

EXHIBIT 12

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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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

Plaintiff,

vs.

Case No. 11-CIV4060 (DLC)

APPLE, INC.,

Defendant.

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HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY
VIDEOTAPED 30(b)(6) DEPOSITION OF STEVE GEDIKIAN
Redwood Shores, California
Thursday, September 27, 2012

Reported by:

LORRIE L. MARCHANT, CSR No. 10523
RPR, CRR, CCRR, CLR

JOB NO. 53421

1 MS. RAY: It seemed a little convoluted to
2 me, so I'm objecting to form.

3 MR. CHATTORAJ: Yeah. No. I understand.
4 I'm just trying to figure out what's wrong with the
5 question in a way that helps the witness understand
6 what I'm talking about.

7 BY MR. CHATTORAJ:

8 Q. Do you primarily read downloaded books in
9 iBooks?

10 A. I will primarily go to the iBookstore, and
11 I will find something that I like and download it,
12 and then I will read it with iBooks.

13 Q. And when you download something that you
14 like and read it with iBooks, is -- are such
15 downloaded files typically in EPUB format?

16 A. As I said earlier in my testimony, the
17 iBookstore offers both EPUB- and iBooks
18 Author-formatted books.

19 I have -- I have both in my library. I
20 have novels that are in EPUB format, as well as -- I
21 believe I have one textbook that is in EPUB format,
22 and then there's also -- yeah. I mean that's -- so
23 both.

24 Q. So when you change the font or point size
25 using the tool bar when reading such a downloaded

1 content on your iPad, does that act make a change to
2 the underlying EPUB file?

3 A. The physical -- the actual digital file
4 that's stored on the device?

5 Q. Yes.

6 MS. RAY: Objection.

7 Go ahead.

8 THE WITNESS: I'm not certain.

9 BY MR. CHATTORAJ:

10 Q. Who would know that?

11 A. Actually, no, it doesn't. It doesn't
12 change that. It's stored in a database on the
13 device, so that -- it's -- the device -- iBooks will
14 keep your preferences for how you -- where you left
15 off and the background color and your font size and
16 all of that, and so it doesn't -- it keeps that
17 information separate than the actual document.

18 Q. So bookmarks, are those stored in that
19 separate data file?

20 A. I believe that to be the case.

21 Q. Are annotations saved in that separate data
22 file?

23 A. I believe that to be the case.

24 Q. And highlighting, is that also stored in
25 that separate data file?