

# EXHIBIT 2

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10 **UNITED STATES DISTRICT COURT**  
11 **FOR THE EASTERN DISTRICT OF CALIFORNIA**

12 ICONFIND, INC., ) Case No. 2:11-CV-00319 GEB JFM  
13 )  
14 Plaintiff, ) **DEFENDANT’S PROPOSED**  
15 v. ) **CONSTRUCTIONS AND EXTRINSIC**  
16 ) **EVIDENCE**  
17 )  
18 GOOGLE INC., )  
19 Defendant. )  
20 )  
21 )

22 Defendant Google Inc. provides Plaintiff with the following list of claim constructions and  
23 extrinsic evidence for the terms of U.S. Patent No. 7,181,459 that may require *Markman* claim  
24 construction, pursuant to the Court’s Order Setting Additional Claim Construction Deadlines,  
25 Dkt. 72.  
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	Claim Term	Proposed Construction	Evidence
1	assigning said network page to one or more of [a plurality of] said list of categories	<i>the creator of the web page choosing which one or more of [a plurality of] said list of categories characterize said network page</i>	<i>Iconfind v. Yahoo!</i> , No. 09-109, Dkt. 50, Dec. 14, 2009 (E.D. Cal.) (" <i>Markman Order</i> "), pp. 2-4, 15-23.  <i>Iconfind v. Yahoo!</i> , No. 09-109, Dkt. 54, Dec. 29, 2009 (E.D. Cal.) (" <i>Markman Transcript</i> "), pp. 1-7, 68-75.
2	a set of categories and subcategories to which the network page is assigned	<i>a set of categories and subcategories that were chosen by the creator of the web page as characterizing the network page</i>	<i>Markman Order</i> , pp. 2-4, 15-23.  <i>Markman Transcript</i> , pp. 1-7, 68-75.
3	categories related to public domain, fair use only, use with attribution, and permission of copyright owner needed	<i>categories that indicate that the network page may be subject to each of the following licensing restrictions: (1) the network page may be used by others without any restrictions; (2) the network page may only be used for fair uses; (3) the network page may be used if attribution to the copyright owner is given; and (4) the network page may be used only when permission is granted by the copyright owner</i>	<i>Markman Order</i>  <i>Markman Transcript</i> , pp. 31-34.

1	4	network page	<i>Page on the Internet, private corporate network, intranet, local area network or other network wherein an image on a page does not constitute a page</i>	<i>Markman Order, p. 8.</i>  <i>Markman Transcript, pp. 71-76.</i>
2	5	category for transacting business	A category for network pages that have as a purpose transacting business	<i>Markman Order, pp. 8-15.</i>  <i>Markman Transcript, pp. 7-41.</i>
3	6	category for providing information	A category for network pages that have as a purpose the provision of information, for example, network pages that contain articles, journals, or publications	<i>Markman Order, pp. 8-15.</i>  <i>Markman Transcript, pp. 7-41.</i>
4	7	categorization label	Label indicating a category or categories to which a page is assigned	<i>Markman Order, pp. 15-23.</i>  <i>Markman Transcript, pp. 42-71.</i>
5	8	categorization code	System of characters or symbols that represent categories	<i>Markman Order, pp. 15-23.</i>  <i>Markman Transcript, pp. 42-71.</i>

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23 Google reserves the right to add evidence from the depositions of Lee H. Grant and Susan  
24 Capizzi, once the transcripts are finalized and Google has had sufficient time to review the final  
25 transcripts.

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Dated: March 28, 2012

Respectfully submitted,  
KAYE SCHOLER LLP

By: s/ Kenneth M. Maikish

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**CERTIFICATE OF SERVICE**

The undersigned hereby certifies that on March 28, 2012 the foregoing  
**DEFENDANT’S PROPOSED CONSTRUCTIONS AND EXTRINSIC EVIDENCE**  
was e-mailed to the following counsel of record:

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