

Exhibit 2

EXHIBIT 38

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

APPLE INC., a California
corporation,

Plaintiff,

vs. Case 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.

-----/

CONFIDENTIAL ATTORNEYS' EYES ONLY

VIDEOTAPED DEPOSITION OF DANIELE De IULIIS
Redwood Shores, California
Friday, October 21, 2011

Reported by:
LORRIE L. MARCHANT, CSR No. 10523, RPR, CRR, CCRR, CLR
JOB NO. 43000

1 Q. Did you work on the design of this tablet?

2 A. I worked alongside my colleagues in the
3 industrial design department as a collective and as
4 a team on this.

[REDACTED]

18 MR. MONACH: Objection. Vague.

[REDACTED]

[REDACTED]

20 Q. You've been handed what has been marked as
21 Exhibit 8, Lutton Exhibit 8. Do you have that in
22 front of you?

23 A. Yes.

24 Q. Do you -- and that is US Design Patent
25 504889 --

1 A. Yes.

2 Q. -- correct?

3 You're named as an inventor of this design;
4 is that correct?

5 A. Yes.

6 Q. Did you participate in the team that
7 created this design?

8 A. I did.

[REDACTED]

15 BY MS. CARUSO:

16 Q. Do you see Figure 6 of the D889 patent?

17 A. I do.

18 Q. There's a circular element on that. Do you
19 see it?

20 A. I do.

[REDACTED]

24 Q. In Figure 1 of the D889 patent, there's
25 a -- a line that's thicker than the other lines. Do

1 you see that?

2 MR. MONACH: Objection. Vague. Objection
3 to the extent it may not accurately reflect the
4 drawing.

5 THE WITNESS: I see a bad photocopy.

6 BY MS. CARUSO:

7 Q. Starting at the left, do you see three
8 parallel lines on the left-hand side of the top
9 drawing?

10 A. I do.

11 Q. Do you see the middle line of those three?

12 A. I do.

13 Q. Does it appear to you to be thicker than
14 the other two?

15 A. Yes.

16 Q. Do you have an understanding of why it's
17 thicker?

18 MR. MONACH: Objection. Lack of
19 foundation. Objection to the extent it calls for a
20 legal conclusion.

21 THE WITNESS: I don't.

22 BY MS. CARUSO:

23 Q. Do you have any understanding of what that
24 middle line represents?

25 MR. MONACH: Same objection.

1 THE WITNESS: One more time. What was your
2 question.

3 BY MS. CARUSO:

4 Q. Do you have any understanding of what that
5 middle line represents?

6 A. No.

[REDACTED]

[REDACTED]

8 Q. If you'd look at this --

9 A. Thank you.

10 Q. -- and if you could just hold that up again
11 for the camera.

12 THE VIDEOGRAPHER: I didn't get a shot of
13 the front. You have to hold it longer for me.

14 Thank you. Great.

15 BY MS. CARUSO:

[REDACTED]