

EXHIBIT 21

FILED UNDER SEAL

ORIGINAL

In The Matter Of:

APPLE INC.

v.

SAMSUNG ELECTRONICS CO., et al.,

SOENG-HUN KIM - Vol. 1

November 11, 2011

***HIGHLY CONFIDENTIAL - ATTORNEYS'
EYES ONLY***

MERRILL CORPORATION

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1 Exhibit 16. It's a document Bates-stamped 18:39:15
2 APLNDC-WH-A -9191 through -9193, and I covered half 18:39:21
3 of a couple of letters but that shouldn't be a 18:39:38
4 problem. 18:39:42

5 (Exhibit 16 was marked for 18:39:49
6 identification.) 18:39:49

7 MR. WINER: And the Korean version is 18:40:17
8 Exhibit 17. 18:40:19

9 (Exhibit 17 was marked for 18:40:19
10 identification.) 18:40:19

11 MR. WINER: Q. Have you had a chance to 18:40:26
12 look at Exhibit 16, Mr. Kim? 18:40:27

13 A. I believe this is a document that I saw a 18:40:37
14 long time ago. 18:40:40

15 Q. Do you know if this is the -- is this the 18:40:45
16 Qualcomm proposal that you were talking about just a 18:40:48
17 minute ago? 18:40:50

18 A. Yes, I believe so. 18:41:03

19 MR. WINER: Let's go off the record, and 18:41:05
20 I'll just take a couple minutes to look over my 18:41:07
21 notes. 18:41:09

22 THE VIDEOGRAPHER: Going off the record. 18:41:10
23 The time is 6:41. 18:41:11

24 (Recess taken from 6:41 p.m. 18:41:12
25 to 6:44 p.m.) 18:41:16

1 THE VIDEOGRAPHER: We're back on the 18:44:02

2 record. The time is 6:44. 18:44:03

3 MR. WINER: Q. Mr. Kim, looking at 18:44:06

4 Exhibit 10, the IPR Information Statement and 18:44:08

5 Licensing Declaration, did you ever speak to 18:44:16

6 Seung-Gun Park about the '941 patent? 18:44:21

7 A. No. 18:44:40

8 Q. Do you have any understanding as to how 18:44:40

9 Mr. Park would have come to the belief that the '941 18:44:44

10 patent is or is likely to become essential IPR? 18:44:51

11 A. I do not have any understanding, but I can 18:45:32

12 take a stab at it -- guess at it. 18:45:35

13 Q. Sure. 18:45:38

14 A. Well, the patent prosecution team and the 18:46:11

15 people or person who handles the standard would 18:46:15

16 gather together or when a patent has been reflected 18:46:22

17 as part of a standard whether -- and have a 18:46:30

18 discussion whether this patent is indeed valuable or 18:46:37

19 not and whether the patent is to be classified as 18:46:42

20 essential or not. 18:46:50

21 So the results of such discussion would 18:47:20

22 have been reported to the senior vice president 18:47:27

23 Seung-Gun Park, and based on that, this decision 18:47:34

24 such as this would have been made. 18:47:39

25 MR. WINER: I have nothing further. 18:47:46

1 MR. BRIGGS: I have just a couple 18:47:48

2 questions. I'll just take it from here. 18:47:49

3 EXAMINATION BY MR. BRIGGS 18:47:47

4 MR. BRIGGS: Q. Mr. Kim, earlier before 18:47:55

5 lunch, do you recall testifying about whether 18:47:57

6 network operators use the alternative E-bit? Do you 18:48:02

7 recall that? 18:48:09

8 A. Yes, I do. 18:48:26

9 Q. And there was also some testimony about 18:48:28

10 whether it would be possible to test and determine 18:48:31

11 whether a particular network operator was using the 18:48:37

12 alternative E-bit. Do you recall that? 18:48:42

13 A. Yes, I do. 18:49:19

14 Q. Would it be possible to set up a test to 18:49:20

15 determine whether a network operator or carrier was 18:49:23

16 using the alternative E-bit? 18:49:30

17 A. It would be possible to set up a test to 18:50:18

18 determine whether that was used or whether it was 18:50:20

19 implemented or not, but the gist of my answer had to 18:50:28

20 do with there being no reason to carry out such a 18:50:33

21 test. 18:50:40

22 Q. If you were going to perform such a test, 18:50:43

23 could you describe at a high level how you would do 18:50:49

24 the test? 18:50:52

25 A. Well, it is always the network that 18:51:51