

**EXHIBIT I**  
**FILED UNDER SEAL**

1 UNITED STATES DISTRICT COURT  
2 NORTHERN DISTRICT OF CALIFORNIA  
3 SAN JOSE DIVISION  
4

5 APPLE INC., a California  
6 corporation,

7 Plaintiff,

8 vs.

CASE NO. 11 cv 01846 LHK

9 SAMSUNG ELECTRONICS CO.,  
10 LTD., a Korean business  
11 entity; SAMSUNG ELECTRONICS  
12 AMERICA, INC., a New York  
13 corporation; SAMSUNG  
14 TELECOMMUNICATIONS AMERICA,  
15 LLC, a Delaware limited  
16 liability company,  
17 Defendants.

18 \_\_\_\_\_/

19 C O N F I D E N T I A L  
20 A T T O R N E Y S E Y E S O N L Y

21 VIDEOTAPED DEPOSITION OF BRIAN Q. HUPPI  
22 REDWOOD SHORES, CALIFORNIA  
23 TUESDAY, OCTOBER 18, 2011

24 BY: ANDREA M. IGNACIO HOWARD, CSR, RPR, CCRR, CLR.  
25 CSR LICENSE NO. 9830  
JOB NO. 42679

1 REDWOOD SHORES, CALIFORNIA

2 TUESDAY, OCTOBER 18, 2011

3 9:38 a.m.

4  
5  
6 THE VIDEOGRAPHER: Good morning. This is the  
7 start of tape labeled No. 1 in the videotaped  
8 deposition of Brian Huppi.

9 In the matter of Apple, Inc., versus Samsung  
10 Electronics Co., Ltd., et al.

11 In the United States District Court, Northern  
12 District of California, San Jose Division. Case  
13 No. 11 cv 01846 LHK.

14 This deposition is being held at 555 Twin  
15 Dolphin Drive in Redwood Shores, California on  
16 October 18th, 2011, at approximately 9:38 a.m.

17 My name is Pete Sais from TSG Reporting,  
18 Inc., and I'm the legal video specialist.

19 Our court reporter is Andrea Ignacio in  
20 association with TSG Reporting.

21 Will counsel please introduce yourselves, and  
22 the court reporter can swear in the witness.

23 MR. MACK: Brian Mack of Quinn Emanuel,  
24 representing Samsung.

25 MR. BARTLETT: Jason Bartlett of Morrison &

1 Foerster, representing Apple.

2

3

BRIAN Q. HUPPI,

4

having been sworn as a witness,

5

by the Certified Shorthand Reporter,

6

testified as follows:

7

8

9

EXAMINATION BY MR. MACK

10

MR. MACK: Q. Mr. Huppi, could you please

11

state your name and address for the record.

12

A Sure. It's Brian Quentin Huppi. My address

13

is 262 Rutledge Street in San Francisco, California.

14

Q Have you been deposed before?

15

A Yes.

16

Q How many times?

17

A Once.

18

Q And do you remember what case that was in?

19

A It was a case involving Motorola. I don't

20

remember the case number.

21

Q Okay. And was were you deposed as your

22

role as an inventor on any patent asserted asserted

23

in that case?

24

A Yes.

25

Q Okay. Do you remember which patent it was?

1 parallel, yes.

2 MR. MACK: Q. Would

3 A They're heading in the same direction,  
4 basically.

5 Q would they be considered parallel or  
6 substantially parallel?

7 MR. BARTLETT: Objection; calls for a legal  
8 conclusion.

9 THE WITNESS: I think I'd have to see it  
10 to to be able to characterize it.

11 MR. MACK: Okay.

12 Q The next claim, Claim 3, says that:

13 "The conductive lines on different layers are  
14 substantially perpendicular."

15 Do you see that?

16 A Yes.

17 Q And what did you understand the phrase  
18 "substantially perpendicular" to mean when you  
19 reviewed this patent application?

20 MR. BARTLETT: Objection; calls for a legal  
21 conclusion; calls for speculation; lack of foundation.

22 THE WITNESS: Yeah, I can't give you, you  
23 know, a legal definition of this. But I can tell you  
24 that in our our design, we implemented the second  
25 layer such that they were basically at right angles to

1 the first layer.

2 MR. MACK: Q. So would substantially  
3 perpendicular mean orthogonal to you.

4 MR. BARTLETT: Same objections.

5 THE WITNESS: I'm not sure to that exact  
6 definition. I again, I can only tell you how we  
7 did it, which was they were they were oriented  
8 basically 90 degrees to each other.

9 MR. MACK: Okay. Fair enough.

10 Q Claim 10 Claim 10, do you see the  
11 "wherein" clause about halfway down, "wherein the  
12 touch panel comprises," on Line 36?

13 A Okay. Yeah.

14 Q And then it talks about a number of glass  
15 members; do you see that?

16 A Yes.

17 Q Do you see a first glass member and then a  
18 second glass member, two limitations down?

19 A Yep.

20 Q And then a third glass member two limitations  
21 down from that?

22 A Yes.

23 Q Are you familiar with P E T, PET? Do you  
24 know what that is?

25 A PET?

1 Q Yeah.

2 A Yes. It's a type of plastic.

3 Q Okay. And PET is not a type of glass;  
4 correct?

5 MR. BARTLETT: Objection; calls for a legal  
6 conclusion in this context.

7 THE WITNESS: Yeah, I don't know the exact  
8 definition of of PET. I don't understand it to be  
9 glass, no.

10 MR. MACK: Okay.

11 Q But a but a polymer plastic would not be a  
12 type of glass; correct?

13 MR. BARTLETT: Same objection.

14 THE WITNESS: I yeah, I can't really  
15 conclude on that. I I mean, there are types of  
16 plastic called plexiglas which is not it's not  
17 silicon based or anything, but it's it's made out  
18 of a polymer, but it's sometimes referred to as  
19 plexiglas.

RE  
DA  
CTE  
P  
P  
P

[REDACTED]

**R**  
**E**

2 Q And are there certain benefits of using glass  
3 over plastic?

4 MR. BARTLETT: Objection; calls for expert  
5 testimony; incomplete hypothetical; calls for  
6 speculation.

7 THE WITNESS: There are probably a number of  
8 different pros and cons. An example I can give you is  
9 some some pros to using glass are potentially the  
10 durability of glass as far as it's scratch resistance,  
11 and it has a different dielectric constant than  
12 plastic, so there could be a potential pro to using  
13 glass. That's just a couple of examples.

14 MR. MACK: Okay. I think we'll go off the  
15 record for a few seconds.

16 THE VIDEOGRAPHER: This marks the end of  
17 Volume I, Disc 1, in the deposition of Brian Huppi.

18 The time is 11:43 a.m., and we are off the  
19 record.

20 (Recess taken.)

21 THE VIDEOGRAPHER: This marks the beginning  
22 of Volume I, Disc 2, in the deposition of Brian Huppi.

23 The time is 11:52 a.m., and we are on the  
24 record.

25 MR. MACK: Q. Mr. Huppi, could you look at



1 Claim No. 11, please.

2 A Yes.

3 Q Claim No. 11 references something called  
4 dummy features; do you see that?

5 A Yes.

6 Q And specifically it says that there are:  
7 "Dummy features disposed in the space between  
8 the parallel lines."

9 Do you see that?

10 A Yes.

11 Q And it also says that the dummy features  
12 optically improve:

13 "The visual appearance of the touch screen by  
14 more closely matching the optical index of the lines."

15 Do you see that?

16 A Yes.

17 Q Do you know who developed the idea of --  
18 behind the dummy features?

19 A I don't recall whose idea it was, no.

20 Q Could it have been a collaborative effort  
21 between you, Mr. Hotelling and Joshua?

22 A Could have been.

23 Q Okay. And what -- what were the dummy  
24 features?

25 MR. BARTLETT: Objection; vague.