

EXHIBIT 15

1 UNITED STATES INTERNATIONAL TRADE COMMISSION

2 Washington, D.C.

3 Before the Honorable Charles E. Bullock

4 Acting Chief Administrative Law Judge

5
6 In the Matter of:)
7 CERTAIN ELECTRONIC DIGITAL)
8 MEDIA DEVICES AND COMPONENTS) Inv. No. 337-TA-796
9 THEREOF)
10)

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12
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14 CONFIDENTIAL BUSINESS INFORMATION

15 SUBJECT TO PROTECTIVE ORDER

16
17 DEPOSITION OF RICHARD HOWARTH

18 WEDNESDAY, FEBRUARY 8, 2012

19
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23 Job Number: 45710

24 REPORTED BY:

25 JANIS JENNINGS, CSR 3942, CLR, CCRR

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DEPOSITION OF RICHARD HOWARTH, taken
on behalf of the Respondent, at QUINN
EMANUEL URQUHART OLIVER & HEDGES LLP,
50 California Street, 22nd Floor,
San Francisco, California, commencing at
10:11 a.m., Wednesday, February 8, 2012,
before Janis L. Jennings, Certified Shorthand
Reporter No. 3942, CLR, CCRR.

1 APPEARANCES OF COUNSEL:

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3 FOR THE COMPLAINANT:

4 MORRISON & FOERSTER

5 BY: JENNIFER LEE TAYLOR, ESQ.

6 425 Market Street

7 San Francisco, California 94105

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11 FOR THE RESPONDENT:

12 QUINN EMANUEL URQUHART OLIVER & HEDGES

13 BY: SCOTT B. KIDMAN, ESQ.

14 MICHAEL T. ZELLER, ESQ.

15 865 S. Figueroa Street

16 Los Angeles, California 90017

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22 ALSO PRESENT:

23 SEAN MCGRATH, Videographer

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1 MS. TAYLOR: Thanks.

2 THE VIDEOGRAPHER: The time is 4:02 p.m.

3 and we are off the record.

4 (Off the record.)

5 THE VIDEOGRAPHER: The time is 4:19 p.m.,

6 and we are on the record.

7 MR. KIDMAN: Let's mark the next document

8 as Exhibit 7.

9 (Exhibit 7 was marked for identification
10 and attached hereto.)

11 BY MR. KIDMAN:

12 Q. And Exhibit 7 is a copy of U.S. design
13 patent 504,889. And, Mr. Howarth, do you recognize
14 the '889 design patent as a patent on which you are
15 an inventor?

16 A. I see my name is written here in the list
17 of inventors.

18 Q. And have you seen this patent before?

19 A. I don't recall.

20 Q. Do you recall having any role in the
21 application or prosecution of this patent?

22 A. I'm not sure exactly what you mean by
23 "application or prosecution" of it.

24 Q. Do you recall having any role in the
25 preparation of the application for this patent?

1 A. I don't recall that.

2 Q. And what's new or original about the
3 design shown in the drawings of the '889 patent?

4 MS. TAYLOR: Calls for a legal conclusion.

5 THE WITNESS: I can't tell from this what
6 is new -- new about this.

7 BY MR. KIDMAN:

8 Q. Do you have any understanding as to what's
9 new or original about the design is shown in the
10 '889 patent?

11 MS. TAYLOR: Calls for a legal conclusion.

12 THE WITNESS: I'm not trained in reading
13 these sort of patent drawings, so I can't tell you
14 what's new or original based on these.

15 BY MR. KIDMAN:

16 Q. As a named inventor of the '889 patent,
17 can you tell me if you have any understanding as to
18 what's new or original in the design shown in this
19 patent?

20 MS. TAYLOR: Calls for a legal conclusion.

21 THE WITNESS: Again, I -- I haven't been
22 trained in reading patent drawings, and I can't -- I
23 can't tell what these drawings are trying to show.

24 BY MR. KIDMAN:

25 Q. Did Apple release to market any product

1 with the design that's shown in the '889 patent?

2 MS. TAYLOR: Calls for a legal conclusion.

3 It's also not relevant to the ITC case.

4 THE WITNESS: I'm not sure what -- what
5 design is being shown here, based on these drawings.

6 BY MR. KIDMAN:

7 Q. And so, therefore, you can't tell me if
8 Apple released any product to market with the design
9 that's shown in the '889 patent; is that correct?

10 MS. TAYLOR: Calls for a legal conclusion.

11 THE WITNESS: I -- based on these
12 drawings, I can't tell you if Apple released a
13 product that was -- that was like this.

14 BY MR. KIDMAN:

15 Q. And take a look back at Exhibit 6, which
16 is the '678 patent, and you see on -- it is actually
17 the third page of the '678 patent. I think we
18 looked at this before, but maybe not.

19 But the '889 patent is one of the cited
20 references in the '678 patent. Do you understand --
21 do you see that? If you look at the column on
22 page 3 of the '678 patent that says "U.S. Patent
23 Documents."

24 A. The what? Sorry.

25 Q. Why don't you take a look at Exhibit 6,

1 page 3.

2 A. Uh-huh. Yes.

3 Q. You see the column on the left that
4 says "U.S. Patent Documents"?

5 A. Uh-huh, yes.

6 Q. And about a quarter of the way down, there
7 is a reference to the 504,889 patent.

8 A. I see that.

9 Q. Okay. And so the '889, patent which is
10 Exhibit 7, is one of the references cited in the
11 '678 patent, which is Exhibit 6.

12 Are you with me?

13 A. Got it.

14 Q. Okay. And can you tell me what's new or
15 original about the design in the '678 patent over
16 the design in the '889 patent?

17 MS. TAYLOR: Calls for a legal conclusion.

18 THE WITNESS: No, I can't tell you that,
19 based on these drawings.

20 BY MR. KIDMAN:

21 Q. Do you recognize the design in the '889
22 patent as the design of any version of the iPad?

23 MS. TAYLOR: Calls for a legal conclusion.

24 THE WITNESS: I'm not sure what this is
25 trying to show (indicating).