

Exhibit U

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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE INC., a California)
corporation,)
)
Plaintiff,)
vs.) 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.)

VIDEOTAPED DEPOSITION OF NICHOLAS GODICI
SAN FRANCISCO, CALIFORNIA
FRIDAY, SEPTEMBER 9, 2011

Reported By:
Yvonne Fennelly, CCRR, CSR No. 5495
JOB NO. 41882

1 SEPTEMBER 9, 2011

2 9:30 A.M.

3
4 Videotaped Deposition of NICOLAS GODICI,
5 held at the offices of MORRISON & FORESTER, 425
6 Market Street, San Francisco, California,
7 pursuant to Notice, before Yvonne Fennelly,
8 CCRR, CSR 5495.

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

2 MORRISON & FOERSTER

3 Attorneys for APPLE INC.:

4 425 Market Street

5 34th Floor

6 San Francisco, California 94105

7 BY: WES OVERSON, Esq.

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12 QUINN EMANUEL URQUHART & SULLIVAN

13 Attorneys for Defendant

14 SAMSUNG ELECTRONICS CO. LTD:

15 555 Twin Dolphin Drive

16 Redwood Shores, California 94065

17 BY: VICTORIA F. MAROULIS, Esq.

18

19

20

21

22 VIDEOGRAPHER:

23 Alan Dias

24

25

1 prosecution history because they're so readily
2 available, anyone can just go to the Internet
3 and look at them, go to the PTO website and look
4 at them.

5 Q. And that would be true of these
6 applications that are listed as well?

7 A. These are published applications, so,
8 yes, that would be true.

9 Q. Okay.

10 But the bottom line is you didn't
11 review any of the references cited on page 1 and
12 2 of the '381 patent as part of your drafting
13 your declaration?

14 A. That's correct. I did not review
15 them for the purposes of drafting my
16 declaration.

17 Q. And you would agree that in order to
18 have an opinion about whether Van Den Hoven is
19 cumulative or not, someone would have to read
20 through all of the references cited on pages 1
21 and 2 of the '381 patent; right?

22 MS. MAROULIS: Objection; assumes
23 facts, incomplete hypothetical.

24 THE WITNESS: Again, and I think this
25 is the point where we were discussing earlier,

1 Q. Okay.

2 MR. OVERSON: I have no further
3 questions at this time.

4 MS. MAROULIS: I don't have any
5 questions for the witness.

6 We'll reserve the right to review and
7 sign.

8 MR. OVERSON: Thank you.

9 MS. MAROULIS: Thank you.

10 THE WITNESS: Thank you.

11 THE VIDEOGRAPHER: This is the end of
12 today's deposition. We are off the record at
13 3:07 p.m. The master disk will be held by TSG
14 Reporting.

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16 (Time noted: 3:07 p.m.)

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NICHOLAS P. GODICI

Subscribed and sworn to before me

this _____ day of _____, 2011.

C E R T I F I C A T E

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STATE OF CALIFORNIA)
) ss:
COUNTY OF CONTRA COSTA)

I, YVONNE FENNELLY, CCRR, CSR 5495,
within and for the State of California, do
hereby certify:

That NICHOLAS P. GODICI, the witness
whose deposition is hereinbefore set forth, was
duly sworn by me and that such deposition is a
true record of the testimony given by such
witness.

I further certify that I am not
related to any of the parties to this action by
blood or marriage; and that I am in no way
interested in the outcome of this matter.

IN WITNESS WHEREOF, I have hereunto
set my hand this 9th day of September, 2011.

YVONNE FENNELLY, CCRR, CSR NO. 5495