

# EXHIBIT A

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13 Attorneys for Plaintiff, IconFind, Inc.

14 IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

15 ICONFIND, INC.,

16 Plaintiff,

17 v.

18 GOOGLE INC.,

19 Defendant.

Case No. 2:11-cv-00319-GEB-JFM

**PLAINTIFF'S FIRST SET OF  
INTERROGATORIES TO DEFENDANT  
GOOGLE INC. NOS. 1-16**

20  
21 In accordance with Fed.R.Civ.P. 33, Plaintiff, Iconfind, Inc. ("IconFind"), propounds the  
22 following interrogatories to be answered separately and under oath by an officer or agent of  
23 Google Inc. ("Google") within 30 (thirty) days of service. The following interrogatories are to  
24 be deemed continuing interrogatories, requiring prompt supplemental answers whenever the  
25 conditions of Fed.R.Civ.P. 26(e) are satisfied.  
26

1 **DEFINITIONS**

2 "Google" refers to Google Inc., and any of its predecessors, parents, subsidiaries,  
3 affiliates, divisions, related companies and other business entities controlled by Google as well  
4 as their agents, owners, employees, beneficiaries, representatives and attorneys, and each person  
5 acting or purporting to act on its behalf or under its control.

6 "Accused Google Instrumentality" means each Google website that incorporates and  
7 facilitates Creative Commons licenses ("the Creative Commons Feature"), including but not  
8 limited to Google Knol (www.knol.google.com), Google Books (www.books.google.com) and  
9 Google Picasa (www.picasa.google.com) and all software and hardware which provide and  
10 support these websites, including without limitation, databases, interfaces, computer networks,  
11 applications, servers, storage systems, entry systems and processing systems.

12 "Patent-In-Suit" or "459 Patent" means U.S. Patent No. 7,181,459 B2, entitled "Method  
13 Of Coding, Categorizing, And Retrieving Network Pages And Sites," which issued on February  
14 20, 2007.

15 "Relevant" means documents and other information that are relevant under Fed.R.Civ.P.  
16 26 and/or Fed.R.Evid. 401-02; or that Google intends to use to support its allegations or  
17 defenses; or which tend to prove or disprove any of IconFind's allegations or defenses.

18 "Relate," "relating" or "related" mean relevant to, pertaining to, referring to, alluding to,  
19 responding to, concerning, connected with, commenting on, in respect of, about, regarding,  
20 discussing, evidencing, showing, describing, reflecting, analyzing and/or constituting.

21 "And," "or" as well as "and/or" shall be construed disjunctively or conjunctively as  
22 necessary in order to bring within the scope of the request all responses which otherwise might  
23 be construed to be outside its scope.

24 "Document(s)" refers to the broadest definition of document and electronically stored  
25 information under the Federal Rules, e.g., anything which would be a "writing" or "recording"

1 pursuant to Rule 1001(1) of the Federal Rules of Evidence or "document" or "electronically  
2 stored information" including software code, pursuant to Rule 34(a) of the Federal Rules of Civil  
3 Procedure. A draft or a non-identical copy is a separate document within the meaning of this  
4 term.

5 To "identify" or "locate" documents means to provide a brief description of each  
6 document sufficient to support a request for production, including at least the type of document,  
7 date of the document, identification of the author, as well as identification of each person who  
8 presently has custody of the document and of any copy thereof.

9 "Thing(s)" means any tangible item, and shall be construed as broadly as possible under  
10 the Federal Rules of Civil Procedure.

11 "Person(s)" refers to both natural persons and corporate or other business entities  
12 (including Google) whether in the employ of Google or not, and the acts of a person (including  
13 Google) are defined to include the acts of directors, officers, owners, members, employees,  
14 agents or attorneys acting on the person's behalf.

15 To "identify" a person means to state the person's name and business address and  
16 telephone number and, additionally, in the case of a natural person, his or her home address,  
17 employer, present occupation, job title and telephone number.

18 "Infringe," "infringes," or "infringed" refers to any form of infringement actionable under  
19 United States law, including without limitation, direct infringement, contributory infringement  
20 and inducement to infringe.

21 "Prior art" includes by way of example and without limitation, the subject matter  
22 described in 35 U.S.C. § 103 and in each subdivision of 35 U.S.C. § 102.

23 "Lawsuit" or "Litigation" means Iconfind Inc. v. Google, Inc., Case No. 2:11-cv-00319-  
24 GEB-JFM in the United States District Court for the Eastern District of California.

1 To "state the basis" of or for a particular claim, assertion, allegation, or contention, means  
2 that the party shall:

- 3 a. Identify each and every document (and, where pertinent, the section,  
4 article, or subparagraph thereof), which forms any part of the source of  
5 the party's information, relating to the alleged facts or legal conclusions  
6 referred to by the interrogatory.
- 7 b. Identify each and every communication (i.e., the transmittal of  
8 information in the form of facts, ideas, inquiries, or otherwise) which  
9 forms any part of the source of the party's information relating to the  
10 alleged facts or legal conclusions referred to by the interrogatory.
- 11 c. State separately the acts or omissions to act on the part of any person  
12 (identifying the acts or omissions to act by stating their nature, time, and  
13 place and identifying the persons involved) which form any part of the  
14 party's information relating to the alleged facts or legal conclusions  
15 referred to in the interrogatory; and
- 16 d. State separately any other fact which forms the basis of the party's  
17 information relating to the alleged facts or conclusions referred to in the  
18 interrogatory.

### 19 INTERROGATORIES

20 1. Identify separately by name each component of the Accused Google  
21 Instrumentality, including without limitation the name of each database, interface, computer  
22 network, server, web page, storage system, entry system, processing system, application and  
23 software that supports these components. If a complete answer to this interrogatory can be  
24 derived or ascertained from documents provided by Google in accordance with Fed.R.Civ.P.  
25 33(d), identify the Bates numbers of such documents.

26 2. Identify the Google corporate entity or entities, third parties or person(s)  
presently and/or formerly employed or otherwise associated with Google who presently has  
responsibility and/or previously had responsibility for the following functions pertaining to the  
Accused Google Instrumentality: (a) conception; (b) design; (c) research and development; (d)  
testing; (e) use or implementation; (f) marketing; (g) training; (h) distribution; (i) sale; or (j)  
technical customer support. If Google identifies more than one entity, third party or person in

1 response to this interrogatory, Google is directed to list the identified persons in decreasing  
2 order of their level of responsibility for each function.

3 3. Identify for the Accused Google Instrumentality: (1) the date of first deployment  
4 or use of the Accused Google Instrumentality; and (2) the date of first deployment or use of the  
5 Creative Commons Feature in the Accused Google Instrumentality. If a complete answer to this  
6 interrogatory can be derived or ascertained from documents provided by Google in accordance  
7 with Fed.R.Civ.P. 33(d), identify the Bates numbers of such documents.

8 4. State the daily, weekly, monthly, quarterly and annual website usage statistics of  
9 the Accused Google Instrumentality, including those provided by any web analytics software or  
10 platform, including without limitation, (a) the number of requests made to Google's server(s) to  
11 assign a Creative Commons designation to a page; (b) the number of requests made to Google's  
12 server(s) to access pages containing a Creative Commons designation; (c) the number of requests  
13 made to Google's server(s) to search for a page with a Creative Commons designation. Provide  
14 any such usage statistics in Google's possession, custody or control from 2007 to the present. If  
15 a complete answer to this interrogatory can be derived or ascertained from documents provided  
16 by Google in accordance with Fed.R.Civ.P. 33(d), identify the Bates numbers of such  
17 documents.

18 5. State the quarterly revenues and quarterly profit (gross, net and incremental)  
19 realized by Google from the operation and use of the Accused Google Instrumentality, including  
20 without limitation revenues and profits realized from sales, partner programs, membership fees  
21 and advertising, from 2007 to the present. If a complete answer to this interrogatory can be  
22 derived or ascertained from documents provided by Google in accordance with Fed.R.Civ.P.  
23 33(d), identify the Bates numbers of such documents.

24 6. Identify the earliest date on which Google became aware of the '459 Patent and  
25 the application for the '459 Patent, describe in detail the circumstances of how and why Google

1 became aware of the '459 Patent and/or the patent application at that time and describe in detail  
2 any action or analysis considered, requested, or taken by Google pertaining to the '459 Patent  
3 and/or patent application, including without limitation any attempt to avoid infringement of or  
4 design around the '459 Patent or application. If a complete answer to this interrogatory can be  
5 derived or ascertained from documents provided by Google in accordance with Fed.R.Civ.P.  
6 33(d), identify the Bates numbers of such documents.

7         7. Assuming that Google is liable for any claim of patent infringement being  
8 asserted by Iconfind against Google in the Lawsuit, describe in detail the complete factual basis  
9 supporting Google's contentions as to the appropriate reasonable royalty to be awarded to  
10 Iconfind, and identify all information including but not limited to documents considered,  
11 reviewed and/or relied upon by Google as a basis for the facts and assertions provided in  
12 response to this interrogatory. As part of its response to this interrogatory, Google shall identify  
13 all factors including but not limited to the Georgia Pacific factors, which Google contends are  
14 relevant to the determination of a reasonable royalty rate in a hypothetical negotiation between  
15 Iconfind and Google for a license under the '459 Patent, and Google shall further identify the  
16 effect that each such factor would have on said hypothetical negotiation.

17         8. Describe in detail the complete factual basis supporting Google's Counterclaim I  
18 and First Affirmative Defense alleging that "Google has not infringed and does not infringe,  
19 directly or indirectly, any valid and enforceable claim of the '459 patent." A complete answer to  
20 this interrogatory shall: (a) identify all information including, but not limited to, documents  
21 considered, reviewed and/or relied upon by Google as a basis for the facts and assertions  
22 provided in response to this interrogatory, with reference to Bates numbers in accordance with  
23 Fed.R.Civ.P. 33(d); (b) include an element-by-element application of each claim of the '459  
24 Patent to the Accused Google Instrumentality, including an identification of all claim terms,  
25 elements and limitations that are present in the Accused Google Instrumentality and all claim

1 terms, elements and limitations that are allegedly absent from the Accused Google  
2 Instrumentality; (c) identify for any claim term, element and limitation that is allegedly absent  
3 from the Accused Google Instrumentality, whether any other feature, part, component, element,  
4 or combination of structure present in the Accused Google Instrumentality performs  
5 substantially the same or a similar function as the allegedly absent claim element; (d) identify  
6 any portion of the specification and prosecution history of the '459 Patent on which Google is  
7 relying upon as a basis for any non-infringement contention; and (e) identify persons having  
8 knowledge concerning facts provided in response to this interrogatory.

9 9. To the extent Google intends to rely on additional facts, arguments or theories  
10 not required or included in its Initial Invalidity Contentions pursuant to the parties' Joint Status  
11 Report, describe in detail the complete factual basis supporting Google's Counterclaim II and  
12 Second Affirmative Defense that the "[t]he '459 patent is invalid under 35 U.S.C. § 101"  
13 because it "fails to claim patentable subject matter insofar as it seeks to claim an abstract idea."  
14 A complete answer to this interrogatory shall: (a) identify all information, including but not  
15 limited to documents or things considered, reviewed and/or relied upon by Google as a basis for  
16 the facts and assertions provided in response to this interrogatory, with reference to Bates  
17 numbers in accordance with Fed.R.Civ.P. 33(d); and (b) identify all persons having knowledge  
18 relating to the facts provided in response to this interrogatory.

19 10. To the extent Google intends to rely on additional facts, arguments or theories  
20 not required or included in its Initial Invalidity Contentions pursuant to the parties' Joint Status  
21 Report, describe in detail the complete factual basis supporting for Google's Counterclaim II  
22 and Second Affirmative Defense that the '459 Patent is invalid for failure to meet the  
23 "conditions of patentability of 35 USC § 102." A complete answer to this interrogatory shall:  
24 (a) identify all information including, but not limited to, documents considered, reviewed and/or  
25 relied upon by Google as a basis for the facts and assertions provided in response to this



1 interrogatory, with reference to Bates numbers in accordance with Fed.R.Civ.P. 33(d); (b)  
2 identify each item of prior art relied upon including the date and circumstances under which the  
3 invention was known or used by others, in public use or on sale in this country, and an  
4 identification of the date and circumstances (where and who) under which the invention was  
5 patented or described in a printed publication in this or a foreign country; and (c) include a  
6 detailed element-by-element claim comparison of the '459 Patent and each item of alleged prior  
7 art; and (d) identify all persons having knowledge relating to the facts provided in response to  
8 this interrogatory

9 11. To the extent Google intends to rely on additional facts, arguments or theories  
10 not required or included in its Initial Invalidity Contentions pursuant to the parties' Joint Status  
11 Report, describe in detail the complete factual basis supporting for Google's Counterclaim II  
12 and Second Affirmative Defense that the '459 Patent is invalid for failure to meet "the  
13 conditions for patentability" of 35 USC § 103. A complete answer to this interrogatory shall:

14 (a) identify all information, including but not limited to documents or things considered,  
15 reviewed and/or relied upon by Google as a basis for the facts and assertions provided in  
16 response to this interrogatory, with reference to Bates numbers in accordance with Fed.R.Civ.P.  
17 33(d); (b) identify separately for each of the claims that Google contends is invalid under 35  
18 U.S.C. § 103, each alleged prior art system, service or reference, or combination of alleged prior  
19 art systems, services or references that Google contends would have made the claim obvious to  
20 persons having ordinary skill in the art at the time the claimed invention was made; (c) describe  
21 the factual basis for Google's contentions regarding the date of invention of the claim of each  
22 alleged prior art system, service or reference; (d) describe the factual basis for Google's  
23 contentions regarding the scope and content of each alleged prior art device, system, service or  
24 reference; (e) describe the factual basis for Google's contentions regarding the differences  
25 between the scope and content of each alleged prior art device, system, service or reference and

1 the allegedly invalid claim; (f) state Google's contentions regarding the level of ordinary skill in  
2 the art at the time the claimed invention was made; (g) identify all the alleged prior art devices,  
3 systems, services or references that Google intends to combine to argue invalidity of the claim;  
4 (h) provide a detailed element-by-element claim chart showing how the alleged prior art  
5 devices, systems, services or references can be combined to achieve the claimed invention and  
6 all reasons for making such combinations; (h) identify where persons having ordinary skill in  
7 the art would have found a teaching, suggestion or motivation to combine the alleged prior art  
8 systems, services or references; (i) describe the factual basis for Google's contentions regarding  
9 any alleged absence of objective indicia of non-obviousness; (j) to the extent not covered above,  
10 provide any analysis conducted or prepared pursuant to KSR v. Teleflex, 127 S. Ct. 1727 (2007)  
11 on the objective reach of any allegedly invalid claim under Section 103 of the patent statute and  
12 any evidence in Google's possession that there existed at the time of invention of the '459 Patent  
13 a known problem for which there was an obvious solution encompassed by each such allegedly  
14 invalid claim, including any solutions based on, relying on or utilizing purported "common  
15 sense"; and (k) identify persons having knowledge concerning facts provided in response to this  
16 interrogatory.

17 12. To the extent Google intends to rely on additional facts, arguments or theories  
18 not required or included in its Initial Invalidity Contentions pursuant to the parties' Joint Status  
19 Report, describe in detail the complete factual basis supporting for Google's Counterclaim II  
20 and Second Affirmative Defense that the '459 Patent is invalid because it fails to meet the  
21 conditions for patentability of 35 USC § 112. A complete answer to this interrogatory shall: (a)  
22 identify all information, including but not limited to documents or things considered, reviewed  
23 and/or relied upon by Google as a basis for the facts and assertions provided in response to this  
24 interrogatory, with reference to Bates numbers in accordance with Fed.R.Civ.P. 33(d); (b)  
25 identify all claims of the '459 Patent that are allegedly invalid under 35 U.S.C. § 112, (c)

1 identify the factual basis for each such contention; and (d) identify the specific section and  
2 statutory requirement of 35 U.S.C. § 112 that allegedly has not been met; and (e) identify  
3 persons having knowledge concerning facts provided in response to this interrogatory.

4 13. Explain in detail the complete factual basis for Google's Third Affirmative  
5 Defense that "IconFind's claim for damages, if any, against Google for alleged infringement of  
6 the '459 patent are limited by 35 U.S.C. §§ 286, 287, and/or 288." A complete answer to this  
7 interrogatory shall: (a) identify all information, including but not limited to documents or things  
8 considered, reviewed and/or relied upon by Google as a basis for the facts and assertions  
9 provided in response to this interrogatory, with reference to Bates numbers in accordance with  
10 Fed.R.Civ.P. 33(d); (b) identify the specific section and statutory requirement of 35 U.S.C. §§  
11 286-288 that allegedly have not been met; and (c) identify persons having knowledge  
12 concerning facts provided in response to this interrogatory.

13 14. Explain in detail the complete factual basis for Google's Fourth Affirmative  
14 Defense that "[o]n information and belief, IconFind's claims for relief are barred, in whole or in  
15 part, by the equitable doctrines of laches and estoppel." A complete answer to this interrogatory  
16 shall: (a) identify all information, including but not limited to documents or things considered,  
17 reviewed and/or relied upon by Google as a basis for the facts and assertions provided in  
18 response to this interrogatory, with reference to Bates numbers in accordance with Fed.R.Civ.P.  
19 33(d); (b) identify any allegation that IconFind delayed filing suit for an unreasonable length of  
20 time, when IconFind knew or reasonably should have known of its claims against Google, and  
21 how the delay operated to the prejudice or injury of Google; (c) identify any alleged misleading  
22 statements and/or conduct by IconFind, Google's actions taken in reliance on those statements  
23 and/or conduct, and any alleged prejudice that Google would face if IconFind is permitted to  
24 proceed with its claims; and (d) an identification of all evidence, including documents or things,  
25 and persons having knowledge concerning facts provided in response to this interrogatory.

1 15. Explain in detail the complete factual basis for Google's Fifth Affirmative  
2 Defense that "[a]ny and all products or actions accused of infringement have substantial uses  
3 that do not infringe and do not induce or contribute to the alleged infringement of the claims of  
4 the '459 Patent." A complete answer to this interrogatory shall: (a) identify all information,  
5 including but not limited to documents or things considered, reviewed and/or relied upon by  
6 Google as a basis for the facts and assertions provided in response to this interrogatory, with  
7 reference to Bates numbers in accordance with Fed.R.Civ.P. 33(d); and (b) identify all persons  
8 having knowledge concerning facts provided in response to this interrogatory.

9 16. Identify each and every person known to Google who it believes has knowledge  
10 of facts that Google believes are pertinent or relevant to this Lawsuit (including, but not limited  
11 to, any person whom Google intends to call as a fact witness under Fed. R. Evid. 702, 703, or  
12 705 and who is not retained or specifically employed to provide expert testimony in this case by  
13 Google) by providing at least his/her name, most current or last known address and, if known,  
14 phone numbers, a concise description of the nature of their association with the parties and the  
15 substance of any such knowledge, and identification of all persons and documents consulted or  
16 to be consulted by each such witness in preparation for his or her testimony.

17 Respectfully submitted,

18 /s/ Anna B. Folgers

19 NIRO, HALLER & NIRO

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DBaxter@wilkefleury.com

**Attorneys for Plaintiff, IconFind, Inc.**

1 **CERTIFICATE OF SERVICE**

2 The undersigned hereby certifies that on May 17, 2011 the foregoing  
3 **PLAINTIFF'S FIRST SET OF INTERROGATORIES TO DEFENDANT GOOGLE INC.**  
4 **NOS. 1-16**  
5 was filed with the Clerk of Court using the CM/ECF system, which will then send a notification  
6 of such filing to the following counsel of record.

7 Michael J. Malecek  
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12 Two Palo Alto Square, Suite 400  
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16 Facsimile: (650) 319-4700

17 **Attorneys for Defendant Google Inc.**

18 I certify that all parties in this case are represented by counsel who are CM/ECF participants.

19 /s/Anna B. Folgers  
20 \_\_\_\_\_  
21 Attorneys for Plaintiff  
22  
23  
24  
25

# **EXHIBIT B**

**Daniel L. Baxter**

**From:** Folgers, Anna [afolgers@nshn.com]  
**Sent:** Tuesday, June 14, 2011 12:30 PM  
**To:** John LaBarre  
**Cc:** Haan, Brian; Malecek, Michael; Daniel L. Baxter; Maikish, Kenneth; Niro, Raymond P Jr  
**Subject:** RE: Iconfind v. Google - Interrogatory Responses

John,

We are disappointed with Google's unproductive response. It appears that Google's representation that it would not be "obstructionist in its discovery responses" (see email to B. Haan April 12, 2011) was insincere and that Google instead desires to waste time and expense in unnecessary motion practice rather than cooperating in good faith to reach mutually beneficial agreements regarding discovery.

Nevertheless, in yet another effort to compromise, Iconfind, without admitting that Google's objections have any merit, withdraws (and reserves the right to re-serve) Interrogatory Nos. 2, 6, 7, and 9-16. Therefore, Iconfind will await Google's responses to Interrogatory Nos. 1, 3-5 and 8. Assuming Google stands by its objection that any interrogatory that requests information concerning the Accused Products constitutes three separate interrogatories, by our count, Google will treat these outstanding interrogatories as fifteen (15), rather than five (5).

Thanks,

Anna B. Folgers  
Niro, Haller & Niro  
181 West Madison Street  
Suite 4600  
Chicago, IL 60602  
312-236-0733

**From:** John LaBarre [mailto:jlabarre@google.com]  
**Sent:** Monday, June 13, 2011 6:13 PM  
**To:** Folgers, Anna  
**Cc:** Haan, Brian; Malecek, Michael; Daniel L. Baxter; Kenneth Maikish; Niro, Raymond P Jr  
**Subject:** Re: Iconfind v. Google - Interrogatory Responses

Anna -

Google is not willing to agree to your proposed "compromise" on this issue. We believe that the FRCP's default of 25 Interrogatories is appropriate in this matter. As previously indicated, we believe that the Interrogatories served on us on May 17, 2011 represents more than 25 interrogatories.

Interrogatories 1-5 and 8, each represent at least three separate interrogatories as they relate to three separate Google products (Picasa, Knol, and Books).

Interrogatory 6 is at least two interrogatories: one directed to when Google first became aware of the patent-in-suit and one directed, broadly speaking, towards action taken by Google with respect to designing around the patent-in-suit.

Interrogatory 7 (aside from being hypothetical) is at least two interrogatories: one directed to

7/21/2011

Google's contentions relating to a reasonable royalty and one directed to the documents considered by Google in responding to this interrogatory.

Interrogatories 9 - 16 each represent multiple interrogatories: Notwithstanding your contention that "[t]hese interrogatories simply request Google to identify by bates number in accordance with Rule 33(d) documents Google has considered, reviewed and relied upon in answering the interrogatory and to identify persons with knowledge of the subject matter of the interrogatory" (which is, in-and-of-itself two independent interrogatories) the Interrogatories each seek identification beyond the identification of document and of people and thus for each, this each constitutes multiple interrogatories.

Please advise by COB on Wednesday if you would prefer that Google answer the interrogatories "as is" (in which case we will answer the first 25 interrogatories and object to remainder as over the limit) or whether you would like to provide us a revised list of interrogatories.

Regards,

John

John LaBarre	Litigation	Google Inc.	650 336-5780
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**PRIVILEGE AND CONFIDENTIALITY NOTICE:** If you received this communication by mistake, please don't forward it to anyone else (it may contain confidential or privileged information), please erase all copies of it, including all attachments, and please let the sender know it went to the wrong person. Thanks.

On Fri, Jun 3, 2011 at 9:43 AM, Folgers, Anna <[afolgers@nshn.com](mailto:afolgers@nshn.com)> wrote:  
John,

We write to follow up on our meet and confer regarding Google's objections to Iconfind's First Set of Interrogatories (Nos. 1-16). We have assessed Google's assertions and have concluded the following:

- With respect to Google's argument that because the Accused Instrumentality includes three products, each time it is used in Interrogatory Nos. 1-5 and 8 the interrogatory is actually three interrogatories and not one, if Google intends to stand by this objection, we request that the parties stipulate to go beyond the 25 interrogatories provided for in Rule 33 and to instead stipulate that each party may serve 50 interrogatories.
- In regards to Google's objections to Interrogatory Nos. 6 and 7, we would like further clarification on why Google believes that these interrogatories are directed beyond one topic; we will consider revising these interrogatories once we have clarification on Google's positions.
- With respect to Interrogatory Nos. 8-15, we do not believe that these interrogatories contain multiple subparts. These interrogatories simply request Google to identify by bates number in accordance with Rule 33(d) documents Google has considered, reviewed and relied upon in answering the interrogatory and to identify persons with knowledge of the subject matter of the interrogatory.

7/21/2011



However, in the spirit of compromise, we will also consider revising these interrogatories if Google is agreeable to extending the limit from 25 to 50. We will agree to separate out the persons with knowledge portion of these interrogatories into one separate interrogatory. We also agree to clarify that with respect to the document portion, that Iconfind is merely requesting that if Google intends to rely on Rule 33(d) to answer any interrogatory, that Google identify by bates number the documents that it is relying upon.

Please confirm whether Google is agreeable to stipulating that the parties may serve 50 interrogatories instead of the 25 provided for in Rule 33. We would like to avoid burdening the Court with these discovery matters and look forward to working with Google to resolve these issues.

Thanks,

Anna B. Folgers  
Associate, Niro Haller & Niro  
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Chicago, IL 60602  
[afolgers@nshn.com](mailto:afolgers@nshn.com)