

EXHIBIT 47

1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK
3 Case No. 11-CIV-4060

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5 J.T. COLBY & COMPANY, INC. d/b/a BRICK)
6 TOWER PRESS, J. BOYLSTON & COMPANY,)
7 PUBLISHERS, LLC and IPICTUREBOOKS, LLC,)
8 Plaintiffs,)
9 v.)
10 APPLE, INC.,)
11 Defendant.)

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15 DEPOSITION OF ANTHONY LUPO
16 Washington, D.C.
17 September 26, 2012
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24 Reported by: Mary Ann Payonk, RDR-CRR
25 Job No. 53699

1 A. Lupo

2 Q. Well, you can -- you -- you don't
3 have to name anything that's not -- that's --
4 again, I'm only asking for -- you could just
5 say what the subject matter is, like trademark.

6 A. Yes.

7 Q. Okay.

8 A. That clearance, investigations.

9 Q. All right. So you're doing trademark
10 investigations.

11 By the way, when you called Brewster
12 Taylor the first time out of the box, way back
13 when, 1999 or thereabouts, did you represent to
14 him that you were working for Apple?

15 A. I did.

16 Q. You did?

17 So you were not functioning in the
18 role of an agent for an undisclosed principal?

19 A. I -- my first call with him, I don't
20 think I disclosed it was Apple. I just said I
21 have a client that's interested in purchasing
22 your mark.

23 Q. Right.

24 A. And then in -- he pushed back and he
25 wanted to know who it was, and I told him it