q. And how long have you worked for Apple?

17 A. Nearly 17 years.

18 Q. And you're an industrial designer?

19 A. Yes.

20 Q. Have you had that position the whole time
21 you've been with Apple?

22 A. Yes.

23 Q. Back when you started working for Apple,
24 about 17 years ago, who did you report to?

25 (Discussion off the record.)

1 A. Again, I can't interpret that from here.

2 Q. Do you have an under -- well, I'm sorry.
3 Strike that.

4 Does the design that's shown here in the
5 '889 design patent show or depict any vents? And
6 for the record, I'm saying V-E-N-T-S.

7 A. Again, I'm sorry. The -- the drawing
8 depicts the design, so it's hard for me to give you
9 specific feedback.

10 Q. Going back for a moment to that thicker,
11 darker line that's part of Figure 1 --

12 A. Okay.

13 Q. -- do you know whether that darker, thicker
14 line depicts a gap or a groove?

15 A. No, I don't.

16 Q. Do you know whether that darker, thicker
17 line depicts an area where there were vents?

18 A. So what was the question again? Sorry.

19 Q. Do you know whether that darker, thicker
20 line in Figure 1 depicts where there were vents?

21 A. No, I don't know.

22 Q. Your counsel has brought a couple of tablet
23 mockups that I have a few questions about for you.

24 Why don't we start with the larger one.

25 And for the record, I'm -- I'm showing you

1 the three-dimensional mockup of -- of a -- of a
2 tablet computer design. And this particular one is
3 the one with the -- what sometimes people refer to
4 as the "30-point connector" and then the single hole
5 as a -- on one of the sides.

6 So if I can hand that to you, please. And
7 if you can take a look at the physical mockup, I'd
8 appreciate it.

9 And for the record, I'm going to hand you
10 what was previously marked as Exhibit 842, which is
11 a -- which is two pages of photographs with some
12 closeups of one of the mockups.

13 So first, directing your attention to the
14 physical mockup that you have in front of you, the
15 three-dimensional object --

16 A. Yes.

17 Q. -- had you seen that before today?

18 A. Yes.

19 Q. And did you see that in the course of your
20 work there at Apple?

21 A. Correct.

22 Q. Did you see that in the course of working
23 on the design that's shown here in the '889 design
24 patent?

25 A. Yes.

1 Q. Is -- is the mockup of the tablet that you
2 have in front of you the -- the design that's shown
3 in the '889 design patent?

4 A. I believe so.

5 Q. And directing your attention to what we
6 marked as Exhibit 842, which are the two pages of
7 photographs --

8 A. Yes.

9 Q. -- and these -- these are closeups of
10 that -- the mockup that you have in front of you.

11 A. Okay.

12 Q. And you'll see that there are -- those --
13 those arrows with the Letter A on both pages.

14 Do you see that?

15 A. Yes.

16 Q. And where those arrows are pointing and
17 labeled A, are those vents?

18 A. Unfortunately, I -- I don't know. They
19 look pretty, but I'm -- I'm -- I don't know if they
20 are vents or not.

21 Q. And just if you could take a look at the
22 second page to satisfy yourself and be sure. And
23 I'm referring to the second page of Exhibit 842, the
24 photographs.

25 A. Thank you.

1 THE VIDEOGRAPHER: This is the end of
2 Tape 1 and the deposition of Daniel Coster on
3 October 27, 2011. The time is 11:51. We are off
4 the record.

5 (Time noted: 11:51 a.m.)

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DANIEL COSTER

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11 Subscribed and sworn to
12 before me this day
13 of 2011.

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