

**EXHIBIT 37**

1 UNITED STATES DISTRICT COURT  
2 SOUTHERN DISTRICT OF NEW YORK  
3

4 J.T. COLBY & COMPANY, INC.,  
5 d/b/a BRICK TOWER PRESS,  
6 J. BOYLSTON & COMPANY,  
7 PUBLISHERS, LLC and  
8 IPICTUREBOOKS, LLC,  
9

Plaintiff,

vs.

Case No. 11-CIV4060 (DLC)

APPLE, INC.,

Defendant.  
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11  
12 HIGHLY CONFIDENTIAL ATTORNEYS' EYES ONLY  
13 VIDEOTAPED 30(b)(6) DEPOSITION OF STEVE GEDIKIAN  
14 Redwood Shores, California  
15 Thursday, September 27, 2012  
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17  
18  
19  
20

21 Reported by:  
22 LORRIE L. MARCHANT, CSR No. 10523  
RPR, CRR, CCRR, CLR  
23

24 JOB NO. 53421  
25

1 preparation of the documents?

2 MS. RAY: Unless I see them, I can't know  
3 whether I did or not.

4 MR. CHATTORAJ: I am showing Counsel a  
5 document, as she suggested.

6 And I ask you to verify. Is this the  
7 document you're referring to (indicating)?

8 MS. RAY: I believe it is.

9 MR. CHATTORAJ: Okay. We'll print that out  
10 and look at that after the next break.

11 BY MR. CHATTORAJ:

12 Q. Mr. Gedikian, is the iBooks software  
13 application an interactive Web collaboration system?

14 A. It could be interpreted in that way, yes.

15 Q. How?

16 A. By interactive, when you open a document  
17 with iBooks, you can interact with the contents of  
18 that document. You can swipe through pages. You  
19 can change the background. You can change the font  
20 and point size. You can add commentary in the form  
21 of notes and highlights. You can-- so, yeah. So in  
22 those ways it is an interactive -- read the  
23 description again.

24 Q. Interactive Web collaboration system.

25 A. Yeah. You could view it that way. For

1 example, if my wife and I both had iBooks and were  
2 using the same account, we could both be looking at  
3 the same document and making such edits and changes  
4 to them.

5 Q. Are you and your wife permitted by Apple's  
6 terms of use to share the same account?

7 A. I don't know.

8 Q. Is it part of Apple's marketing  
9 communications to the general public that they  
10 should share iTunes accounts?

11 A. In my experience, when we talk about  
12 "accounts," we talk about them in the context of one  
13 account per person.

14 Q. So other than sharing iTunes accounts, are  
15 there other ways in which this phrase, "interactive  
16 Web collaboration systems," would apply to iBooks?

17 A. Well, the fact that I can also take the  
18 highlights in the book and the commentary that I add  
19 and share them with my friends or my wife via e-mail  
20 or other mechanisms, I believe that is another  
21 interpretation of how iBooks is an interactive  
22 collaboration tool.

23 Q. So you're able to send e-mails from within  
24 the iBooks application?

25 A. Yes. So if I type up a highlight -- or if