

**EXHIBIT 93**

HIGHLY CONFIDENTIAL  
IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF NEW YORK

J.T. COLBY & COMPANY, : Case Number  
INC. d/b/a BRICK TOWER : 11-CV-40260  
PRESS; J. BOYLSTON & : (DLC)  
COMPANY, PUBLISHERS LLC :  
and IPICTUREBOOKS :  
LLC, :  
Plaintiffs, :  
vs. :  
APPLE, INC., :  
Defendant. :

October 3, 2012

HIGHLY CONFIDENTIAL

Videotaped deposition of GLENN  
GUNDERSEN, ESQUIRE, taken at the offices of  
Veritext National Court Reporting Company,  
1801 Market Street, Suite 1800, Philadelphia,  
Pennsylvania 19103, beginning at 9:24 a.m.,  
before LINDA ROSSI RIOS, RPR, CCR and Notary  
Public.

VERITEXT NATIONAL COURT REPORTING COMPANY  
MID-ATLANTIC REGION  
1801 Market Street - Suite 1800  
Philadelphia, Pennsylvania 19103

1 GLENN GUNDERSEN, ESQUIRE - HIGHLY CONFIDENTIAL

2 Q. Are you ready to proceed, Mr.  
3 Gundersen?

4 A. You can ask the next question.

5 Q. My first question is, does this  
6 printout resemble Web pages that you received  
7 when you visited the Family Systems Web site  
8 in January 2010?

9 MS. CENDALI: Objection. You  
10 can answer.

11 THE WITNESS: At this point, I  
12 don't recall what those Web pages  
13 looked like.

14 BY MR. CHATTORAJ:

15 Q. You do recall that when you  
16 visited the Family Systems Web site, you  
17 perceived that Family Systems offered  
18 products or services. Correct?

19 A. Correct.

20 Q. What were those products and  
21 services that you perceived?

22 A. They were offering software  
23 application.

24 Q. They were offering a single  
25 software application?

1 GLENN GUNDERSEN, ESQUIRE - HIGHLY CONFIDENTIAL

2 A. I don't recall whether it was a  
3 single or not.

4 Q. Did you perceive anything about  
5 the characteristics of the software  
6 application?

7 A. At this point, I don't recall  
8 exactly what I saw and what I perceived.

9 Q. So you don't have any  
10 recollection of anything about the nature of  
11 the software application that you perceived  
12 was available on the Family Systems Web site  
13 in January 2010?

14 A. I had no specific recollections  
15 of it, no.

16 Q. At the time that you visited  
17 the Family Systems Web site, were you aware  
18 that Family Systems claimed to own a  
19 trademark for the trademark iBook?

20 A. At the time that I visited the  
21 Web site of Family Systems, I was aware that  
22 Family Systems had registrations of the mark  
23 iBook and I was aware that there was a prior  
24 agreement between Family Systems and Apple,  
25 Inc.