

EXHIBIT 9
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INTERNATIONAL TRADE COMMISSION

In the Matter of Certain)
Electronic Digital Media)
Devices and Components) Inv. No. 337-TA-796
Thereof,)
_____)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE INC., a California)
Corporation,)
Plaintiff,)
v.) No: 11-CV-01846-LHK
SAMSUNG ELECTRONICS CO., LTD,)
a Korean business entity;)
SAMSUNG ELECTRONICS AMERICA,)
INC., a New York corporation;)
SAMSUNG TELECOMMUNICATIONS)
AMERICA, LLC, a Delaware)
Limited liability company)
Defendants.)
_____)

* H I G H L Y C O N F I D E N T I A L *
* ATTORNEYS' EYES ONLY/PURSUANT TO PROTECTIVE ORDER *
VIDEOTAPED DEPOSITION
OF
ALAN HEDGE, Ph.D.
New York, New York
Monday, April 30, 2012

Reported by:
ANNETTE ARLEQUIN, CCR, RPR, CLR
JOB NO. 48925

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2 ahead.

3 BY MS. HUTNYAN:

4 Q. It was a simple question.

5 A. If that is what Jonathan Ives says, 01:50PM

6 then I have no reason to doubt what Jonathan

7 Ives says since he was involved in the design

8 and I wasn't.

9 Q. Do you know of any smartphones that
10 people buy just to look at the display without 01:50PM

11 looking at content on the display; in other

12 words, just looking at it as a sculpture?

13 A. I don't know the reasons that people
14 buy smartphones in general.

15 Q. You think that people buy smartphones 01:51PM
16 for use as a sculpture?

17 A. Could you explain to me what you mean
18 by for use as a sculpture?

19 Q. Meaning just to admire the external
20 design of the display or other physical features 01:51PM
21 of the phone rather than to use it.

22 A. I think that there are elements of
23 the design that people do buy as a sculpture in
24 your words.

25 For example, being able to choose 01:51PM

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2 between phones of different colors or being able
3 to choose between phones of different form
4 factors or being able to choose between phones
5 that have different logos on them that are
6 identified as synonymous with high level design.

01:51PM

7 But of course they're not buying a
8 phone just to place it in a hallway or a room
9 and serve as a sculpture. So there are clearly
10 ornamental aspects to all of these products,
11 there are aesthetic aspects to all of these
12 products, but the product also performs
13 functions.

01:52PM

14 Q. And in fact if it doesn't perform
15 those functions, nobody is going to buy it as a
16 smartphone; isn't that right?

01:52PM

17 A. If a smartphone was extremely
18 attractive but didn't work as a smartphone, then
19 you might buy it as a piece of sculpture, but
20 you wouldn't buy it as a smartphone.

01:52PM

21 Q. But you don't know that anybody has
22 actually done that.

23 A. I have no information on the reasons
24 that people have bought different kinds of
25 phones.

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2 Q. But you think there's some
3 possibility out there that people would buy a
4 non-functional smartphone because it looks
5 pretty?

01:52PM

6 A. I think that the aesthetic appearance
7 of a product does influence consumer behavior.
8 In fact we've been doing some research on that,
9 but I have no information on to what extent that
10 might be driving consumer purchase decisions
11 about the phones in question.

01:53PM

12 Q. Isn't one of the reasons why people
13 buy iPhones is so that they can watch movies on
14 them?

15 A. I assume that might be one reason.
16 I've had an iPhone for over a year and never
17 watched a movie on it, so but I guess there are
18 generational differences. So I assume there are
19 many reasons that people buy them just as they
20 might buy them to play music on, which I don't
21 do.

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22 So but again, I have no evidence, I
23 have not read any reports on the reasons why
24 people buy iPhones, which features are
25 preferable to which other features in a phone.

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