

EXHIBIT 67

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

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4 J.T. COLBY & COMPANY, : Case Number
 5 INC. d/b/a BRICK TOWER : 11-CV-40260
 6 PRESS; J. BOYLSTON & : (DLC)
 7 COMPANY, PUBLISHERS LLC :
 8 and IPICTUREBOOKS :
 9 LLC, :
 10 Plaintiffs, :
 11 vs. :
 12 APPLE, INC., :
 13 Defendant. :

- - -

October 3, 2012
HIGHLY CONFIDENTIAL

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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.

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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.