

**EXHIBIT 1**

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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J.T. COLBY & COMPANY, INC.  
d/b/a BRICK TOWER PRESS, J.  
BOYLSTON & COMPANY, PUBLISHERS  
LLC and IPICTUREBOOKS, LLC,

Plaintiff,

vs.

No. 11-cv-4060

APPLE, INC.,

Defendant.

-----x

CONFIDENTIAL

VIDEOTAPED DEPOSITION OF  
30(b)(6) JOHN T. COLBY, JR.

New York, New York

Wednesday, July 18, 2012

10:20 a.m.

Reported by:  
Jennifer Ocampo-Guzman, CRR, CLR

Ref: 7845

1 Confidential-Colby

2 A. Most often this way.

3 Q. How else is it depicted?

4 A. Most often this way. I can't think  
5 of anything -- any other -- any other way.

6 Q. Isn't it true that this light bulb  
7 is used on all of your iBooks imprint books?

8 A. Yes, the light bulb and the words  
9 iBooks underneath it.

10 Q. Does Apple use the light bulb, to  
11 your knowledge, in conjunction with its  
12 iBooks mark?

13 A. I don't know.

14 Q. Are you aware of any instance of it  
15 doing that?

16 A. No.

17 Just backing up there was -- were  
18 documents that indicate the iBooks associated  
19 itself with the word "idea" and "new idea."

20 Q. What documents are you referring to  
21 that says that iBooks are supposed to be a  
22 reference to "idea"?

23 A. There are some ads in the book of  
24 -- some of the books that reference iBooks in  
25 connotation with a new idea that's brand new