

EXHIBIT 1

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

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

1 UNITED STATES DISTRICT COURT
2 NORTHERN DISTRICT OF CALIFORNIA, SAN JOSE DIVISION
3

4 APPLE INC., a California)
corporation,)
5)
Plaintiff,)
6)

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)
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 APPEARANCES :

2

3 For Plaintiff APPLE, INC.:

4 MORRISON & FOERSTER

5 BY: ANDREW E. MONACH

6 Attorney at Law

7 425 Market Street

8 San Francisco, California 94104

9 415.268.7588

10 Amonach@mofocom

11

12 For Defendant SAMSUNG ELECTRONICS, CO., LTD.:

13 QUINN EMANUEL URQUHART & SULLIVAN

14 BY: TODD M. BRIGGS

15 Attorney at Law

16 555 Twin Dolphin Drive, Suite 560

17 Redwood Shores, California 94065

18 650.801.5020

19 Toddbriggs@quinnemanuel.com

20

21

22

23

24

25

1 APPEARANCES (Continued):

2

3 Also Present:

4 Jeffrey Anderson, Videographer

5 Patrick T. Schmidt, Esq.

6 Guy Eddon, Esq.

7 Alexander Baxter, Esq.

8 Mark Melahn, Esq.

9

10

11

12

13

14

15

16

17

18

19

20

21

22

23

24

25

1 mistake?

2 MR. MONACH: I think so. I'm just trying to
3 look quickly to see if this is in fact a -- a Box
4 3900C --

5 MR. BRIGGS: Oh. 02:58:12

6 MR. MONACH: -- as opposed to something
7 else.

8 BY MR. BRIGGS:

9 Q Well, what it appears to be is the edge of
10 the screen. Would you agree with that? 3900C -- 02:58:34

11 A Yeah, I mean, I -- I -- I wouldn't be able
12 to say so conclusively without actually seeing how
13 it's -- how it's -- how it's specifically defined.
14 But -- but I don't know where that would be.

15 Q Well, let's just call it the edge on the 02:59:01
16 right-hand side of 3900C.

17 A Okay. Fair enough.

18 MR. MONACH: Do you want to know what the
19 patent says about 3900C?

20 MR. BRIGGS: Sure. 02:59:12

21 MR. MONACH: Okay. It's in column 17. It
22 says, "The block may be enlarged and centered in the
23 display as shown in UI3900C which -- "

24 MR. BRIGGS: Okay. Let's just call it the
25 right edge of 3900C. 02:59:25

1 THE WITNESS: Fair enough.

2 BY MR. BRIGGS:

3 Q Now, if I moved the right edge of Block 5
4 all the way over to where it lined up with the right
5 edge of 3900C --

02:59:40

6 A Uh-huh.

7 Q -- would Block 5 still be substantially
8 centered?

9 A Depending on the -- depending on the other
10 considerations. It could depending on the other
11 considerations. I -- I've --

02:59:59

12 Q It could still be substantially centered?

13 A Depending on what the other considerations
14 related to the layout might be, potentially.

15 It -- it -- as I said, to be -- to answer
16 that question, I'd -- I'd need -- you'd need to know
17 the rationale for it being there. If you know the
18 rationale for it being there, that gives you
19 information to answer -- answer this -- this
20 question.

03:00:17

03:00:34

21 The -- the -- the concept of -- of centering
22 and enlargement and layout of documents, in con- --
23 you know, in -- in the context of a structured
24 electronic document, as I have given you some
25 examples, have other considerations. So to be able

03:00:55

1 to answer this particular question, it could be. It
2 could be substantially centered.

3 Q So is it your testimony that to know -- to
4 know whether a box is substantially centered, you
5 have to understand the rationale for the placement of 03:01:11
6 the box on that particular user interface?

7 MR. MONACH: Object to the form of the
8 question.

9 THE WITNESS: Without -- without it sort of
10 -- without being a conclusive answer, the -- the 03:01:33
11 general -- what substantially centers is teaching you
12 is -- is that the -- the -- the program should
13 attempt to -- to center the document while bearing in
14 mind the consid- -- the overall intent or the overall
15 design intent of the patent. 03:02:05

16 And so typically you will see scenarios as a
17 result. Typically, you will see scenarios -- mostly
18 scenarios where the box is -- is -- anybody that -- a
19 person of ordinary skill in the art, or actually even
20 a -- a person, a layman, would tell you that visually 03:02:23
21 it's by and large centered. But there may be --
22 there may be considerations under which it is not the
23 case.

24 BY MR. BRIGGS:

25 Q Dr. Singh, taking into consideration the 03:02:38

1 design rationales of the patent, of the '163 patent,
2 if we moved Block 5 all the way over so that the
3 right-hand edge of Block 5 lined up the right edge of
4 3900C, would that block be substantially centered?

5 MR. MONACH: Objection. Asked and answered. 03:03:02

6 THE WITNESS: I've -- I believe I've
7 answered that question. You would -- you -- you
8 would have to give me more information in terms of
9 the overall layout of the document and the layout of
10 potentially other -- other aspects of -- of -- of the 03:03:17
11 interface.

12 BY MR. BRIGGS:

13 Q So what other information would you need to
14 know about Figure 5C to -- to be able to answer that
15 question? 03:03:29

16 MR. MONACH: Objection. Incomplete
17 hypothetical. Vague.

18 THE WITNESS: In -- at -- at least the --
19 the general block structure -- the -- the block
20 structure of -- of the rest of the structured 03:03:44
21 electronic document. So what you see over here is --
22 is -- is a portion of it. You would need to know at
23 least that.

24 BY MR. BRIGGS:

25 Q And what other block structure are you 03:04:02

HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY

Page 121

1 referring to?

2 A Whatever other block structure might exist.

3 Q And what other block structure exists with
4 respect to 5C?

5 A Well, I can't see it in 5C. 03:04:17

6 Q So I think what you're telling me is you
7 cannot determine whether something is substantially
8 centered by just looking at a box on a display, is
9 that correct, you have to look at other
10 considerations? 03:04:36

11 A I'm saying that, in general, you may be able
12 to if a box is -- is subs- -- is -- is by and large
13 centered or almost centered. Then by visually
14 looking at it, you would say that that is mostly
15 centered or visually centered. 03:04:59

16 There may be special considerations under
17 which, because of the design rationale of the -- the
18 patent, when the -- when the box might not appear
19 truly visually centered. And I have given you some
20 examples of it. 03:05:19

21 That's pretty much what I have to say.

22 Q Now, looking at Figure 5C, assuming that
23 Block 5 is in the position that is shown in Figure
24 5C, in some cases could that be essentially centered
25 and in other case could that not be substantially 03:05:38

1 centered?

2 MR. MONACH: Objection. Vague and
3 incomplete hypothetical.

4 THE WITNESS: Well, given that one doesn't
5 really have access to additional information, Block 03:05:49
6 5C to me is as it is. Generally, would -- I would --
7 I would call it substantially centered.

8 BY MR. BRIGGS:

9 Q Could you think of any other considerations
10 or any other factors that would make Block 5 not 03:06:04
11 substantially centered as it's shown in Figure 5C?

12 A I have given you some examples already.

13 Q So it's possible that Block 5 could appear
14 like it appears in Figure 5C and not be substantially
15 centered; is that right? 03:06:27

16 MR. MONACH: Objection. Misstates
17 testimony.

18 THE WITNESS: Not the way it's described in
19 the patent.

20 BY MR. BRIGGS: 03:06:33

21 Q So just to finish off this line of
22 questioning, how would -- how would one of ordinary
23 skill in the art understand whether a block or --
24 excuse me.

25 How would one of ordinary skill in the art 03:06:56