

Exhibit G

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN FRANCISCO DIVISION

OVERTURE SERVICES, INC.,)
)
)
Plaintiff,)
)
vs.) No. C02-01991
) JSW (EDL)
GOOGLE, INC.,)
)
Defendant.)
)
AND RELATED CROSS-ACTIONS)
)

C O N F I D E N T I A L

(Subject to Protective Order
Outside Counsel Only)

DEPOSITION OF TODD KURT

April 27, 2004

BARBARA DUKE
CSR 9817
172782



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1 compare?

2 Q Absolutely.

3 A This looks to contain the same
4 information -- much of the same information as the
5 previous exhibit, but yet the column names are
6 different in one case.

7 Q Do you know whether reports such as
8 Exhibit 42 were generated prior to May 28th 1998?

9 A Yes. These types of reports were, yes.

10 Q They were generated?

11 A Yes, they were generated.

12 Q What does the revenue number represent?

13 A That's a good question. It's unclear,
14 actually, because there are cases where that
15 revenue column has the same value as the previous
16 exhibit. One of the columns is mislabeled. I
17 believe the previous exhibit had a mislabeled
18 column, and I believe that Exhibit 42 has the
19 correct labeled column.

20 Q I believe that you're right. What does
21 the revenue column in Exhibit 42 then represent?

22 A I believe it represents the amount of
23 revenue that we could have obtained.

24 Q How is that amount calculated?

25 A I believe that it was a summation of the

1 clicks and each bid amount of that click for all
2 the clicks for that particular client.

3 Q In performing that summation was a
4 single bid amount used or might more than one bid
5 amount be used for a particular client?

6 A No, we -- the bid was associated with
7 the click, and so you could just sum up -- if you
8 summed up the number of clicks for a particular
9 client you'll get the number of clicks for the
10 client. If you summed up the bids of each click
11 you get the revenue for that client.

12 Q Okay. Might different clients -- might
13 different clicks for a particular client be
14 associated with different bid amounts?

15 A Yes.

16 Q Let me make sure that was clear. Might
17 different clicks for the same client be associated
18 with different bid amounts?

19 A Yes. If the clicks were for different
20 keywords or if they were for the same keyword over
21 different periods of time.

22 Q And in May of 1998 -- prior to May 28th
23 1998 in conjunction with generating reports of the
24 nature of Exhibit 42 did goto.com have a way of
25 calculating in those different bid amounts?

1 A Yes, in that the click logs contained
2 the bid amount.

3 Q Associated with a particular click?

4 A Correct.

5 MS. DURIE: Let me mark as the next
6 exhibit OVGE 176844 through 47.

7 (Defendant's Exhibit 43 was marked for
8 identification by the deposition officer and is
9 attached hereto.)

10 Q BY MS. DURIE: Can you tell me what
11 Exhibit 43 is?

12 MS. THAYER: Copy for me, please?

13 MS. DURIE: I'm sorry, Patty.

14 MS. THAYER: No problem.

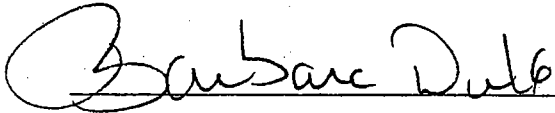
15 THE WITNESS: Yes, this is a -- hold on.
16 Yes, this is the previous mentioned drill-down. If
17 one were on the previous exhibit click on the
18 Toyota client they would get this page, which is a
19 summary by date of various things.

20 The first part of which is what the
21 different bids were and how many clicks at those
22 different bids. And then the next part is for
23 every URL the advertiser had and for every keyword
24 they had how many clicks and how much revenue could
25 be obtained.

1 of the testimony given by the witness. (Fed. R. Civ. P.
2 30(f)(1).)

3 Before completion of the deposition, review of
4 the transcript [☒] was [☐] was not requested. If
5 requested, any changes made by the deponent (and
6 provided to the reporter) during the period allowed, are
7 appended hereto. (Fed. R. Civ. P. 30(e).)

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9 Dated: 5-14-2004,

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