

EXHIBIT 3

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 JAEGWAN SHIN
17 San Francisco, California
18 Friday, January 27, 2012
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23 Reported By:

24 LINDA VACCAREZZA, RPR, CLR, CRP, CSR. NO. 10201

25 JOB NO. 44993

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January 27, 2012
9:31 a.m.

Videotaped deposition of Jaegwan
Shin, held at Morrison Foerster, LLP,
425 Market Street, San Francisco,
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:

QUINN EMANUEL URQUHART & SULLIVAN

Attorneys for Defendants

555 Twin Dolphin Drive

Redwood Shores, California 94065

BY: MARK TUNG, ESQ.

MORRISON & FOERSTER

Attorneys for Plaintiff

425 Market Street

San Francisco, California 94105

BY: MATTHEW I KREEGER, ESQ.

MINN CHUNG, ESQ

ALSO PRESENT: Michelle Yang

VIDEOGRAPHER: Jason Corona

1 THE VIDEOGRAPHER: This is the
2 start of tape labeled Number 1 of the
3 videotaped deposition of Jaegwan Shin in
4 the matter of Apple Inc. versus Samsung
5 Electronics Company, et. al, in the 09:31
6 United States District Court, Northern
7 District of California, San Jose
8 Division, number 11-CV-01846-LH.

9 This deposition is being held
10 at 425 Market Street, San Francisco, 09:31
11 California, on January 27th, 2012, at
12 approximately 9:31 a.m.

13 My name is Jake Corona. I'm
14 the legal video specialist from TSG
15 Reporting, Inc., headquartered at 747 09:31
16 Third Avenue, New York, New York.

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

20 Would counsel please introduce 09:31
21 yourselves.

22 MR. KREEGER: Matthew Kreeger,
23 Morrison Foerster, for Apple.

24 MR. CHUNG: Minn Chung of Morrison
25 Foerster representing Apple. 09:31

1 MS. KIM: Samantha Kim, Morrison
2 Foerster for Apple.

3 MS. YANG: Michelle Yang from
4 Samsung.

5 MR. TUNG: Mark Tung from Quinn 09:32
6 Emanuel for Samsung.

7 THE VIDEOGRAPHER: Will the court
8 reporter please swear in the witness.

9 (Korean Interpreters sworn.)

10 JAEGWAN SHIN, 09:32

11 Having been duly sworn, by the
12 Certified Shorthand Reporter, was
13 examined and testified as follows:

14 EXAMINATION

15 BY MR. KREEGER: 09:32

16 Q. Good morning.

17 A. Good morning.

18 Q. We met off the record, but my name

19 is Matthew Kreeger, and I'm an attorney at

20 Morrison Foerster. We are here to take your 09:32

21 deposition. Could you begin by giving us your
22 full name, please?

23 A. Yes. My name is Jaegwan Shin.

24 Q. Mr. Shin, do you understand that

25 I'm going to ask you a series of questions and 09:33

1 you're to answer the questions?

2 A. Yes.

3 Q. Have you ever given a deposition
4 before?

5 A. No, I have not. 09:33

6 Q. If at any point, my questions are
7 unclear, please let me know, and I will do my
8 best to rephrase them.

9 A. I understand.

10 Q. Do you understand that you've 09:34
11 taken an oath that's enforceable under law for
12 you to tell the truth today?

13 A. Yes.

14 Q. Do you speak English, Mr. Shin?

15 A. A little, when it comes to the 09:34
16 business matters.

17 Q. Can you read English?

18 A. Yes, I can, when it comes to
19 e-mails.

20 Q. What is your current home address? 09:34

21 A. 235 Green Meadow Way, Palo Alto.

22 Q. How long have you lived in the
23 United States?

24 A. It's been less than three years.

25 Q. Can you briefly describe your 09:35

1 educational background after high school?

2 A. I graduated from a university in
3 Korea, and my major was electronic engineering.

4 Q. Did you attend school in the
5 United States at all? 09:35

6 A. No.

7 Q. What is the name of your employer?

8 A. It is Samsung Electronics.

9 Q. Where do you work? Where is your
10 office located? 09:36

11 A. It's in San Jose.

12 Q. What's the address?

13 A. 2280 Orchard Parkway, San Jose.

14 Q. Do you work within a particular
15 division or part of Samsung Electronics? 09:36

16 A. Currently, I belong to the Mobile
17 Communications Lab located in San Jose of Samsung
18 Electronics, and I'm an expat from Korea.

19 Q. What is the San Jose Mobile
20 Communications Lab? 09:37

21 MR. TUNG: Objection. Vague.

22 THE WITNESS: Are you asking me as
23 to the roles of mobile communications?

24 Q. No. I'm interested in how would
25 you describe this unit of Samsung that you refer 09:37

1 THE WITNESS: There are many R&D
2 centers, but the R&D center I was
3 referring to here was Samsung Mobile --
4 was the one that belongs to Samsung
5 mobile division.

09:46

6 Q. Do you have a title?

7 A. My current title is senior
8 director.

9 Q. How long have you had that
10 position?

09:46

11 A. Since 2009.

12 Q. What was your position before you
13 were senior director?

14 A. I was principal engineer when I
15 was in Korea.

09:47

16 Q. When did you first join Samsung?

17 A. It was 1993.

18 Q. Were you working in Korea from
19 1993 all the way until 2009?

20 A. Yes, correct.

09:47

21 Q. For Samsung that entire time?

22 A. Yes.

23 Q. Are there other senior directors
24 in the San Jose Mobile Communications Lab?

25 A. No.

09:47

1 Q. What are your responsibilities as
2 senior director at the San Jose Mobile
3 Communications Lab?

4 A. There is no determined role,
5 identified role, but currently, I'm working -- 09:48
6 I'm -- that.

7 I'm assisting technical
8 communications between our headquarters, R&D
9 center and local engineers. I'm also assisting
10 with matters related to Google approval which is 09:49
11 incorporated into the Android terminals or
12 devices. I'm also responsible for communications
13 with Google when it comes to technical issues
14 related to Android devices.

15 Q. Anything else? 09:49

16 A. Besides those, I'm also
17 responsible for handling the matters requested by
18 the headquarters from Korea as an expat. And
19 once in a while, there are guests from Korea;
20 then I would be responsible for making 09:50
21 arrangements for meetings or for other matters.

22 Q. You mentioned that one of your
23 roles is to facilitate technical communication
24 between the R&D at headquarters and local
25 engineers. With whom do you communicate at the 09:51

1 R&D headquarters in order to facilitate this
2 communication with the local engineer?

3 A. There is no person in particular;
4 it depends on cases. It could be anybody at the
5 R&D center.

09:52

6 Q. What did you mean by Google
7 approval which is incorporated into the Android
8 devices?

9 A. All the devices that use Google's
10 Android need to get approval from Google before
11 they are launched into the market.

09:52

12 Q. With whom do you communicate at
13 Google?

14 A. There is no person in particular,
15 but mostly, I talk to the manager who is
16 responsible for Samsung matters at Google.

09:53

17 Q. Who is that?

18 A. Jong Yung Lee, spelling by the
19 interpreter, J-O-N-G --

20 Q. Actually, let's get the spelling
21 from the witness.

09:53

22 A. J-O-N-G, Y-U-N-G, space, L-E-E.

23 Q. Is that a man or a woman?

24 A. Man.

25 Q. Is Mr. -- do you communicate with

09:54