

EXHIBIT H

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.

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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 Q. There's no reference on this list
3 to the name of the imprint; isn't that true?

4 A. On this list, that's right.

5 Q. And that's because it's not
6 important to consumers to even tell them what
7 the imprint is, you just told them the name
8 of book and the author and the price, right?

9 MR. CHATTORAJ: Objection.

10 A. The website is designed to help the
11 authors market their own books.

12 Q. And isn't it true that even if you
13 were to click on one of the codes next to
14 these titles, it still wouldn't tell you the
15 name of the imprint?

16 MR. CHATTORAJ: Objection.

17 A. The way the site works right now,
18 that's true.

19 Q. And so on your own website,
20 BrickTowerPress.com, there's only a reference
21 to a single iBooks and none of the books
22 listed in the book sellers' section even give
23 the imprint; isn't that right?

24 MR. CHATTORAJ: Objection.

25 A. As the site works right now, yes,