

**EXHIBIT 65**  
**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. ) 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 )  
limited liability company )

11 )  
12 Defendants. )  
13 \_\_\_\_\_ )

14 \*\*HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY\*\*

15  
16 DEPOSITION OF FREDDY ANZURES  
17 Redwood Shores, California  
18 Tuesday, October 18, 2011  
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22  
23 Reported By:  
24 LINDA VACCAREZZA, RPR, CLR, CRP, CSR. NO. 10201  
25 JOB NO. 42857

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October 18, 2011  
10:11 a.m.

Videotaped deposition of FREDDY ANZURES, held at Quinn Emanuel Urquhart & Sullivan, LLP, 555 Twin Dolphin Drive, Suite 500, 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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BY: ANDREW E. MONACH, ESQ.

Videographer: Jason Kocol

1 THE VIDEOGRAPHER: This is the  
2 start of tape labeled Number 1 of the  
3 videotaped deposition of Freddy Anzures  
4 in the matter of Apple, Incorporated  
5 versus Samsung Electronics Company,  
6 Limited, in the United States District  
7 Court, Northern District of California,  
8 San Jose Division. Case number 11-CV-  
9 01846-LHK.

10 This deposition is being held  
11 at 555 Twin Dolphin Drive, Redwood  
12 Shores, California on October 18th, 2011  
13 at approximately 10:11 a.m.

14 My name is Jason Kocol. I'm  
15 the legal video specialist from TSG  
16 Reporting Incorporated, headquartered at  
17 747 Third Avenue, New York, New York.

18 The court reporter is Linda  
19 Vaccarezza in association with TSG  
20 Reporting.

21 Will counsel please introduce  
22 yourselves for the record.

23 MR. ZELLER: Mike Zeller for  
24 Samsung.

25 MR. MONACH: Andrew Monach for

1 Apple and the witness.

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

4

5 F R E D D Y A N Z U R E S,

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

10 EXAMINATION BY:

11 MR. ZELLER:

12 Q. Good morning.

13 A. Good morning.

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

16 A. Freddy Anzures.

17 Q. Have you ever gone by any other  
18 name?

19 A. No.

20 Q. Where do you currently reside?

21 A. San Francisco.

22 Q. And how long have you lived there?

23 A. Since 1999.

24 Q. Are you currently employed?

25 A. Yes.

1                   And with that understanding, to  
2 create things for the products to kind of marry  
3 that familiarity in what they see in the real  
4 world into something that's on the product.

5                   Q.       And your reference to the "real  
6 world," what you're referring to is is that  
7 you're -- in designing icons, one of your goals,  
8 your intention in that regard is to use a  
9 familiar or obvious kind of real-world object  
10 that you can then represent in the icon, that  
11 people will instantly recognize what function is  
12 going to be launched by pressing on that icon?

13                   MR. MONACH:   Object to the form of  
14 the question.

15                   THE WITNESS:   Repeat your question  
16 again.

17                   Q.       Sure.   Maybe I can break it down a  
18 little bit, too.

19                               In part of your answer -- I'll  
20 just try it this way.

21                               In part of your answer you  
22 referred to the "real world."   What do you mean  
23 by the "real world"?   How does that relate to the  
24 icon design?

25                   A.       Physical world.

1 Q. Is what you mean that as part of  
2 the icon design -- and we are talking about icons  
3 that are used for these mobile devices -- that  
4 one source of the graphics or the pictures that  
5 are used, are the real world or physical analogs?

6 A. Yes.

7 Q. So in other words, as depicted in  
8 Figure 1, there's a telephone receiver that's  
9 used as the picture or the graphic for the  
10 telephone icon, right?

11 A. Yes.

12 Q. And is that an example of what  
13 you're referring to?

14 A. This is an example of, you know,  
15 understanding a symbol in the physical world, and  
16 this being a representation of it on the phone,  
17 yes.

18 Q. And then let's use the phone icon  
19 as an example. What is it that the design of the  
20 phone icon was intended to communicate to the  
21 user?

22 A. The phone functionality of the  
23 device.

24 Q. And when you say "the phone  
25 functionality," do you mean that it was -- that



1 the icon communicates to the user that the result  
2 of pressing on the phone icon, that's  
3 communicated by that picture or image, is -- that  
4 the phone function will activate?

5 A. Yes.

6 Q. And did you believe, when you were  
7 designing the phone icon, that using a picture or  
8 graphic of a telephone receiver communicated that  
9 information to the user in an effective way?

10 MR. MONACH: Object to the form of  
11 the question.

12 THE WITNESS: You mean this is a  
13 telephone receiver -- we could have used  
14 a number of different types of telephone  
15 receivers for this application, but we  
16 chose this one.

17 Q. What I'm asking is: Why did you  
18 use a telephone receiver to communicate that  
19 information?

20 A. Because as designers, this is the  
21 symbol that -- when we most think of phones, this  
22 is the most simple visual to communicate that  
23 functionality.

24 Q. Is it true that in designing the  
25 other icons, that are shown here in the '305

1 design patent, that you were attempting to  
2 communicate to the users the particular  
3 functionality that would be activated by pressing  
4 on that icon?

5 A. Yes.

6 Q. And that's why you chose the  
7 particular graphics or pictures that you chose  
8 for those icons?

9 A. Yes.

10 Q. And I take it that you chose the  
11 particular pictures or images that end up being  
12 used for the icons, that are shown here on the  
13 '305 design patent, because you thought that they  
14 were effective in communicating that information  
15 to users, right?

16 MR. MONACH: Objection. Compound,  
17 incomplete hypothetical.

18 THE WITNESS: Certainly in our  
19 opinion, yes, we think this is the most  
20 effective visual to communicate the  
21 functions on the phone.

22 Q. Directing your attention to Figure  
23 1 and Figure 2. Well, actually, let me narrow it  
24 down already.

25 Directing your attention to Figure

1 1 of the '305 design patent, you'll see in the  
2 upper left-hand corner there are the words  
3 "AT&T"?

4 A. Yes.

5 Q. Is that part of the claim design  
6 here?

7 MR. MONACH: Objection. Calls for  
8 a legal conclusion, lacks foundation.

9 Q. By your understanding?

10 A. I'm not a patent -- not familiar  
11 with patents, so I can't say.

12 Q. I understand that. I'm asking for  
13 your understanding, though, as an inventor on  
14 this patent.

15 So let me try it this way.

16 By your understanding, does the  
17 '305 design patent claim as part of the design  
18 the words "AT&T," as they appear here on Figure  
19 1?

20 MR. MONACH: Objection. Calls for  
21 a legal conclusion. Objection. Lack of  
22 foundation in light of the prior  
23 testimony.

24 THE WITNESS: I don't know.

25 Q. Did Apple get AT&T's permission to

1 MR. MONACH: Objection. Vague,  
2 assumes facts not in evidence.

3 THE WITNESS: Some keypads sure.  
4 Not all keypads.

5 Q. Many keypads that you've seen over  
6 the years, right?

7 A. Many keypads.

8 Q. And so my question is: Do you,  
9 from your own experience, find something familiar  
10 or efficient to have the layout be done in this  
11 grid-and-column form?

12 MR. MONACH: Objection. Vague.

13 THE WITNESS: Grid-and-column form  
14 is one way to present things from a  
15 visual design point of view.

16 Q. You said "digital design"?

17 A. Visual.

18 Q. And do you have an understanding  
19 as to what the reasons are for that?

20 MR. MONACH: Objection. Asked and  
21 answered, vague.

22 Q. I'm moving beyond now just  
23 keypads. I'm now asking in response to your last  
24 question about grid-and-column patterns.

25 MR. MONACH: Now I'll object.

1           It's even more abstract and vague.

2                   THE WITNESS: From my designer's  
3 perspective, a grid-and-column pattern is  
4 one of a number of ways to present  
5 information.

6           Q.       Well, are there advantages to it  
7 from a visual design perspective?

8                   MR. MONACH: Objection. Vague as  
9 to the application and other  
10 circumstances.

11                   THE WITNESS: Based on my  
12 knowledge, the advantages are to -- it's  
13 an organizing principle.

14           Q.       Would you agree that having a  
15 grid-and-column pattern, in addition to having  
16 the advantage of being -- of creating  
17 organization, also has advantages to users  
18 because it's a familiar pattern to them?

19                   MR. MONACH: Objection. Vague,  
20 incomplete hypothetical.

21                   THE WITNESS: I can't say what's a  
22 familiar pattern to users; all I know is  
23 the design team made its best effort to  
24 use paradigms like that, people are  
25 familiar with.

1                   We can't -- there's no real --  
2                   we can't really understand what people  
3                   find -- people's own opinions of what  
4                   they see.

5                   Q.       I'm not asking about individual  
6                   people's opinions, but as a designer, which  
7                   you're attempting to accomplish through the  
8                   designs that you work on for mobile devices there  
9                   at Apple, is that you are endeavoring to  
10                  communicate in the most efficient and  
11                  commonsensical and conventional way to the most  
12                  users possible, right?

13                  MR. MONACH:   Object to the form of  
14                  the question.   It's vague and ambiguous.

15                  Q.       Doesn't mean every single person  
16                  understands it, but you're trying to get  
17                  the largest group of people to understand  
18                  it, right?

19                  MR. MONACH:   Same objection.

20                  THE WITNESS:   We just design the  
21                  stuff, we don't -- we make our best guess  
22                  as to what that is.   We don't know what  
23                  that is.

24                  Q.       Well, whether you know what it is  
25                  or not, it's your intention that by using the

1 have. Thanks.

2 THE VIDEOGRAPHER: This marks the  
3 end of Tape Number 4 of 4 and concludes  
4 today's deposition of Freddy Anzures.  
5 The time is 5:14 p.m. We are off the  
6 record.

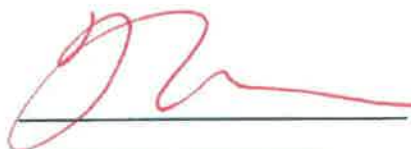
7 (Time noted: 5:14 p.m.)

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FREDDY ANZURES

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14 Subscribed and sworn to before me

15 This *17* day of *November*, 2011.

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