Exhibit 10 (Submitted Under Seal)

```
Page 1
1
                 UNITED STATES DISTRICT COURT
               NORTHERN DISTRICT OF CALIFORNIA
3
                      SAN JOSE DIVISION
    APPLE INC., a California
    Corporation,
6
            Plaintiff,
7
                                       )No. 11-CV-01846-LHK
    VS.
8
     SAMSUNG ELECTRONICS CO., LTD. ,
    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
          HIGHLY CONFIDENTIAL - ATTORNEYS EYES ONLY
16
                 DEPOSITION OF TIMOTHY BENNER
17
                 WEDNESDAY, FEBRUARY 22, 2012
18
19
20
21
22
23
24
    REPORTED BY: JUDIE A. NICHOLAS, CSR NO. 12229
25
    JOB NO: 46809
```

		Page 2
1	APPEARANCES	
2	FOR THE PLAINTIFF:	
3	MORRISON & FOERSTER	
4	BY: CHRISTOPHER L. ROBINSON, ESQ.	
5	755 Page Mill Road	
6	Palo Alto, CA 94304	
7		
8		
9		
10		
11	FOR THE DEFENDANTS:	
12	QUINN EMANUEL URQUHART & SULLIVAN	
13	BY: MARGRET CARUSO, ESQ.	
14	555 Twin Dolphin Drive	
15	Redwood Shores, CA 94065	
16		
17		
18		
19		
20	ALSO PRESENT: MICHELLE YANG, SAMSUNG	
21	BENJAMIN GERALD, VIDEOGRAPHER	
22		
23		
24		
25		

Attorneys' Eyes Only

		Page 13
1	page count was a whopping 30,637 pages and,	09:18
2	therefore, we are going to reserve the right to	09:18
3	keep Mr. Benner's deposition open in light of	09:18
4	Samsung's voluminous and untimely production of	09:18
5	these documents?	09:18
6	MS. CARUSO: Samsung believes that Apple	09:18
7	has had adequate time to review those documents and	09:18
8	objects to keeping the deposition open.	09:18
9	MR. ROBINSON: Q. Mr. Benner, I	09:18
10	understand you have had a Ph.D. in anthropology; is	09:19
11	that correct?	09:19
12	A. That's correct.	09:19
13	Q. And a Bachelor of Arts in anthropology as	09:19
14	well?	09:19
15	A. That's correct.	09:19
16	Q. When did you receive your PhD in	09:19
17	anthropology?	09:19
18	A. 2001.	09:19
19	Q. When did you join Samsung?	09:19
20	A. 2007.	09:19
21	Q. And that was I understand that was	09:19
22	around April 2007, does that sound about right?	09:19
23	A. That is correct.	09:19
24	Q. What was your job title when you started	09:19
25	at Samsung in April 2007?	09:19

Attorneys' Eyes Only

		Page 14
1	A. It was manager of strategic marketing.	09:19
2	Q. Did your job duties involve consumer	09:19
3	research at that time?	09:19
4	A. Yes.	09:19
5	Q. And what is your current title?	09:19
6	A. Senior manager, Consumer sorry	09:19
7	Senior Manager, Consumer Insights and Analytics.	09:19
8	Q. And had your excuse me. Strike that.	09:19
9	Do your current job duties involve	09:19
10	consumer research?	09:19
11	A. Yes.	09:19
12	Q. And from when you started in April 2007 to	09:19
13	the present day, your job functions have primarily	09:20
14	concerned consumer research; is that correct?	09:20
15	A. That is correct.	09:20
16	Q. So you are the consumer research guy at	09:20
17	STA; is that correct?	09:20
18	MS. CARUSO: Objection: Vague.	09:20
19	THE WITNESS: Can you clarify what	09:20
20	"consumer research guy" means?	09:20
21	MR. ROBINSON: Q. In layman's terms,	09:20
22	you're primarily responsible for consumer research.	09:20
23	You're here to the testify for Samsung concerning	09:20
24	consumer research; is that right?	09:20
25	A. That is correct.	09:20

Attorneys' Eyes Only

1 MS. CARUSO: Objection: Lacks foundation; 02:34 2 calls for speculation. 02:34 3 THE WITNESS: It would be the strategy 02:34 4 group. 02:34 5 MR. ROBINSON: Q. Who is involved with 02:34 6 the strategy group? 02:34 7 A. As mentioned earlier, Justin Denison and 02:34 8 his team. 02:34 9 Q. Thank you. 02:34 10 I have no further questions at this time, 02:34 11 subject to the same reservations and the same 02:34 12 objection by counsel 02:34 13 MS. CARUSO: Yes. This time we're getting 02:34 14 out of here. 02:34 15 THE VIDEOGRAPHER: This marks the end of 02:34 16 Disk Number 2 of 2, and concludes today's 02:34 17 deposition of Timothy Benner. The time is 02:34 18 2:35 p.m., and we are off the record. 02:34 19 (The deposition adjourned at 2:35 p.m.) 10000			Page 170
THE WITNESS: It would be the strategy 02:34 group. 02:34 MR. ROBINSON: Q. Who is involved with 02:34 the strategy group? 02:34 A. As mentioned earlier, Justin Denison and 02:34 his team. 02:34 Q. Thank you. 02:34 I have no further questions at this time, 02:34 subject to the same reservations and the same 02:34 objection by counsel 02:34 MS. CARUSO: Yes. This time we're getting 02:34 out of here. 02:34 THE VIDEOGRAPHER: This marks the end of 02:34 Disk Number 2 of 2, and concludes today's 02:34 deposition of Timothy Benner. The time is 02:34 (The deposition adjourned at 2:35 p.m.)000 Signed under penalty of perjury:	1	MS. CARUSO: Objection: Lacks foundation;	02:34
group. 02:34 group. 02:34 the strategy group? 02:34 the strategy group? 02:34 his team. 02:34 p Q. Thank you. 02:34 subject to the same reservations and the same 02:34 objection by counsel 02:34 out of here. 02:34 out of here. 02:34 deposition of Timothy Benner. The time is 02:34 deposition and we are off the record. 02:34 (The deposition adjourned at 2:35 p.m.)o0o	2	calls for speculation.	02:34
MR. ROBINSON: Q. Who is involved with 02:34 the strategy group? 02:34 A. As mentioned earlier, Justin Denison and 02:34 his team. 02:34 Q. Thank you. 02:34 I have no further questions at this time, 02:34 subject to the same reservations and the same 02:34 objection by counsel 02:34 MS. CARUSO: Yes. This time we're getting 02:34 out of here. 02:34 THE VIDEOGRAPHER: This marks the end of 02:34 pisk Number 2 of 2, and concludes today's 02:34 deposition of Timothy Benner. The time is 02:34 (The deposition adjourned at 2:35 p.m.) (The deposition adjourned at 2:35 p.m.) o00	3	THE WITNESS: It would be the strategy	02:34
the strategy group? A. As mentioned earlier, Justin Denison and bis team. Q. Thank you. I have no further questions at this time, bis subject to the same reservations and the same cotion by counsel cotion by co	4	group.	02:34
A. As mentioned earlier, Justin Denison and 02:34 his team. 02:34 Q. Thank you. 02:34 I have no further questions at this time, 02:34 subject to the same reservations and the same 02:34 bigction by counsel 02:34 MS. CARUSO: Yes. This time we're getting 02:34 out of here. 02:34 THE VIDEOGRAPHER: This marks the end of 02:34 Disk Number 2 of 2, and concludes today's 02:34 deposition of Timothy Benner. The time is 02:34 2:35 p.m., and we are off the record. 02:34 (The deposition adjourned at 2:35 p.m.) OOo Signed under penalty of perjury:	5	MR. ROBINSON: Q. Who is involved with	02:34
his team. Q. Thank you. I have no further questions at this time, subject to the same reservations and the same O2:34 bigcoin by counsel O2:34 MS. CARUSO: Yes. This time we're getting out of here. O2:34 THE VIDEOGRAPHER: This marks the end of Disk Number 2 of 2, and concludes today's deposition of Timothy Benner. The time is O2:34 2:35 p.m., and we are off the record. (The deposition adjourned at 2:35 p.m.) o0o Signed under penalty of perjury: Signed under penalty of perjury:	6	the strategy group?	02:34
9 Q. Thank you. 02:34 10 I have no further questions at this time, 02:34 11 subject to the same reservations and the same 02:34 12 objection by counsel 02:34 13 MS. CARUSO: Yes. This time we're getting 02:34 14 out of here. 02:34 15 THE VIDEOGRAPHER: This marks the end of 02:34 16 Disk Number 2 of 2, and concludes today's 02:34 17 deposition of Timothy Benner. The time is 02:34 18 2:35 p.m., and we are off the record. 02:34 19 (The deposition adjourned at 2:35 p.m.) 20 at 2:35 p.m.) 21o0o 22 Signed under penalty of perjury:	7	A. As mentioned earlier, Justin Denison and	02:34
I have no further questions at this time, 02:34 11 subject to the same reservations and the same 02:34 12 objection by counsel 02:34 13 MS. CARUSO: Yes. This time we're getting 02:34 14 out of here. 02:34 15 THE VIDEOGRAPHER: This marks the end of 02:34 16 Disk Number 2 of 2, and concludes today's 02:34 17 deposition of Timothy Benner. The time is 02:34 18 2:35 p.m., and we are off the record. 02:34 19 (The deposition adjourned at 2:35 p.m.) 21000 22 Signed under penalty of perjury:	8	his team.	02:34
subject to the same reservations and the same 02:34 12 objection by counsel 02:34 13 MS. CARUSO: Yes. This time we're getting 02:34 14 out of here. 02:34 15 THE VIDEOGRAPHER: This marks the end of 02:34 16 Disk Number 2 of 2, and concludes today's 02:34 17 deposition of Timothy Benner. The time is 02:34 18 2:35 p.m., and we are off the record. 02:34 19 (The deposition adjourned at 2:35 p.m.) 21000 22 Signed under penalty of perjury:	9	Q. Thank you.	02:34
objection by counsel objection by counsel MS. CARUSO: Yes. This time we're getting 02:34 out of here. O2:34 THE VIDEOGRAPHER: This marks the end of 02:34 Disk Number 2 of 2, and concludes today's 02:34 deposition of Timothy Benner. The time is 02:34 2:35 p.m., and we are off the record. 02:34 (The deposition adjourned at 2:35 p.m.) OOO Signed under penalty of perjury:	10	I have no further questions at this time,	02:34
MS. CARUSO: Yes. This time we're getting 02:34 14 out of here. 02:34 15 THE VIDEOGRAPHER: This marks the end of 02:34 16 Disk Number 2 of 2, and concludes today's 02:34 17 deposition of Timothy Benner. The time is 02:34 18 2:35 p.m., and we are off the record. 02:34 19 (The deposition adjourned at 2:35 p.m.) 21o0o 22 Signed under penalty of perjury:	11	subject to the same reservations and the same	02:34
out of here. 14 out of here. 15 THE VIDEOGRAPHER: This marks the end of 02:34 16 Disk Number 2 of 2, and concludes today's 02:34 17 deposition of Timothy Benner. The time is 02:34 18 2:35 p.m., and we are off the record. 02:34 19 (The deposition adjourned at 2:35 p.m.) 21000 22 Signed under penalty of perjury: 24	12	objection by counsel	02:34
THE VIDEOGRAPHER: This marks the end of 02:34 Disk Number 2 of 2, and concludes today's 02:34 deposition of Timothy Benner. The time is 02:34 2:35 p.m., and we are off the record. 02:34 (The deposition adjourned at 2:35 p.m.) o0o Signed under penalty of perjury:	13	MS. CARUSO: Yes. This time we're getting	02:34
Disk Number 2 of 2, and concludes today's 02:34 deposition of Timothy Benner. The time is 02:34 2:35 p.m., and we are off the record. 02:34 (The deposition adjourned at 2:35 p.m.) o0o Signed under penalty of perjury:	14	out of here.	02:34
deposition of Timothy Benner. The time is 02:34 18 2:35 p.m., and we are off the record. 02:34 19 (The deposition adjourned 20 at 2:35 p.m.) 21o0o 22 Signed under penalty of perjury: 24	15	THE VIDEOGRAPHER: This marks the end of	02:34
18 2:35 p.m., and we are off the record. 02:34 19 (The deposition adjourned 20 at 2:35 p.m.) 21o0o 22 23 Signed under penalty of perjury: 24	16	Disk Number 2 of 2, and concludes today's	02:34
(The deposition adjourned at 2:35 p.m.) 000 Signed under penalty of perjury:	17	deposition of Timothy Benner. The time is	02:34
20 at 2:35 p.m.) 21000 22 23 Signed under penalty of perjury: 24	18	2:35 p.m., and we are off the record.	02:34
21000 22 23 Signed under penalty of perjury: 24	19	(The deposition adjourned	
22 23 Signed under penalty of perjury: 24	20	at 2:35 p.m.)	
Signed under penalty of perjury: 24	21	000	
24	22		
	23	Signed under penalty of perjury:	
25 Timothy Benner	24		
	25	Timothy Benner	

Page 171

1 I, JUDIE A. NICHOLAS, a Certified 2 Shorthand Reporter of the State of California, duly authorized to administer oaths, do hereby certify: That the foregoing proceedings were taken before me at the time and place herein set forth; that any witnesses in the foregoing proceedings, prior to testifying, were duly sworn; that a record of the proceedings was made by me using machine shorthand which was thereafter transcribed under my 10 direction; that the foregoing transcript is a true 11 record of the testimony given. 12 Further, that if the foregoing pertains to 13 the original transcript of a deposition in a 14 Federal Case, before completion of the proceedings, 15 review of the transcript (X) was () was not 16 required. 17 I further certify that I am neither 18 financially interested in the action nor a relative 19 or employee of any attorney or party to this 20 action. 21 IN WITNESS WHEREOF, I have this date 22 subscribed my name. 23 Dated: 2/23/2012 24 25 JUDIE A. NICHOLAS, CSR #12229