

EXHIBIT 3

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

4 APPLE INC., a California)
corporation,)

5)
6 Plaintiff,)

7 vs.) No: 11-CV-01846-LHK

8 SAMSUNG ELECTRONICS CO., LTD,)
a Korean business entity;)

9 SAMSUNG ELECTRONICS AMERICA,)
INC., a New York corporation;)

10 SAMSUNG TELECOMMUNICATIONS)
AMERICA, LLC, a Delaware)
limited liability company)

11)
12 Defendants.)
13 _____)

14 **HIGHLY CONFIDENTIAL - ATTORNEYS' EYES ONLY**
15

16 DEPOSITION OF FREDDY ANZURES
17 Redwood Shores, California
18 Tuesday, October 18, 2011
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22
23 Reported By:
24 LINDA VACCAREZZA, RPR, CLR, CRP, CSR. NO. 10201
25 JOB NO. 42857

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October 18, 2011
10:11 a.m.

Videotaped deposition of FREDDY
ANZURES, held at Quinn Emanuel Urquhart
& Sullivan, LLP, 555 Twin Dolphin
Drive, Suite 500, Redwood Shores,
California, pursuant to Subpoena before
Linda Vaccarezza, a Certified Shorthand
Reporter of the State of California.

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A P P E A R A N C E S :

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BY: ANDREW E. MONACH, ESQ.

Videographer: Jason Kocol

1 Q. That, I think, is probably the
2 easier way of approaching this.

3 So you don't know one way or the
4 other whether Mr. Chaudhri also believed that a
5 reason for the empty space was for users to put
6 their own icons into it? That's something you
7 don't know one way or the other?

8 A. I don't know that.

9 Q. Do you know one way or the other
10 whether having that empty space between the third
11 row of the icons and the dock made the design,
12 that's shown here in Exhibit 305, different or
13 new or original when compared to other designs
14 that were already in existence at the time?

15 MR. MONACH: Objection. Vague,
16 lack of foundation.

17 THE WITNESS: I wasn't aware of
18 any other designs in existence at the
19 time.

20 Q. You don't know one way or the
21 other, right?

22 A. No.

23 Q. Just so we have a clear record,
24 you agree with me you don't know one way or the
25 other, right?

1 A. I don't know one way or the other.

2 Q. And whether there was something
3 new or different or original about having that
4 missing space, is something that you would defer
5 to Mr. Chaudhri on?

6 MR. MONACH: Objection. Lack of
7 foundation, calls for speculation about
8 what Mr. Chaudhri would know or didn't
9 know.

10 THE WITNESS: I don't know what he
11 knows.

12 Q. Do you think he would know, better
13 than you do, whether or not there was something
14 new or original about having missing space as
15 part of the design?

16 MR. MONACH: Objection. Lack of
17 foundation, vague and calls for
18 speculation.

19 THE WITNESS: I wouldn't know if
20 he would know.

21 Q. Was the particular design that's
22 shown here in the '305 design patent ever
23 actually used by Apple on any product or
24 packaging?

25 MR. MONACH: Objection. Lack of

1 foundation, vague.

2 THE WITNESS: I don't know.

3 Q. Do you have any knowledge or
4 information as to when was the last time Apple
5 ever used the design that's shown here on the
6 '305 design patent on any device or any
7 packaging?

8 MR. MONACH: Objection to the
9 extent it calls for a legal conclusion.
10 Outside the scope. Objection. Lack of
11 foundation.

12 THE WITNESS: I don't recall the
13 time.

14 Q. Is the design that's shown here in
15 the '305 design patent still being used on any
16 Apple devices today?

17 MR. MONACH: Objection. Lack of
18 foundation. Object to the extent it
19 calls for a legal conclusion.

20 THE WITNESS: I don't know.

21 Q. Let's please mark as Exhibit 665 a
22 multi-page document bearing Bates numbers
23 APLNDC0000092277 through '2282. The top of the
24 first page is an e-mail from the witness dated
25 December 3rd, 2007.

1 (Exhibit 665, E-mail dated
2 December 3, 2007, marked for
3 identification.)

4 Q. Please let me know when you've had
5 a chance to look at Exhibit 665?

6 MR. MONACH: This exhibit is
7 marked "Highly Confidential. Attorneys'
8 Eyes Only." Some of the other testimony
9 may have been about confidential or
10 highly confidential design issues.

11 So pursuant to the protective
12 order, we'll designate the entire
13 transcript as "Highly Confidential AEO"
14 and then redesignate later within the
15 appropriate time frame.

16 (Testimony marked as
17 requested.)

18 THE WITNESS: Okay.

19 Q. First, do you recognize Exhibit
20 665 as an e-mail exchange that you had with
21 others there at Apple in the December of 2007
22 time period?

23 A. Yes.

24 Q. Direct your attention to the last
25 page of Exhibit 665, which is the number ending