

Exhibit 1

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Page 1

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION

3
4 APPLE INC., a California)
corporation,)

5)
6 Plaintiff,)

7 vs.)

Case No.
11-CV-01846-LHK

8 SAMSUNG ELECTRONICS CO.,)

LTD., a Korean business)

9 entity; SAMSUNG ELECTRONICS)

AMERICA, INC., a New York)

10 corporation; SAMSUNG)

TELECOMMUNICATIONS AMERICA,)

11 LLC, a Delaware limited)

liability company,)

12 Defendants.)

13
14 HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

15 VIDEOTAPED DEPOSITION OF KARAN SINGH, PH.D.

16 Redwood Shores, California

17 Thursday, April 26, 2012

18 Volume I

19
20
21 Reported by:

Danielle de Gracia

22 CSR No. 13650

23 Job No. 143641

24
25 PAGES 1 - 285

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2 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
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4 APPLE INC., a California)
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AMERICA, INC., a New York)
corporation; SAMSUNG)
10 TELECOMMUNICATIONS AMERICA,)
LLC, a Delaware limited)
11 liability company,)
)
12 Defendants.)

13
14
15 VIDEOTAPED DEPOSITION of KARAN SINGH, PH.D.,
16 Volume I, taken on behalf of Defendants, at 555 Twin
17 Dolphin Drive, Suite 560, Redwood Shores, California,
18 beginning at 11:03 a.m. and ending at 8:37 p.m. on
19 Thursday, April 26, 2012, before Danielle de Gracia,
20 Certified Shorthand Reporter No. 13650.
21
22
23
24
25

1 1 Foerster, also for Apple.

2 2 THE VIDEOGRAPHER: The court reporter today
3 3 is Danielle de Gracia of Veritext. Would the
4 4 reporter please swear in the witness?

5 5 11:04:52

6 6 KARAN SINGH PH.D.,
7 7 having been administered an oath, was examined and
8 8 testified as follows:

9 9

10 10 THE VIDEOGRAPHER: Please begin. 11:05:02

11 11

12 12 EXAMINATION

13 13 BY MR. BRIGGS:

14 14 Q Good morning.

15 15 A Good morning. 11:05:04

16 16 Q Please state your name for the record.

17 17 A Karan Singh. My passport has my first name
18 18 as Karansher.

19 19 Q What is your business address?

20 20 A My university address? 11:05:16

21 21 Q Yes.

22 22 A 40 St. George Street, Toronto, Ontario,
23 23 University of Toronto.

24 24 Q Do you live in Toronto?

25 25 A Yes. 11:05:29

1 A It -- I believe the '163 patent does provide
2 enough evidence in -- in -- in its context and in --
3 in the specifications to -- that a person of ordinary
4 skill in the art would be able to -- to -- to
5 implement such functionality of determination. 02:44:02

6 Q But -- but my question --

7 A (Inaudible.)

8 Q -- was a little bit different.

9 A Okay.

10 Q Does the '163 patent define what determining 02:44:09
11 a first box means?

12 A It provides examples to indicate what it
13 means, yes.

14 Q But it doesn't provide an explicit
15 definition other than the examples? 02:44:25

16 A It provides enough of a definition -- it
17 provides enough evidence that -- that -- that a
18 person of ordinary skill in the art would be able --
19 would -- would be able to -- would be able to
20 construe -- construct a determination as the patent 02:44:52
21 intends.

22 Q What is the meaning of the term
23 "substantially centered" as used in the claims of the
24 '163 patent?

25 MR. MONACH: Object that it calls for a 02:45:16

1 legal conclusion. You can give your understanding.

2 THE WITNESS: Without giving a legal
3 opinion, I -- the -- the patent -- given the -- given
4 the overall design goals of the patent,
5 "substantially centered" essentially means mostly 02:45:40
6 centered.

7 BY MR. BRIGGS:

8 Q When does a box or -- strike that. When is
9 a box mostly centered versus not mostly centered?
10 How do you draw the line? 02:45:56

11 MR. MONACH: Object to the form of the
12 question.

13 THE WITNESS: So I think -- I think a person
14 of ordinary skill in the art would draw the line
15 based on what the -- what the intended -- what the 02:46:06
16 intended positioning and -- and what the rationale
17 behind the intended positioning of -- of the box was.

18 So if the ra- -- notion of substantial
19 centering essentially teaches to the -- the -- the
20 rationale of the -- or -- or the design goal of the 02:46:30
21 '163 patent, which is to maximize the readability of,
22 in this case, the determined box, the -- the
23 particular box.

24 So as long as that notion is being -- is --
25 is -- is what is being practiced, then it -- it -- it 02:46:52

1 pertains to this claim element.

2 BY MR. BRIGGS:

3 Q So if I were to design a -- a program that
4 enlarged a first box but did not substantially center
5 it, how could I do that?

02:47:12

6 MR. MONACH: Objection. Incomplete
7 hypothetical.

8 THE WITNESS: As in how could you write such
9 a program?

10 BY MR. BRIGGS:

02:47:19

11 Q Well, where would the box have to appear on
12 the screen for it to be not substantially centered?

13 A You -- that's actually -- I would not be
14 able to answer the question the way you asked it
15 because you would have to -- as I said, you -- you
16 have to provide the design -- the -- the -- the
17 design rationale for -- for your placement. And then
18 I can answer the question for you as in would I
19 consider this substantially centered or not?

02:47:37

20 Q So to determine where something is
21 substantially centered or not, you would have to look
22 at the design rationale for that particular product?

02:47:54

23 MR. MONACH: Object --

24 THE WITNESS: No, not for that particular

25 product. You would have to look at design rationale 02:48:07

1 of the -- the -- the patent and as to -- as -- and --
2 and -- and what the -- what the centering algorithm
3 or the placement algorithm was attempting to do.

4 BY MR. BRIGGS:

5 Q So what is the design rationale of the 02:48:23
6 patent?

7 A The design rationale of the patent, as I
8 said, is to maximize -- enable and maximize the
9 efficient readability of structured electronic
10 documents on portable electronic devices. 02:48:45

11 Q So I'm just trying to get a little bit
12 clearer picture of how that ties into the definition
13 of -- of "substantially centered." So again I'll ask
14 my question.

15 If -- if I wanted to hypothetically create a 02:49:05
16 product that displayed a first window that enlarged
17 the first window, how would I know whether the first
18 window was substantially centered or not in view of
19 the '163 patent?

20 A I -- I believe I've -- I may have provided 02:49:23
21 some additional examples, or -- or -- or -- or I may
22 have pointed to certain things in my -- in my report
23 that might -- might help provide more clarity.

24 Q Okay.

25 A If I can take a look? I -- I'm not certain, 02:49:38

1 but -- but there may be such. It may either be here
2 or in my validity report. Sorry, which claim element
3 is substantial -- oh, okay.

4 Right. So here's -- here's an example. So
5 there are some examples provided in -- in Figure 11A, 02:50:27
6 12, I guess 12.

7 Q And where are you looking right now?

8 A Sorry. Am I -- I'm looking in my
9 infringement report. Oh, sorry, where exactly in it?
10 I'm looking at page 25. Oh, sorry, it's not figures. 02:50:47
11 I was -- I was -- it said the figures below.

12 There are also some videos that have been
13 attached. I don't have access to those videos right
14 now. But it's showing you -- it's showing examples
15 of -- of substantial centering. In addition, the 02:51:06
16 figure -- what is it? Figure 5 -- 5C of the patent
17 actually shows an enlarged and substantially
18 centered, substantially centered box.

19 To my eyesight, you know, the -- the --
20 the -- the difference from the edge of the -- the -- 02:51:43
21 the box on the left is a little bit larger than the
22 one on the right, but semantically to me, that is
23 a -- a substantially centered box.

24 So I think you might also find -- I believe
25 there is inventor testimony that also provides 02:52:04

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1 further examples of substantial centering. I -- I --
2 I'm not exactly positive of who it was or -- or where
3 in the deposition or whatever, but I -- I -- I --
4 seem to recall some -- an example that, for instance,
5 said that, you know, one instance where the -- the 02:52:33
6 box might not be -- sort of -- would be substantially
7 centered, would be one where maybe there was some
8 interface elements on one side of -- of -- of your
9 window which would require the centering to be with
10 respect to whatever was left of the screen real 02:52:54
11 estate -- of the window real estate, which would be
12 -- which -- which is what it would be centered with
13 respect to, rather than the overall -- overall
14 window. And that is one example where -- where your
15 box happens to be substantially centered. 02:53:12

16 And so I -- I believe that this is something
17 that, you know, the inventors clearly, you know, as
18 people of skill in the art clearly understand, and --
19 and I believe that's the message that a person of
20 ordinary skill in the art would take as well. 02:53:29

21 Q So let's -- let's look at Figure 5C since
22 you pointed to that, and I think you were talking
23 about Block 5 as -- as the box that is substantially
24 centered; is that correct?

25 A Yes. 02:53:44

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1 I, the undersigned, a Certified Shorthand
2 Reporter of the State of California, do hereby
3 certify:

4 That the foregoing proceedings were taken
5 before me at the time and place herein set forth;
6 that any witnesses in the foregoing proceedings,
7 prior to testifying, were placed under oath; that a
8 verbatim record of the proceedings was made by me
9 using machine shorthand which was thereafter
10 transcribed under my direction; further, that the
11 foregoing transcript is an accurate transcription
12 thereof.

13 I further certify that I am neither
14 financially interested in the action nor a relative
15 or employee of any attorney or party to this action.

16 IN WITNESS WHEREOF, I have this date
17 subscribed my name.

18
19 Dated: April 30, 2012

20

21

22

Danielle de Gracia

23

CSR No. 13650

24

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