

Exhibit 16

EXHIBIT 9
FILED UNDER SEAL

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. Case 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
11 limited liability company,

12 Defendants.

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14
15 CONFIDENTIAL
16 ATTORNEYS' EYES ONLY
17 OUTSIDE COUNSEL
18 VIDEOTAPED DEPOSITION OF ANDREW PLATZER
Redwood Shores, California
19 Tuesday, October 18, 2011
20

21 Reported by:

22 LORRIE L. MARCHANT, CSR No. 10523, RPR, CRR, CCRR,
CLR

JOB NO. 42881

1 "gesture" informally, it can include a single touch at
2 this time.

3 BY MR. BRIGGS:

4 Q. Do you have any definition of "gesture"
5 outside of UIKit?

6 A. I don't quite understand.

7 Q. Well, if you were going to give a
8 definition of what a "gesture" is outside of UIKit
9 and away from this patent, what would your
10 definition be?

11 A. Whatever is in the dictionary. I -- I
12 don't understand.

13 Q. You don't have a definition for "gesture"
14 as it would be used by one of skill in the art of
15 touchscreens?

16 MR. OLSON: Objection. Calls for a legal
17 conclusion.

18 THE WITNESS: Is this -- I don't
19 understand. Is this referring to the patent or just
20 in general?

21 BY MR. BRIGGS:

22 Q. Just in general.

23 As a computer scientist that works on
24 touchscreens, how would you define "gesture"?

25 A. As a computer scientist, I don't know of

1 any official definition of "gesture," and so all I

2 [REDACTED]
3 [REDACTED]
4 [REDACTED]
5 [REDACTED]
6 [REDACTED]

7 Q. Okay. Turning back to the claim, the claim
8 states, Determining whether the event object invokes
9 a scroll or gesture operation.

10 And my question is what does it mean to invoke
11 a scroll or gesture operation?

12 MR. OLSON: Objection. Calls for a legal
13 conclusion. Lack of foundation.

14 THE WITNESS: I'm not a lawyer, so I'm not
15 comfortable in defining "invoke" as far as the
16 patent is concerned.

17 [REDACTED]
18 [REDACTED]
19 [REDACTED]
20 [REDACTED]

21 BY MR. BRIGGS:

22 Q. And at the time you filed this patent
23 application in 2007, did you have an understanding
24 of what "invoke" meant as you used it here in the
25 claims?

1 A. I'm not a -- a lawyer, so I'm not
2 comfortable defining "invoke" in the patent.

3 But as an example, in Objective-C or in many
4 other languages, "invoke" is often used as a synonym for
5 calling a function.

6 Q. Okay. I've got that answer, but I had a
7 different question.

8 At the time you filed the '915 patent
9 application in 2007, did you have an understanding of
10 what "invoke" meant as you used it in Claim 1?

11 MR. OLSON: Objection. Asked and answered.

12 THE WITNESS: I don't recall.

13 BY MR. BRIGGS:

14 Q. Now, still focusing on this claim
15 limitation here, what does it mean, "to distinguish
16 between a single input point that is interpreted as
17 a scroll operation and two or more input points that
18 are interpreted as a gesture operation"?

19 MR. OLSON: Objection. Calls for a legal
20 conclusion. Lack of foundation.

21 THE WITNESS: I'm not a lawyer, so I'm not
22 comfortable with defining the word "interpreted"
23 here.

24 [REDACTED]

[REDACTED]

