

EXHIBIT 3

FILED UNDER SEAL

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

5 APPLE INC., a California
6 corporation,

7 Plaintiff,

8 vs. CASE NO. 11-cv-01846-LHK

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

18 _____/

19 H I G H L Y C O N F I D E N T I A L
20 A T T O R N E Y S ' E Y E S O N L Y

21 VIDEOTAPED DEPOSITION OF DOUGLAS SATZGER
22 REDWOOD SHORES, CALIFORNIA
23 TUESDAY, NOVEMBER 8, 2011

24 BY: ANDREA M. IGNACIO HOWARD, CSR, RPR, CCRR, CLR
25 CSR LICENSE NO. 9830
JOB NO. 42999

1 TUESDAY, NOVEMBER 8, 2011

2 9:30 a.m.

3

4

5

6 VIDEOTAPED DEPOSITION OF DOUGLAS SATZGER,

7 taken at QUINN EMANUEL URQUHART &

8 SULLIVAN, LLP, 555 Twin Dolphin Drive,

9 Suite 560, Redwood Shores, California,

10 Pursuant to Notice, before me,

11 ANDREA M. IGNACIO HOWARD, CLR, CCRR, RPR,

12 CSR License No. 9830.

13

14

15

16

17

18

19

20

21

22

23

24

25

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

2

3

4 FOR APPLE INC.:

5 MORRISON & FOERSTER

6 By: RICHARD HUNG, Esq.

7 425 Market Street

8 San Francisco, California 94105

9

10

11

12

13 FOR THE DEPONENT:

14 COOPER & SCULLY

15 By: DEREK DAVIS, R.PH., J.D.

16 100 California Street

17 San Francisco, California 94111

18

19

20

21

22

23

24

25

1 A P P E A R A N C E S: (Continued.)

2

3

 FOR SAMSUNG ELECTRONICS CO. LTD:

4 QUINN EMANUEL URQUHART & SULLIVAN

5 By: MICHAEL ZELLER, Esq.

6 SCOTT HALL, Esq.

7 865 South Figueroa Street

8 Los Angeles, California 90017

9

10

11

12

 ALSO PRESENT: Alan Dias, Videographer

13

 Erica Tierney, Apple, Inc.

14

15

 ---oOo---

16

17

18

19

20

21

22

23

24

25

1 REDWOOD SHORES, CALIFORNIA

2 TUESDAY, NOVEMBER 8, 2011

3 9:30 a.m.

4
5
6
7 THE VIDEOGRAPHER: Good morning. This is the
8 start of Disc No. 1 of the videotaped deposition of
9 Douglas Satzger in the matter of Apple, Inc., versus
10 Samsung Electronics.

11 In the United States District Court, Northern
12 District of California, San Jose Division. Case
13 No. 511-cv-01846.

14 We are located today at 555 Twin Dolphin
15 Drive in the city of Redwood Shores, California.
16 Today is November 8, 2011, and the time is 9:30 a.m.

17 My name is Alan Dias from TSG Reporting.
18 Here with me is Andrea Ignacio, also from TSG
19 Reporting.

20 Counsel, would you please identify yourselves
21 for the record.

22 MR. ZELLER: Mike Zeller for Samsung.

23 MR. HALL: Scott Hall for Samsung.

24 MR. DAVIS: Derek Davis here for the witness.

25 MR. HUNG: Richard Hung, Morrison & Foerster,

1 for Apple, Inc.

2 MS. TIERNEY: Erica Tierney, Apple, Inc.

3 THE VIDEOGRAPHER: Will the court reporter
4 please swear in the witness.

5

6 DOUGLAS SATZGER,

7 having been sworn as a witness,

8 by the Certified Shorthand Reporter,

9 testified as follows:

10

11

12 EXAMINATION BY MR. ZELLER

13 MR. ZELLER: Q. Good morning.

14 A Good morning.

15 Q If you could please tell us your full name
16 for the record.

17 A Douglas Bernard Satzger.

18 Q And have you ever gone by any other name?

19 A No.

20 Q You are currently employed?

21 A No.

22 Q When were you last employed?

23 A Last day at HP was September 19th.

24 Q Of this year?

25 A Yes. Sorry. 2011.

1 A When building a mockup for a concept, we
2 would try to represent a very neutral color palette
3 that would simulate the materials that we would
4 potentially use, but not distract from the design
5 qualities, the aesthetic product --

6 Q Oh, I see. So the --

7 A -- many times.

8 Q -- so generally speaking, the goal was that
9 the mockup was to simulate the materials that would be
10 involved, but not the color itself?

11 MR. HUNG: Objection; vague.

12 THE WITNESS: Yes.

13 MR. ZELLER: All right.

14 Do you have the 035 mockup?

15 MR. HUNG: No.

16 MR. ZELLER: Okay.

17 MR. HUNG: I didn't actually -- we didn't
18 receive an e-mail, I think, asking us to bring it to
19 this depo.

20 MR. ZELLER: We've asked for it to be
21 available for all of the interim depositions.

22 Do you have these?

23 MR. HALL: Yes.

24 Would you please mark as Exhibit 1173 a
25 multipage document consisting of photographs of the --

1 what people call the 035 mockup.

2 (Document marked Exhibit 1173

3 for identification.)

4 MR. ZELLER: All right.

5 Q And so you know, what we've marked as
6 Exhibit 1173 are photographs of a mockup -- an Apple
7 mockup that has generally been identified as the 035
8 mockup.

9 A Uh-huh, yes.

10 Q And based on these photographs, are you able
11 to tell me whether this is a mockup you recall?

12 A Yes.

13 Q And is this something that you worked on when
14 you were at Apple?

15 A Yes.

16 Q With respect to the 035 mockup, was that in
17 connection with the design that's shown here in the
18 '889 design patent?

19 A Yes.

20 Q Is the 035 mock-up, that's depicted in
21 these -- these photographs, the design that is
22 depicted here in the '889 design patent?

23 MR. HUNG: Objection; calls for a legal
24 conclusion; foundation.

25 MR. DAVIS: Calls for speculation.

1 THE WITNESS: Based on what I know, yes.

2 MR. ZELLER: Q. Was the 035 mock-up of the
3 tablet computer design one that you worked on
4 simulating the materials for?

5 A Yes.

6 Q Do you recall what you did any more
7 specifically on the 035 mockup?

8 A Gave a general spec for color callouts.

9 Q And please tell me what that means.

10 A The lead designer would prepare a file for a
11 model maker to build a physical model, and along with
12 that file would be a color specification document.
13 Part A is color A. Part B is color B.

14 Q The file that you were --

15 A Specs.

16 Q Oh, I'm sorry. I didn't mean to cut you off.

17 A Part of the specification.

18 Q The file that you were referring to is a
19 computer file for the model build?

20 A The file for a -- for the CAD document is a
21 computer file. The file for a color spec within Apple
22 was a handwritten document with bullet points or
23 balloons pointing at different parts.

24 Q Was the handwritten document then given to
25 the -- the model makers?

HIGHLY CONFIDENTIAL-ATTORNEYS' EYES ONLY

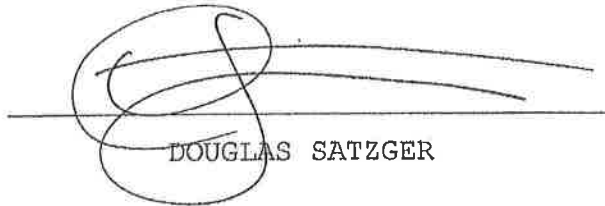
Page 102

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

J U R A T

I, DOUGLAS SATZGER, do hereby certify under penalty of perjury that I have read the foregoing transcript of my deposition taken on November 8, 2011; that I have made such corrections as appear noted herein in ink, initialed by me; that my testimony as contained herein, as corrected, is true and correct.

DATED this 21 day of NOVEMBER, 2011,
at 225 ARDEN RD. MENLO PARK California.



DOUGLAS SATZGER

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

CERTIFICATE OF REPORTER

I, ANDREA M. IGNACIO HOWARD, hereby certify that the witness in the foregoing deposition was by me duly sworn to tell the truth, the whole truth, and nothing but the truth in the within-entitled cause;

That said deposition was taken in shorthand by me, a Certified Shorthand Reporter of the State of California, and was thereafter transcribed into typewriting, and that the foregoing transcript constitutes a full, true and correct report of said deposition and of the proceedings which took place;

That I am a disinterested person to the said action.

IN WITNESS WHEREOF, I have hereunto set my hand this 8th day of November, 2011.

ANDREA M. IGNACIO HOWARD, RPR, CCRR, CLR, CSR No. 9830