

1 KEKER & VAN NEST, LLP
 JOHN W. KEKER - #49092
 2 DARALYN J. DURIE - #169825
 CHRISTINE P. SUN - #218701
 3 RAVIND S. GREWAL - #220543
 710 Sansome Street
 4 San Francisco, CA 94111-1704
 Telephone: (415) 391-5400
 5 Facsimile: (415) 397-7188

6 Attorneys for Defendant and Counterclaimant
 GOOGLE INC.

8 UNITED STATES DISTRICT COURT
 9 NORTHERN DISTRICT OF CALIFORNIA
 10 SAN FRANCISCO DIVISION

12 OVERTURE SERVICES, INC.,
 13 Plaintiff and Counterdefendant,
 14 v.
 15 GOOGLE INC.,
 16 Defendant and Counterclaimant.

Case No. C 02-01991 JSW (EDL)

**DECLARATION OF RAVIND S.
 GREWAL IN SUPPORT OF GOOGLE'S
 RESPONSIVE CLAIM CONSTRUCTION
 BRIEF**

Tutorial: March 10, 2004 – 2:00 p.m.
 Hearing: March 24, 2004 – 2:00 p.m.
 Courtroom: 2, 17th Floor
 Judge: Hon. Jeffrey S. White

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1 I, Ravind S. Grewal, declare as follows:

2 1. I am an associate at the law firm of Kecker & Van Nest, LLP, counsel of record for
3 Google Inc. (“Google”) in the above-captioned matter. I make this declaration in support of
4 Google’s Responsive Claim Construction Brief. I make the following declaration based upon
5 my personal knowledge, and could testify thereto under oath if called upon to do so.

6 2. The Exhibits attached hereto Bates-stamped with “OVG” numbers are documents
7 produced by Overture in discovery in this action.

8 3. The Exhibits attached hereto Bates-stamped with “GOG” numbers are documents
9 produced by Google in discovery in this action.

10 4. The Exhibits attached hereto that are not Bates-stamped are documents identified
11 by the parties during the claim construction proceedings in this action.

12 5. Attached hereto as Exhibit 1 is a true and correct copy of an article from C/Net
13 News.com entitled, “Engine sells results, draws fire,” dated June 21, 1996 (OVG 1371-72).

14 6. Attached hereto as Exhibit 2 is a true and correct copy of an article from C/Net
15 News.com entitled, “New ad model charges by the click,” dated April 29, 1996 (OVG 1216-17).

16 7. Attached hereto as Exhibit 3 is a true and correct copy of an article from
17 Electronic Advertising & Marketplace Report entitled, “New Service Puts Auction, Search
18 Engine Under One Roof,” dated April 28, 1998, Vol. 12 Issue 8 (OVG 1124-25).

19 8. Attached hereto as Exhibit 4 is a true and correct copy of the January 20, 2004
20 letter from Andrew C. Byrnes at Heller Ehrman to Daralyn Durie at Kecker & Van Nest.

21 9. Attached hereto as Exhibit 5 is a true and correct copy of an article from the
22 website SearchEngineOptimism.com entitled, “Google Adwords and Overture” (GOG 32242-
23 250), as printed out on a date between March and June 2003. The URL is:

24 http://searchengineoptimism.com/SEO_Tutorial/google_adwords_overture.html, as noted in the
25 footer of the document.

26 10. Attached hereto as Exhibit 6 is a true and correct copy of excerpts from The
27 American Heritage Dictionary, 4th edition, 2000 (GOG 32273-32277).

28 11. Attached hereto as Exhibit 7 is a true and correct copy of excerpts from The New

1 Oxford Dictionary of English, 1998.

2 12. Attached hereto as Exhibit 8 is a true and correct copy of excerpts from The
3 Random House Dictionary of the English Language 2nd edition, Unabridged, 1987.

4 13. Attached hereto as Exhibit 9 is a true and correct copy of excerpts from Webster's
5 New World College Dictionary 3rd edition, 1997.

6 14. Attached hereto as Exhibit 10 is a true and correct copy of excerpts from
7 Merriam-Websters's Collegiate Dictionary 10th edition, 1995.

8 15. Attached hereto as Exhibit 11 is a true and correct copy of excerpts from The
9 New Oxford English Dictionary, 1998.

10 16. Attached hereto as Exhibit 12 is a true and correct copy of excerpts from the
11 microfiche that was submitted as an appendix to Patent Application No. 09/322,677.

12 17. Attached hereto as Exhibit 13 is a true and correct copy of the Notice of
13 Allowability dated March 23, 2001 regarding Patent Application No. 09/322,677 (GOG 31824-
14 28).

15 18. Attached hereto as Exhibit 14 is a true and correct copy of United States Patent
16 Application No. US 2003/0101126A1, May 29, 2003, Cheung et al. (GOG 32207-224).

17 19. Attached hereto as Exhibit 15 is a true and correct copy of an article from the
18 website SearchEnginesInfo.com entitled, "Pros and Cons of Overture's Auto Bidding," as
19 printed out on a date between March and June 2003 (GOG 32256). The URL for this article is:
20 [http://searchenginesinfo.com/microsites/newsarticle.asp?mode=print&newsarticleid=1700889&r
21 eleaseid=&srid=11271&magazineid=151&siteid=2](http://searchenginesinfo.com/microsites/newsarticle.asp?mode=print&newsarticleid=1700889&releaseid=&srid=11271&magazineid=151&siteid=2), as noted in the footer of the document.

22 20. Attached hereto as Exhibit 16 is a true and correct copy of an article from the
23 website SearchEngines.com entitled, "Pay-per-click search engines," as printed out on a date
24 between March and June 2003 (GOG 32254-55). The URL for this article is:
25 http://www.searchengines.com/pay_per_click.html, as noted in the footer of the document.

26 21. Attached hereto as Exhibit 17 is a true and correct copy of instructions from the
27 eBay.com website on "How to Bid," as printed out on a date between March and June 2003.
28 (GOG 03225-27) The URL is: <http://www.pages.ebay.com/new/bid.html>, as noted in the footer

1 of the document.

2 22. Attached hereto as Exhibit 18 is a true and correct copy of an article from the
3 website TundraWolfPromotions.com entitled, "InfoSpace Adds Google's Award-Winning
4 Search Results to its Industry-Leading Meta-Search Technology," as printed out on a date
5 between March and June 2003 (GOG 32230-33). The URL for this article is:
6 <http://www.tundrawolfpromotions.com/news.htm>, as noted in the footer of the document.

7 23. Attached hereto as Exhibit 19 is a true and correct copy of excerpts from The
8 Random House Dictionary of the English Language 2nd edition, Unabridged, 1987.

9 24. Attached hereto as Exhibit 20 is a true and correct copy of excerpts from
10 Webster's New World College Dictionary 3rd edition, 1997.

11 25. Attached hereto as Exhibit 21 is a true and correct copy of an article from C/Net
12 News.com entitled, "New search engine goes commercial," dated February 18, 1998 (OVG 1222-
13 23).

14 26. Attached hereto as Exhibit 22 is a true and correct copy of an article from ZDNet
15 News and Views entitled, "Searching For The Highest Bidder," dated February 19, 1998 (OVG
16 1226-27).

17 27. Attached hereto as Exhibit 23 is a true and correct copy of an article from
18 OCWeekly.com entitled, "GoTo.Hell," dated March 13, 1998 (OVG 1232-34).

19 28. Attached hereto as Exhibit 24 is a true and correct copy of an article from the
20 Search Engine Report entitled, "Go To Sells Positions," dated March 5, 1998 (OVG 1366-70).

21 29. Attached hereto as Exhibit 25 is a true and correct copy of excerpts from the
22 textbook An Introduction to Database Systems, 3rd edition, 1981 (GOG 32264-69).

23 30. Attached hereto as Exhibit 26 is a true and correct copy of excerpts from the
24 Chambers and Technology Dictionary, 1988 (GOG 32270-72).

25 31. Attached hereto as Exhibit 27 is a true and correct copy of excerpts from the
26 textbook Fundamentals of Database Systems, 1989.

27 32. Attached hereto as Exhibit 28 is a true and correct copy of excerpts from The
28 New Oxford Dictionary of English, 1998.

1 33. Attached hereto as Exhibit 29 is a true and correct copy of excerpts from
2 Webster's New World College Dictionary 3rd edition, 1997.

3 34. Attached hereto as Exhibit 30 is a true and correct copy of a page from the on-line
4 edition of the Merriam-Webster Unabridged Dictionary, 2004.

5 I declare under penalty of perjury that the foregoing is true and correct. Executed on this
6 January 30, 2004 at San Francisco, California.

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8 /s/ Ravind S. Grewal
RAVIND S. GREWAL

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