

# EXHIBIT 1

**EXHIBIT P1**  
**FILED UNDER SEAL**

1 UNITED STATES INTERNATIONAL TRADE COMMISSION  
2 WASHINGTON, D.C.  
3

-----X  
4 In the Matter of: )  
 )  
5 CERTAIN ELECTRONIC ) Investigation No.  
DEVICES, INCLUDING WIRELESS )  
6 COMMUNICATION DEVICES, ) 337-TA-794  
PORTABLE MUSIC AND DATA )  
7 PROCESSING DEVICES, AND TABLET )  
COMPUTERS )  
8 -----X

9  
10 HIGHLY CONFIDENTIAL PURSUANT TO PROTECTIVE ORDER  
11 OUTSIDE ATTORNEYS' EYES ONLY  
12 CONFIDENTIAL BUSINESS INFORMATION  
13

14 VIDEOTAPED DEPOSITION OF BORIS TEKSLER

15 San Mateo, California

16 Friday, February 24, 2012  
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18  
19  
20  
21  
22

23 Reported By:  
24 SUSAN A. SULLIVAN, CSR #3522, RPR, CRR  
25 JOB NO. 46739

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[REDACTED]

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[REDACTED]

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[REDACTED]

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[REDACTED]

1 [REDACTED]  
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3 [REDACTED]  
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1 [REDACTED]  
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8 [REDACTED]  
9 [REDACTED]  
10 [REDACTED]  
11 Q The third paragraph -- sorry, it is not the  
12 third paragraph.  
13 The paragraph about the third element which  
14 is "No Injunction" states, "A party who made a FRAND  
15 commitment to license its cellular standard  
16 essential patents or otherwise acquired  
17 assets/rights from a party who made the FRAND  
18 commitment must not seek injunctive relief on such  
19 patents. Seeking an injunction would be a violation  
20 of the party's commitment to FRAND licensing."  
21 Do you see that?  
22 A I do.  
23 Q In your experience is that a view that's  
24 universally shared by other ETSI members?  
25 MR. SELWYN: Objection as to form.

1 THE WITNESS: Again, I think that it varies and  
2 I'm not sure what other people think necessarily.  
3 MR. SHIELDS: All right.  
4 Q Well, you said it varies. Have you heard  
5 different ETSI members express different views about  
6 the availability of injunctive relief?  
7 MR. SELWYN: Objection to the form.  
8 THE WITNESS: I've heard a single ETSI member  
9 express multiple views on the topic.  
10 Q BY MR. SHIELDS: Okay. Have you  
11 yourself --  
12 A Or contrary views, maybe I should say that.  
13 Q Have you yourself observed any ETSI members  
14 seeking injunctive relief on declared essential  
15 patents that were subject to a FRAND entity?  
16 A ICom certainly is, Samsung is, Motorola  
17 is.  
18 Q Anyone else?  
19 A No.  
20 Q And I don't remember currently right now, I  
21 mean ever.  
22 A I don't know.  
23 Q Qualcomm sought injunctive relief on  
24 patents that were subject to an ETSI FRAND  
25 commitment?

1 A In which case are you referring to?  
2 Q Well, for example, against Nokia.  
3 A I believe they were -- you know, I'm not  
4 certain.  
5 Q Going back up to the third paragraph of  
6 this letter to the paragraph that starts "It is  
7 apparent" --  
8 A Yes.  
9 Q -- the first sentence which we talk about a  
10 little before, "It is apparent that our industry  
11 suffers from a lack of consistent adherence to FRAND  
12 principles in the cellular standards arena."  
13 What did Apple mean to convey to ETSI by  
14 that sentence?  
15 MR. SELWYN: Objection to form. Objection;  
16 outside the scope.  
17 THE WITNESS: I think that would probably be  
18 privileged.  
19 Q BY MR. SHIELDS: You mean you can't answer  
20 without revealing attorney-client communications?  
21 A That's right.  
22 MR. SHIELDS: All right. We need to change tape  
23 so why don't we take a break.  
24 THE VIDEOGRAPHER: We are going off the record.  
25 The time is 3:13 p.m. Here marks the end of