

EXHIBIT 92

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE SOUTHERN DISTRICT OF NEW YORK

3 J.T. COLBY & COMPANY, : Case Number
4 INC. d/b/a BRICK TOWER : 11-CV-40260
5 PRESS; J. BOYLSTON & : (DLC)
6 COMPANY, PUBLISHERS LLC : :
7 and IPICTUREBOOKS : :
8 LLC, : :
9 : :
10 Plaintiffs, : :
11 : :
12 vs. : :
13 : :
14 APPLE, INC., : :
15 Defendant. : :

10 - - -
11 October 2, 2012
12 - - -

13 Videotaped deposition of APPLE,
14 INC., through HAL E. BORDEN, ESQUIRE, taken
15 at the offices of Veritext National Court
16 Reporting Company, 1801 Market Street, Suite
17 1800, Philadelphia, Pennsylvania 19103,
18 beginning at 10:15 a.m., before LINDA ROSSI
19 RIOS, RPR, CCR and Notary Public.

20 - - -
21 VERITEXT NATIONAL COURT REPORTING COMPANY
22 MID-ATLANTIC REGION
23 1801 Market Street - Suite 1800
24 Philadelphia, Pennsylvania 19103
25

1 HAL E. BORDEN, ESQUIRE

2 THE WITNESS: I don't recall.

3 BY MR. CHATTORAJ:

4 Q. Same question with respect to
5 any time period, have you ever in your life
6 carried out an investigation of Family
7 Systems?

8 MS. RAY: Same objection and
9 caution. Go ahead.

10 THE WITNESS: I don't recall.

11 BY MR. CHATTORAJ:

12 Q. Have you ever visited a Family
13 Systems' Web site?

14 A. I don't recall.

15 Q. Do you have any knowledge
16 concerning the goods and services offered to
17 the public by Family Systems at any time?

18 A. I recall seeing one or more
19 pages from Family Systems' Web site. I don't
20 remember the context in which I saw them. My
21 knowledge of its products -- to begin the
22 sentence again, I would have some knowledge
23 of its products based on seeing that Web
24 site. I don't recall the extent to which I
25 have additional knowledge regarding its

1 HAL E. BORDEN, ESQUIRE

2 products.

3 Q. Did you review those pages from
4 its Web site after the commencement of this
5 litigation?

6 A. In the context of preparing for
7 this deposition with Ms. Ray, I did.

8 Q. Any other time besides that
9 time?

10 A. I don't recall.

11 Q. Please describe to me
12 everything you know about Family Systems'
13 products and services offered to the public
14 at any time?

15 A. My understanding is that they
16 offered, and I don't know the extent to which
17 they continue to offer, software relating to
18 electronic books.

19 Q. Anything else?

20 A. Not that I recall specifically,
21 no.

22 Q. Do you know anything about the
23 relationship between their software and
24 electronic books?

25 A. I believe the software involves