

KAYE SCHOLER LLP

1 Michael J. Malecek (State Bar No. 171034)
 Email address: michael.malecek@kayescholer.com
 2 Kenneth M. Maikish (State Bar No. 267265)
 Email address: kenneth.maikish@kayescholer.com
 3 KAYE SCHOLER LLP
 Two Palo Alto Square, Suite 400
 4 3000 El Camino Real
 Palo Alto, California 94306
 5 Telephone: (650) 319-4500
 Facsimile: (650) 319-4700

6 Attorneys for Defendant
 7 GOOGLE INC.

8
 9 **UNITED STATES DISTRICT COURT**
 10 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

12 ICONFIND, INC.,)

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

13 Plaintiff,)

**DECLARATION OF KENNETH MAIKISH
 IN SUPPORT OF DEFENDANT GOOGLE
 INC.'S MEMORANDUM IN SUPPORT
 OF ITS RENEWED MOTION FOR
 JUDGMENT ON THE PLEADINGS OF
 INVALIDITY OF U.S. PATENT NO.
 7,181,459**

14 v.)

15)
 16 GOOGLE INC.,)

17 Defendant.)

Date: January 23, 2012
 Time: 9:00 a.m.
 Location: Courtroom 10
 The Honorable Garland E. Burrell, Jr.

1 I, Kenneth M. Maikish declare as follows:

2 1. I am an attorney licensed to practice law in the State of California and am an
3 associate at Kaye Scholer LLP, counsel for Defendant Google Inc. (“Google”), in this action.
4 Unless stated on information and belief, I make this declaration based on my own personal
5 knowledge in support of Defendant’s Renewed Motion for Judgment on the Pleadings of
6 Invalidity of U.S. Patent No. 7,181,459.

7 2. Attached as Exhibit 1 is a true and correct copy of the U.S. Patent No. 7,181,459
8 entitled “Method of Coding, Categorizing, and Retrieving Network Pages and Sites.”

9 3. Attached as Exhibit 2 is a true and correct copy of the Patent Application of Lee H.
10 Grant and Susan A. Capizzi for Method of Coding, Categorizing, and Retrieving Network Pages
11 and Sites dated February 22, 2002 in U.S. Patent Application No. 10/082,596.

12 4. Attached as Exhibit 3 is a true and correct copy of Office Action Summary dated
13 May 24, 2004 in U.S. Patent Application No. 10/082,596.

14 5. Attached as Exhibit 4 is a true and correct copy of the Response to Official Action
15 dated June 22, 2004 in U.S. Patent Application No. 10/082,596.

16 6. Attached as Exhibit 5 is a true and correct copy of the Amendment in Response to
17 Non-Final Office Action dated April 27, 2005 in U.S. Patent Application No. 10/082,596.

18 7. Attached as Exhibit 6 is a true and correct copy of the Office Action Summary
19 dated July 11, 2005 in U.S. Patent Application No. 10/082,596.

20 8. Attached as Exhibit 7 is a true and correct copy of the Amendment After Final
21 Action (37 C.F.R. Section 1.116) dated Sept. 8, 2005 in U.S. Patent Application No. 10/082,596.

22 I declare under penalty of perjury under the laws of the United States of America that the
23 foregoing is true and correct.

24 Executed on this December 19, 2011, in Palo Alto, California.

25
26 /s/ Kenneth M. Maikish

27 Kenneth M. Maikish