Exhibit E

STEVEN SKOVRAN- CONFIDENTIAL

Page 1

1   UNITED STATES DISTRICT COURT

2   CENTRAL DISTRICT OF CALIFORNIA

3

4   OVERTURE SERVICES, INC.,   )

5   Plaintiff,) Case No.

6   v.   ) SACV 03-00685 CJC (Ex)

7   FINDWHAT.COM,   )

8   Defendant.)

9   ---------------------------)

10

11   *** OUTSIDE COUNSEL ONLY ***

12   PURSUANT TO PROTECTIVE ORDER

13

14

15

16   VIDEOTAPED DEPOSITION OF:

17   STEVEN SKOVRAN

18   TUESDAY, MAY 11, 2004

19   9:06 A.M.

20

21

22

23   REPORTED BY:

24   SUSAN NELSON

25   C.S.R. No. 3202

STEVEN SKOVRAN- CONFIDENTIAL

Page 43

09:56:19	1	THE WITNESS: Thank you.
	2	BY MR. ACKERMAN:
09:56:31	3	Q. Now, you indicated that in addition to the
09:56:33	4	NCSA Web log entry, GoTo.com was also maintaining an
09:56:38	5	additional log entry.
	6	A. Yes.
09:56:41	7	Q. I'd just ask you, does Exhibit 158 -- do
09:56:46	8	you recognize that as a page from such a -- a log?
	9	A. Yes.
09:56:54	10	Q. And the first column of entries before
09:56:56	11	the -- the first two colons, that would be a -- a
09:56:59	12	time stamp?
09:57:01	13	A. Yes. That is a Unix time stamp.
09:57:03	14	Q. Okay. And that would be able to uniquely
09:57:06	15	tell you when a redirect occurred? In time.
09:57:11	16	A. Yes. It fixes the point in time of the
09:57:13	17	redirect.
09:57:13	18	Q. And following the first two colons, there's
09:57:15	19	a -- on the first entry there's a word, "Canada"?
	20	A. Yes.
09:57:19	21	Q. And what is that?
09:57:20	22	A. That is the user's search term.
09:57:23	23	Q. Okay. And there are two colons and
09:57:27	24	http://CanadaOnline.miningcode.com/
09:57:34	25	A. Hm-hm.

LEGALINK MANHATTAN (212) 557-7400

Page 44

09:57:34 1   Q. And what would that represent?

09:57:36 2   A. The target URL.

09:57:38 3   Q. That would be the URL of the advertiser who

09:57:41 4 had a search listing for the key word "Canada"?

         5   A. Yes.

09:57:45 6   Q. And presumably that search listing was

09:57:48 7 provided in a search results page and was clicked on

09:57:51 8 by somebody at the time indicated by that time

09:57:54 9 stamp?

09:57:55 10   A. Yes.

09:57:57 11   Q. Okay. Following what you identified as

09:57:59 12 URL, there's also two colons, and then there's 0.02.

09:58:02 13   And what does that represent?

09:58:04 14   A. That represents the bid.

09:58:06 15   Q. Okay. And then there's additional two

09:58:08 16 colons and then number 1.

09:58:11 17   And what does that number 1 represent?

09:58:13 18   A. The rank.

09:58:15 19   Q. Okay. So looking at this log entry, would

09:58:19 20 it be fair to say that an advertiser at -- at the

09:58:22 21 URL CanadaOnline.miningcode.com had a search listing

09:58:27 22 for the key word "Canada" and that search listing

09:58:31 23 was number 1 in their search results page?

09:58:33 24   A. Yes.

09:58:34 25   Q. And at the time, that advertiser had a bid

STEVEN SKOVRAN- CONFIDENTIAL

Page 45

09:58:37	1	amount of -- of $0.02 for that listing?
	2	A. Yes.
09:58:46	3	Q. Were they -- was the advertiser obligated
09:58:48	4	to pay that zero -- the 2 cents upon that log entry
09:58:54	5	being made?
09:58:55	6	A. Upon the log entry being made?
09:58:57	7	Q. Well, the -- after a -- an advertiser --
09:59:00	8	actually, I'm sorry.
09:59:00	9	After a searcher clicked on it, would that
09:59:02	10	2 cents represent the amount that they had agreed to
09:59:05	11	pay to GoTo for that search listing?
09:59:11	12	A. I believe they were told that, yes.
09:59:19	13	Q. Okay. Approximately a quarter to a third
09:59:23	14	up the page, there is an entry for Web -- in
09:59:31	15	parentheses, "Web&design."
09:59:35	16	A. Yes, I see it.
09:59:36	17	Q. Do you see that one?
09:59:37	18	A. Yes.
09:59:37	19	Q. Okay. Now, can you describe for me what
09:59:39	20	those two terms in parentheses refer to?
09:59:48	21	Does that represent two search terms that
09:59:50	22	were searched together, or, you know, what's --
	23	A. Oh, I see.
09:59:52	24	Q. -- what's the formatting of that entry?
09:59:56	25	A. I see. Yes.

LEGALINK MANHATTAN (212) 557-7400

STEVEN SKOVRAN- CONFIDENTIAL

Page 48

10:02:16	1	A. Web log analysis was specifically referring
10:02:18	2	to the NCSA Apache Web logs.
10:02:21	3	Q. Okay. And Exhibit 158 is a different
10:02:22	4	animal?
10:02:25	5	A. Yes.
10:02:25	6	Q. Okay. So what type of analysis did you do
10:02:25	7	on the type of -- if I refer to these as paid
10:02:30	8	click-through logs, will you understand that I'm
10:02:32	9	referring to --
10:02:32	10	A. Yes.
10:02:32	11	Q. -- Exhibit 158?
10:02:34	12	What type of analysis did you do on the
10:02:38	13	paid click-through logs in March of '98?
10:02:48	14	A. I do what I call aggregations on the data
10:02:54	15	to -- to aggregate the number of clicks. I believe
10:03:06	16	I did aggregations on search terms to see -- to see
10:03:09	17	what terms people were clicking on. Those sorts of
10:03:18	18	analysis.
10:03:21	19	Q. Did your aggregations include number of
10:03:23	20	clicks by URL?
	21	A. Yes.
10:03:32	22	Q. So, for example, in March of '98, part of
10:03:36	23	your aggregation analysis, you -- you could
10:03:38	24	determine how many clicks for the URL www.aswas.com
10:03:44	25	were performed by users?

LEGALINK MANHATTAN (212) 557-7400

STEVEN SKOVRAN- CONFIDENTIAL

Page 49

1	A. Yes.
10:03:50 2	Q. And in aggregating those clicks, you would
10:03:52 3	also keep track of the -- the bid amount.
10:03:54 4	Would you also be able to aggregate the --
10:03:58 5	the committed dollar amount based on those clicks?
10:04:00 6	MS. UNDERWOOD: Objection. Ambiguous.
10:04:05 7	THE WITNESS: I -- I was able to aggregate
10:04:05 8	the bid amount times the number of clicks.
10:04:08 9	BY MR. ACKERMAN:
10:04:09 10	Q. Okay.
11	A. Yes.
10:04:09 12	Q. So for a particular URL you could aggregate
10:04:12 13	number of clicks to the bid amount to come up with
10:04:16 14	a -- a total dollar amount or representing a
10:04:20 15	total -- total dollar amount.
10:04:22 16	A. Yes.
10:04:39 17	Q. The software that you were working on for
10:04:43 18	performing these aggregations, was that part of the
10:04:45 19	main GoTo.com cer- -- system?
10:04:49 20	MS. UNDERWOOD: Objection. Ambiguous.
10:04:51 21	THE WITNESS: By "system," do you call --
10:04:54 22	do you refer to the source tree?
23	BY MR. ACKERMAN:
10:04:55 24	Q. Yes.
10:04:55 25	A. No.

LEGALINK MANHATTAN (212) 557-7400

STEVEN SKOVRAN- CONFIDENTIAL

Page 50

10:04:56	1	Q. No? Okay.
10:04:58	2	A. It was within the hierarchy, but it was
10:05:00	3	not -- it was off to the side.
10:05:03	4	Q. Was it -- was this source code maintained
10:05:06	5	in the GoTo.com CVS system?
10:05:12	6	A. Initially, yes.
10:05:13	7	Q. At some point, did it migrate out of the
10:05:15	8	CVS system?
10:05:17	9	A. At some point, I did migrate it into --
10:05:19	10	within the CVS system but into a separate module.
10:05:24	11	CVS is organized into modules. So I moved it out of
10:05:28	12	the GoTo module into a stats module as it did not
10:05:31	13	interact with the GoTo module and was only placed in
10:05:34	14	there because of my limited understanding of CVS at
10:05:38	15	the time.
10:05:41	16	Q. Okay. And when did the migration from the
10:05:43	17	GoTo module to the stats module take place?
10:05:55	18	A. I believe it was complete towards the end
10:05:58	19	of '98.
10:06:06	20	Q. In the March and April time frame of '98,
10:06:10	21	was the software that you had written included
10:06:13	22	within the CVS system -- into the GoTo module,
10:06:16	23	rather?
	24	A. Yes.
10:06:20	25	Q. Did you write any software or applications

LEGALINK MANHATTAN (212) 557-7400

STEVEN SKOVRAN- CONFIDENTIAL

Page 51

10:06:24	1

for doing your aggregation analysis that was outside

of the GoTo module CVS -- in the CVS system?

    A. I don't know.

    Q. What software were you using to program the

various aggregation features in March of '98?

    A. I was using -- you're referring to the

result click aggregations?

    Q. Yeah. Right now, as we're talking about

the -- what I was calling the paid click-through log

analysis.

    A. Okay. I -- I would have used Perl and

shell scripts.

    Q. What was the purpose of the various

aggregations that you were performing?

    A. I was performing the aggregations to

provide reports to -- well, initially to Bill Gross

and -- yeah.

    Q. And can you describe the type of reports

that you were generating in April of '98?

    A. I was generating a file of -- of

aggregations by -- I believe by URL and day. That

included the number of clicks, the bids at those --

for those clicks, and the product of those two

values, which I would then give to Bill Gross for

his analysis.

The timestamps in the left margin:

10:06:24   1
10:06:27   2
10:06:34   3
10:06:42   4
10:06:45   5
10:06:52   6
10:06:58   7
10:07:00   8
10:07:01   9
10:07:04   10
10:07:05   11
10:07:10   12
10:07:29   13
10:07:30   14
10:07:36   15
10:07:38   16
10:07:45   17
10:07:56   18
10:07:58   19
10:08:02   20
10:08:07   21
10:08:15   22
10:08:20   23
10:08:23   24
10:08:31   25

LEGALINK MANHATTAN (212) 557-7400

STEVEN SKOVRAN- CONFIDENTIAL

Page 52

10:08:37	1	Q. And where was this -- the file you were
10:08:39	2	generating stored?
10:08:45	3	A. It changed. Initially, I -- initially, I
10:08:50	4	prepared these reports on -- by request. And then I
10:08:57	5	believe in the March time frame, it was stored on a
10:08:59	6	server so that Bill could get them himself.
10:09:09	7	Q. Do you recall which server the reports were
10:09:13	8	served -- were stored on, rather?
10:09:13	9	A. I recall the host name.
10:09:15	10	Q. Okay.
10:09:15	11	A. Or excuse me. I recall the Web host name.
10:09:17	12	I don't re- -- necessarily recall the -- the machine
10:09:19	13	name.
10:09:20	14	Q. And what was the Web host name?
10:09:22	15	A. Stats.GoTo.com.
10:09:50	16	Q. In the March of '98 time frame, did you
10:09:55	17	associate the URL with the particular advertisers
10:09:58	18	who were hosting those URLs?
10:10:04	19	A. I attempted to associate the URLs with a
10:10:06	20	label for the advertisers so that -- so the
10:10:14	21	aggregations would be a little more meaningful to
10:10:17	22	Bill, yes.
10:10:17	23	Q. Okay. And how were you associating the
10:10:18	24	URLs with a label?
10:10:24	25	A. I had what I refer to as the advertiser

LEGALINK MANHATTAN (212) 557-7400

STEVEN SKOVRAN- CONFIDENTIAL

1   STATE OF CALIFORNIA   )   Page 270

2   COUNTY OF LOS ANGELES   ) ss.

3

4   I, SUSAN NELSON, C.S.R. 3202, in and for

5   the State of California, do hereby certify:
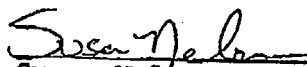
6   That, prior to being examined, the witness

7   named in the foregoing deposition was by me duly

8   sworn to testify the truth, the whole truth and

9   nothing but the truth;

10   That said deposition was taken down by me

11   in shorthand at the time and place therein named,

12   and thereafter reduced to typewriting under my

13   direction, and the same is a true, correct and

14   complete transcript of said proceedings;

15   Before completion of the deposition, review

16   of the transcript [ ] was [ ] was not requested. If

17   requested, any changes made by the deponent (and

18   provided to the reporter) during the period allowed

19   are appended hereto.

20   I further certify that I am not interested

21   in the event of the action.

22   Witness my hand this 17th day of May, 2004.

23

24   _____
     Susan Nelson, C.S.R. No. 3202
     Certified Shorthand Reporter
     State of California

25

LEGALINK MANHATTAN (212) 557-7400

OVG050719