

EXHIBIT X

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GOOGLE INC.
7

8 UNITED STATES DISTRICT COURT
9 NORTHERN DISTRICT OF CALIFORNIA
10 (OAKLAND DIVISION)
11

12 GOOGLE INC.,

13 Plaintiff,

14 v.

15 NETLIST, INC.,

16 Defendant.
17

Case No. C 08-04144 SBA

**PLAINTIFF GOOGLE INC.'S
RESPONSES TO NETLIST'S REQUEST
FOR ADMISSIONS SET NO. ONE [NOS.
1-26]**

18 AND RELATED COUNTERCLAIMS.

19 Pursuant to Rule 36 of the Federal Rules of Civil Procedure, Plaintiff Google Inc.
20 ("Google") hereby responds to Defendant Netlist, Inc.'s ("Netlist") Request for Admissions, Set
21 No. 1, as follows. These responses are based upon information presently available and are
22 therefore made without prejudice to Google's right to use or rely upon subsequently discovered
23 information. As permitted by the Federal Rules of Civil Procedure, these responses may be
24 changed, modified, or supplemented. In responding to Netlist's Requests for Admission, Google
25 does not waive any objections on the grounds of privilege, competency, relevance, materiality,
26 authenticity, or admissibility of the information contained in these responses. Google also
27 expressly reserves the right to object later to the admissibility of any of this information into
28 evidence on any permissible grounds, including grounds not identified herein.

1 **PRELIMINARY STATEMENT**

2 Netlist's Requests, generally, request Google to admit or deny whether the accused
3 memory modules meet certain limitations, portions of limitations, or incorrect interpretations of
4 limitations of the asserted claims. The Court has not yet construed any limitation of any asserted
5 claim. The Court has not even held a hearing on these issues as of the date of these responses.
6 Accordingly, Netlist's requests are entirely premature. After the Court construes the disputed
7 limitations, Google will consider amending its responses.

8 Google recognizes its obligation, under Federal Rule 36(a)(4), to make a "reasonable
9 inquiry" before denying or partially denying a request based on lack of knowledge or information.
10 For each Request below which is fully or partially denied on the basis that it calls for a legal
11 conclusion and/or implicates disputed claim terms, Google reviewed the claim construction
12 positions of the parties, including all relevant briefing, to determine that this objection was well-
13 founded and that the Request in question in fact could not be answered without offering a legal
14 conclusion as to claim construction before the Court's hearing and order on that issue. Under the
15 circumstances, this is the most extensive inquiry that could be performed.

16 The following responses are given without prejudice to Google's right to produce evidence
17 of any facts which it may later discover. Google reserves the right to supplement the following
18 responses and to change any and all of its responses as additional facts are ascertained, analyses
19 are made, legal research is completed, contentions are made, or as a result of the Court's legal
20 determination of issues.

21 **OBJECTIONS TO THE INSTRUCTIONS**

22 Google objects to the Instructions to the extent Netlist seeks to impose obligations on
23 Google that are beyond the scope of or inconsistent with the Federal Rules of Civil Procedure, the
24 Local Rules of the United States District Court for the Northern District of California, and/or the
25 Court's Scheduling Order in this case. Google will respond to the Requests to the extent possible,
26 and subject to its objections set forth herein.

27 Google further objects to the Instructions to the extent they seek to require to Google to
28 produce information not in its possession, custody, or control. Google further objections to the

1 Instructions as vague and ambiguous as to at least the term "investigators." Google will respond
2 to the Requests using information available to it after an investigation that is reasonable under the
3 circumstances.

4 OBJECTIONS TO THE DEFINITIONS

5 Google objects to the definition of the terms "Google," "you," and "your" to the extent
6 these definitions encompass entities other than plaintiff Google Inc. and to the extent Netlist
7 requests, through these definitions, information not within Google's possession, custody, or
8 control. Google responds on its own behalf only. Google's responses to these requests are made
9 without prejudice to Google's right to produce relevant information obtained from third parties in
10 the future.

11 Google objects to the definitions of "JEDEC Mode C," "JEDEC Mode A," "Mode C," and
12 "Mode A" as vague and ambiguous. Although Netlist professes to use those terms as defined in
13 JEDEC Standard number JESD82-20A, Google objects to their use in these Requests to the extent
14 that use is incompatible or inconsistent with the way the terms are used within that standard.
15 Google objects to the definitions of "Southbound Link," "Rank Select Bit," "Address Bit," "Row
16 Address Bit," "Column Address Bit," "Chip Select Bit," "Command Bit," "Activate Command,"
17 "Write Command," "Read Command," "Precharge Command," and "Refresh Command" as vague
18 and ambiguous. Although Netlist professes to use those terms as defined in JEDEC Standards
19 documents, Google objects to their use in these Requests to the extent that use is incompatible or
20 inconsistent with the way the terms are used within those standards.

21 GENERAL OBJECTIONS

22 Google's responses are subject to the following General Objections, which Google
23 incorporates into its responses to each of Netlist's requests, whether or not such General Objection
24 is expressly referenced. The incorporation by reference of any one of these General Objections
25 shall not be construed to exclude the incorporation of any other General Objection. Moreover,
26 Google does not waive its right to amend its objections.

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1 1. Google objects to the requests insofar as they are vague, ambiguous, indefinite,
2 overbroad, unduly burdensome, duplicative, cumulative, indefinite as to time or scope,
3 unintelligible, or otherwise unclear as to the precise information sought.

4 2. In particular, Google objects to the term “bit,” and variants, as used by Netlist in
5 the Requests. While Netlist ostensibly imports the definition of “bit” and related terms (“Rank
6 Select Bit,” “Address Bit,” etc.) from JEDEC standards documents, these terms are not expressly
7 defined in those documents and instead are only defined, if at all, by contextual use in relation to
8 other terms. In addition, the relation of these terms to disputed claim terms is ambiguous, and
9 even contradictory, as used in the JEDEC standards and in the Requests. For instance, the term
10 “bit” is nowhere expressly defined in either the Requests or in the JEDEC standards, although the
11 term “bit lane” is defined in document JESD206, where it is said to mean “[a] differential pair of
12 signals in one direction,” JESD206 at p. 1, Table 1-1 – which indicates that a bit may be derived
13 from multiple signals. However, as used in the Requests, e.g. where Netlist asks about “Input
14 Command Bits encoding” various commands, it appears that the Requests presume a
15 correspondence between a signal and a *series* of bits. Because Netlist defines these terms only by
16 reference to ambiguous documents, and further because Netlist clearly implies a connection
17 between these terms and various disputed claim terms, any Request using the term “bit” or any
18 variant is vague, ambiguous, and prematurely calls for a legal conclusion before the disputed claim
19 terms have been construed by the Court.

20 3. Google objects to the requests insofar as they seek information that is neither
21 relevant to a claim or defense of any party, nor reasonably calculated to lead to the discovery of
22 admissible evidence.

23 4. Google objects to the requests to the extent that they seek documents protected by
24 the attorney-client privilege or by the work-product doctrine, protected by any other applicable
25 privilege or immunity, prepared in connection with settlement discussions, prepared in
26 anticipation of adversarial proceedings such as litigation or for trial, prepared in connection with
27 any applicable joint defense agreement, or not otherwise within the scope of permissive discovery
28 under the Federal Rules of Civil Procedure and applicable Local Rules.

1 5. Google objects to the requests on the ground and to the extent they call for
2 information that Google is under an obligation to third parties to not disclose.

3 6. Google objects to the requests on the ground and to the extent they seek to obtain
4 information not in Google's possession, custody, or control.

5 7. Google objects to the requests as overly burdensome on the ground and to the
6 extent they seek information already in Netlist's possession or information that is a matter of
7 public record or that is otherwise equally available to Netlist.

8 8. Google objects to the requests to the extent they call for a legal opinion or
9 conclusion. Google neither expresses nor intends to express any legal opinion or conclusion by
10 responding to Netlist's requests.

11 9. Google objects to the requests to the extent that they fail to specify a relevant time
12 period for which information is requested, and/or to the extent the specified period is irrelevant.

13 10. Google objects to the Requests to the extent they are premature under any relevant
14 discovery and/or scheduling orders, and due to the fact that there has been no claim construction
15 hearing or order in this case.

16 11. Google objects to the Requests to the extent that they use terms that are not defined
17 or understood, or are vaguely and/or ambiguously defined, and therefore fail to identify with
18 reasonable particularity the information sought. Google will not speculate as to the meaning to
19 ascribe to such terms.

20 **RESPONSES TO REQUEST FOR ADMISSIONS**

21 **REQUEST FOR ADMISSION NO. 1:**

22 Google uses 4-Rank Fully Buffered Dual-In-Line Memory Modules in certain of its
23 servers ("Google's 4-Rank FBDIMMs").

24 **RESPONSE TO REQUEST FOR ADMISSION NO. 1:**

25 Google incorporates by reference each of the General Objections. Google further objects
26 to this request as vague and ambiguous as to the term "4-Rank Fully Buffered Dual-In-Line
27 Memory Modules," which is not defined in the requests either explicitly or via reference to a
28 standard.

1 Subject to, without waiving, and based upon the foregoing objections, Google responds as
2 follows: as Google understands the term "4-Rank FBDIMM," Google admits that it uses 4-Rank
3 FBDIMMs. Google reserves the right to supplement or amend its response at an appropriate time.

4 REQUEST FOR ADMISSION NO. 2:

5 The server that Google provided to Netlist for inspection on August 19, 2009 is
6 representative of Google's servers that include Google's 4-Rank FBDIMMs.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 2:

8 Google incorporates by reference each of the General Objections. Google further objects
9 to this Request as vague and ambiguous as to the term "representative."

10 Subject to, without waiving, and based upon the foregoing objections, Google responds as
11 follows: Google admits that the server presented for inspection on August 19, 2009 is functionally
12 representative of servers using the allegedly infringing 4-rank FBDIMM memory modules in
13 Google's data centers, in that it allowed Netlist to operate the allegedly infringing 4-rank
14 FBDIMM memory module in a manner functionally representative of the memory module as used
15 in servers in Google's data centers. To the extent that Netlist uses the term "representative" in any
16 other sense, Google is unable to admit or deny the remainder of this Request. Google reserves the
17 right to supplement or amend its response at an appropriate time.

18 REQUEST FOR ADMISSION NO. 3:

19 In certain of Google's servers, Google operates Google's 4-Rank FBDIMMs in JEDEC
20 Mode C.

21 RESPONSE TO REQUEST FOR ADMISSION NO. 3:

22 Google incorporates by reference each of the General Objections. In addition, insofar as
23 the term "Mode C" has the same meaning as in the JEDEC Standard JESD82-20A, it invokes the
24 terms "chip select signal" by implication, as those terms are in turn used to define "Mode C" in the
25 standards documents. The definitions of "chip select signal" in the context of the patent are
26 currently subject to debate by the parties, as is the relevance of the JEDEC standards in
27 determining this meaning. Google further objects to this Request as vague and ambiguous as to
28 the term "Mode C."

1 Subject to, without waiving, and based upon the foregoing objections, Google responds as
2 follows: Google admits that certain FBDIMMs used in certain of its servers follow the Mode C
3 serial channel communication protocol set forth in the JEDEC standard for the respective DRAM
4 used on the DIMM. To the extent not admitted, Google lacks sufficient information to admit or
5 deny this Request. Google reserves the right to supplement or amend its response at an
6 appropriate time.

7 REQUEST FOR ADMISSION NO. 4:

8 Google's 4-Rank FBDIMMs include a plurality of DRAM chips coupled to a printed
9 circuit board.

10 RESPONSE TO REQUEST FOR ADMISSION NO. 4:

11 Google incorporates by reference each of the General Objections. Google further objects
12 to this Request as vague and ambiguous as to the terms "DRAM chips" and "printed circuit
13 board."

14 Subject to, without waiving, and based upon the foregoing objections, Google responds as
15 follows: without acceding to Netlist's definitions of the aforementioned vague, ambiguous, and/or
16 disputed terms, Google admits that certain of its memory modules include DRAM chips coupled
17 to a printed circuit board. To the extent not admitted, Google lacks sufficient information to either
18 admit or deny this Request at this time. Google reserves the right to supplement or amend its
19 response at an appropriate time.

20 REQUEST FOR ADMISSION NO. 5:

21 Google's 4-Rank FBDIMMs include an Advanced Memory Buffer ("Google's AMB").

22 RESPONSE TO REQUEST FOR ADMISSION NO. 5:

23 Google incorporates by reference each of the General Objections. Google further objects
24 to this Request as vague and ambiguous as to the term "Advanced Memory Buffer" (AMB).

25 Subject to, without waiving, and based upon the foregoing objections, Google responds as
26 follows: without acceding to Netlist's definitions of the aforementioned vague, ambiguous, and/or
27 disputed terms, Google admits that the FBDIMMs used by Google include what it understands to
28 be an Advanced Memory Buffer. To the extent not admitted, Google lacks sufficient information

1 to either admit or deny this Request at this time. Google reserves the right to supplement or
2 amend its response at an appropriate time.

3 REQUEST FOR ADMISSION NO. 6:

4 Certain of Google's AMBs include a hardware circuit that receives bits as input ("Input
5 Bits") and which performs at least one predefined function on the Input Bits.

6 RESPONSE TO REQUEST FOR ADMISSION NO. 6:

7 Google incorporates by reference each of the General Objections. Google further objects
8 to this Request as vague and ambiguous as to at least the terms "hardware circuit" and "predefined
9 function." Google further specifically objects to this Request on the basis of General Objection
10 No. 2, above, concerning the "bit" terms. Google further objects to this Request as prematurely
11 calling for a legal conclusion before the Court construes the claims, as it includes terms alleged by
12 Netlist to define the disputed term "logic element."

13 Subject to, without waiving, and based upon the foregoing objections, Google responds as
14 follows: Google lacks sufficient information to either admit or deny this Request at this time.
15 Google reserves the right to supplement or amend its response at an appropriate time.

16 REQUEST FOR ADMISSION NO. 7:

17 Certain of Google's AMBs include a hardware circuit that performs a predefined function
18 on Input Bits to generate output bits.

19 RESPONSE TO REQUEST FOR ADMISSION NO. 7:

20 Google incorporates by reference each of the General Objections. Google further objects
21 to this Request as vague and ambiguous as to at least the terms "hardware circuit," "predefined
22 function," and "output bits." Google further specifically objects to this Request on the basis of
23 General Objection No. 2, above, concerning the "bit" terms. Google further objects to this
24 Request as prematurely calling for a legal conclusion before the Court construes the claims, as it
25 includes terms alleged by Netlist to define the disputed term "logic element."

26 Subject to, without waiving, and based upon the foregoing objections, Google responds as
27 follows: denied.

28

1 REQUEST FOR ADMISSION NO. 8:

2 DRAM chips on Google's 4-Rank FBDIMMs are arranged in ranks.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 8:

4 Google incorporates by reference each of the General Objections. Google further objects
5 to this request as vague and ambiguous as to the term "arranged."

6 Subject to, without waiving, and based upon the foregoing objections, Google responds as
7 follows: Per the parties' stipulated construction of the term "rank," the allocation of DRAM chips
8 into ranks is not a matter of physical arrangement, but rather of electrical connection and logical
9 relationship. Based on that construction, Google admits that its 4-Rank FBDIMMs include
10 DRAM chips organized in ranks. Google reserves the right to supplement or amend its response
11 at an appropriate time.

12 REQUEST FOR ADMISSION NO. 9:

13 DRAM chips on Google's 4-Rank FBDIMMs are arranged in rows.

14 RESPONSE TO REQUEST FOR ADMISSION NO. 9:

15 Google incorporates by reference each of the General Objections.

16 Subject to, without waiving, and based upon the foregoing objections, Google responds as
17 follows: without acceding to Netlist's definitions any disputed claim terms, Google admits that
18 some of the DRAM chips on certain of its FBDIMMs are physically laid out in rows. To the
19 extent not admitted, Google denies this request.

20 REQUEST FOR ADMISSION NO. 10:

21 In certain of Google's servers, at least one Google AMB is electrically coupled to the
22 server's memory controller.

23 RESPONSE TO REQUEST FOR ADMISSION NO. 10:

24 Google incorporates by reference each of the General Objections. Google further objects
25 to this request as vague and ambiguous as to at least the terms "Google AMB," "electrically
26 coupled" and "memory controller."

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28 ///

1 Subject to, without waiving, and based upon the foregoing objections, Google responds as
2 follows: without acceding to Netlist's definitions of the aforementioned vague, ambiguous, and/or
3 disputed terms, as Google understands it, this Request is admitted.

4 REQUEST FOR ADMISSION NO. 11:

5 In certain of Google's servers, at least one Google AMB receives bits ("Google's AMB
6 Input Bits") from the server's memory controller.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 11:

8 Google incorporates by reference each of the General Objections. Google further objects
9 to this Request as vague and ambiguous as to at least the terms "Google AMB," "receives" and
10 "memory controller." Google further specifically objects to this Request on the basis of General
11 Objection No. 2, above, concerning the "bit" terms.

12 Subject to, without waiving, and based upon the foregoing objections, Google responds as
13 follows: Google lacks sufficient knowledge or information to admit or deny this Request at this
14 time. Google reserves the right to supplement its response at an appropriate time.

15 REQUEST FOR ADMISSION NO. 12:

16 In certain of Google's servers, a Southbound Link is electrically coupled to at least one
17 Google AMB and to the server memory controller.

18 RESPONSE TO REQUEST FOR ADMISSION NO. 12:

19 Google incorporates by reference each of the General Objections. Google further objects
20 to this Request as vague and ambiguous as to at least the terms "Google AMB," "electrically
21 coupled" and "memory controller."

22 Subject to, without waiving, and based upon the foregoing objections, Google responds as
23 follows: without acceding to Netlist's definitions of the aforementioned vague, ambiguous, and/or
24 disputed terms, as Google understands it, this Request is admitted.

25 REQUEST FOR ADMISSION NO. 13:

26 In certain of Google's servers, at least one Google AMB receives DRAM Address Bits
27 from the server's memory controller.

28

1 RESPONSE TO REQUEST FOR ADMISSION NO. 13:

2 Google incorporates by reference each of the General Objections. Google further objects
3 to this Request as vague and ambiguous as to at least the terms "Google AMB," "Address Bits"
4 and "memory controller." Google further specifically objects to this Request on the basis of
5 General Objection No. 2, above, concerning the "bit" terms.

6 Subject to, without waiving, and based upon the foregoing objections, Google responds as
7 follows: Google lacks sufficient knowledge and information to admit or deny this Request at this
8 time. Google reserves the right to supplement its response at an appropriate time.

9 REQUEST FOR ADMISSION NO. 14:

10 In certain of Google's servers, at least one Google AMB receives DRAM Row Address
11 Bits from the server's memory controller.

12 RESPONSE TO REQUEST FOR ADMISSION NO. 14:

13 Google incorporates by reference each of the General Objections. Google further objects
14 to this Request as vague and ambiguous as to at least the terms "Google AMB," "Row Address
15 Bits" and "memory controller." Google further specifically objects to this Request on the basis of
16 General Objection No. 2, above, concerning the "bit" terms.

17 Subject to, without waiving, and based upon the foregoing objections, Google responds as
18 follows: Google lacks sufficient knowledge and information to admit or deny this Request at this
19 time. Google reserves the right to supplement its response at an appropriate time.

20 REQUEST FOR ADMISSION NO. 15:

21 In certain of Google's servers, at least one Google AMB receives DRAM Column Address
22 Bits from the server's memory controller.

23 RESPONSE TO REQUEST FOR ADMISSION NO. 15:

24 Google incorporates by reference each of the General Objections. Google further objects
25 to this Request as vague and ambiguous as to at least the terms "Google AMB," "Column Address
26 Bits" and "memory controller." Google further specifically objects to this Request on the basis of
27 General Objection No. 2, above, concerning the "bit" terms.

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1 Subject to, without waiving, and based upon the foregoing objections, Google responds as
2 follows: Google lacks sufficient knowledge and information to admit or deny this Request at this
3 time. Google reserves the right to supplement its response at an appropriate time.

4 REQUEST FOR ADMISSION NO. 16:

5 In certain of Google's servers, at least one Google AMB receives DRAM Bank Address
6 Bits from the server's memory controller.

7 RESPONSE TO REQUEST FOR ADMISSION NO. 16:

8 Google incorporates by reference each of the General Objections. Google further objects
9 to this Request as vague and ambiguous as to at least the terms "Google AMB," "Bank Address
10 Bits" and "memory controller." Google further specifically objects to this Request on the basis of
11 General Objection No. 2, above, concerning the "bit" terms.

12 Subject to, without waiving, and based upon the foregoing objections, Google responds as
13 follows: Google lacks sufficient knowledge and information to admit or deny this Request at this
14 time. Google reserves the right to supplement its response at an appropriate time.

15 REQUEST FOR ADMISSION NO. 17:

16 In certain of Google's servers, at least one Google AMB receives a number of Rank Select
17 Bits ("AMB Input Rank Select Bits") from the server's memory controller.

18 RESPONSE TO REQUEST FOR ADMISSION NO. 17:

19 Google incorporates by reference each of the General Objections. Google further objects
20 to this Request as vague and ambiguous as to at least the terms "Google AMB," "Rank Select
21 Bits" and "memory controller." Google further specifically objects to this Request on the basis of
22 General Objection No. 2, above, concerning the "bit" terms.

23 Subject to, without waiving, and based upon the foregoing objections, Google responds as
24 follows: Google lacks sufficient knowledge and information to admit or deny this Request at this
25 time. Google reserves the right to supplement its response at an appropriate time.

26 REQUEST FOR ADMISSION NO. 18:

27 In certain of Google's servers, at least one Google AMB receives a number of AMB Input
28 Rank Select Bits and generates a number of Rank Select Bits ("AMB Output Rank Select Bits")

1 wherein the number of AMB Output Rank Select Bits is greater than the number of AMB Input
2 Rank Select Bits.

3 RESPONSE TO REQUEST FOR ADMISSION NO. 18:

4 Google incorporates by reference each of the General Objections. Google further objects
5 to this Request as vague and ambiguous as to at least the term "Google AMB," "Rank Select
6 Bits." Google further specifically objects to this Request on the basis of General Objection No. 2,
7 above, concerning the "bit" terms.

8 Subject to, without waiving, and based upon the foregoing objections, Google responds as
9 follows: denied. Google reserves the right to supplement or amend its response at an appropriate
10 time.

11 REQUEST FOR ADMISSION NO. 19:

12 In certain of Google's servers, at least one Google AMB receives Chip Select Bits that are
13 collectively capable of activating no more than two ranks of DRAM chips (AMB Input Chip
14 Select Bits).

15 RESPONSE TO REQUEST FOR ADMISSION NO. 19:

16 Google incorporates by reference each of the General Objections. Google further objects to
17 this Request as vague and ambiguous as to at least the terms "Google AMB," "Chip Select Bits,"
18 "collectively capable of activating," and "capable of activating no more than two ranks." Google
19 further specifically objects to this Request on the basis of General Objection No. 2, above,
20 concerning the "bit" terms.

21 Subject to, without waiving, and based upon the foregoing objections, Google responds as
22 follows: as phrased, Google lacks sufficient information to either admit or deny this Request at
23 this time. Google reserves the right to supplement or amend its response at an appropriate time.

24 REQUEST FOR ADMISSION NO. 20:

25 In certain of Google's servers, at least one Google AMB receives Google's AMB Input
26 Chip Select Bits and generates Chip Select Bits that are collectively capable of activating four
27 ranks of DRAM chips.

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1 RESPONSE TO REQUEST FOR ADMISSION NO. 20:

2 Google incorporates by reference each of the General Objections. Google further objects to
3 this Request as vague and ambiguous as to at least the terms "Google AMB," "Chip Select Bits"
4 and "collectively capable of activating." Google further specifically objects to this Request on the
5 basis of General Objection No. 2, above, concerning the "bit" terms.

6 Subject to, without waiving, and based upon the foregoing objections, Google responds as
7 follows: denied. Google reserves the right to supplement or amend its response at an appropriate
8 time.

9 REQUEST FOR ADMISSION NO. 21:

10 In certain of Google's servers, at least one Google AMB receives DRAM Command Bits
11 from the server's memory controller ("Google's AMB Input Command Bits").

12 RESPONSE TO REQUEST FOR ADMISSION NO. 21:

13 Google incorporates by reference each of the General Objections. Google further objects
14 to this Request as vague and ambiguous as to at least the terms "Google AMB," "Command Bits"
15 and "memory controller." Google further specifically objects to this Request on the basis of
16 General Objection No. 2, above, concerning the "bit" terms.

17 Subject to, without waiving, and based upon the foregoing objections, Google responds as
18 follows: Google lacks sufficient knowledge and information to either admit or deny this Request
19 at this time. Google reserves the right to supplement or amend its response at an appropriate time.

20 REQUEST FOR ADMISSION NO. 22:

21 Certain of Google's AMB Input Command Bits encode DRAM Activate Commands.

22 RESPONSE TO REQUEST FOR ADMISSION NO. 22:

23 Google incorporates by reference each of the General Objections. Google further objects
24 to this Request as vague and ambiguous as to at least the terms "Google's AMB," "Command
25 Bits," "encode," and "Activate Commands." Google further specifically objects to this Request on
26 the basis of General Objection No. 2, above, concerning the "bit" terms.

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28 ///

1 Subject to, without waiving, and based upon the foregoing objections, Google responds as
2 follows: Google lacks sufficient knowledge and information to either admit or deny this Request
3 at this time. Google reserves the right to supplement or amend its response at an appropriate time.

4 REQUEST FOR ADMISSION NO. 23:

5 Certain of Google's AMB Input Command Bits encode DRAM Write Commands.

6 RESPONSE TO REQUEST FOR ADMISSION NO. 23:

7 Google incorporates by reference each of the General Objections. Google further objects
8 to this Request as vague and ambiguous as to at least the terms "Google's AMB," "Command
9 Bits," "encode," and "Write Commands." Google further specifically objects to this Request on
10 the basis of General Objection No. 2, above, concerning the "bit" terms.

11 Subject to, without waiving, and based upon the foregoing objections, Google responds as
12 follows: Google lacks sufficient knowledge and information to either admit or deny this Request
13 at this time. Google reserves the right to supplement or amend its response at an appropriate time.

14 REQUEST FOR ADMISSION NO. 24:

15 Certain of Google's AMB Input Command Bits encode DRAM Precharge Commands.

16 RESPONSE TO REQUEST FOR ADMISSION NO. 24:

17 Google incorporates by reference each of the General Objections. Google further objects
18 to this Request as vague and ambiguous as to at least the terms "Google's AMB," "Command
19 Bits," "encode," and "Precharge Commands." Google further specifically objects to this Request
20 on the basis of General Objection No. 2, above, concerning the "bit" terms.

21 Subject to, without waiving, and based upon the foregoing objections, Google responds as
22 follows: Google lacks sufficient knowledge and information to either admit or deny this Request
23 at this time. Google reserves the right to supplement or amend its response at an appropriate time.

24 REQUEST FOR ADMISSION NO. 25:

25 Certain of Google's AMB Input Command Bits encode DRAM Refresh Commands.

26 RESPONSE TO REQUEST FOR ADMISSION NO. 25:

27 Google incorporates by reference each of the General Objections. Google further objects
28 to this Request as vague and ambiguous as to at least the terms "Google's AMB," "Command

1 Bits," "encode," and "Refresh Commands." Google further specifically objects to this Request on
2 the basis of General Objection No. 2, above, concerning the "bit" terms.

3 Subject to, without waiving, and based upon the foregoing objections, Google responds as
4 follows: Google lacks sufficient knowledge and information to either admit or deny this Request
5 at this time. Google reserves the right to supplement or amend its response at an appropriate time.

6 REQUEST FOR ADMISSION NO. 26:

7 Certain of Google's AMB Input Command Bits encode DRAM Read Commands.

8 RESPONSE TO REQUEST FOR ADMISSION NO. 26:

9 Google incorporates by reference each of the General Objections. Google further objects
10 to this Request as vague and ambiguous as to at least the terms "Google's AMB," "Command
11 Bits," "encode," and "Read Commands." Google further specifically objects to this Request on
12 the basis of General Objection No. 2, above, concerning the "bit" terms.

13 Subject to, without waiving, and based upon the foregoing objections, Google responds as
14 follows: Google lacks sufficient knowledge and information to either admit or deny this Request
15 at this time. Google reserves the right to supplement or amend its response at an appropriate time.

16

17 Dated: October 27, 2009

FISH & RICHARDSON P.C.

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By: 

Robert J. Kent

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Attorneys for Plaintiff
GOOGLE INC.

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1 **PROOF OF SERVICE**

2 I am employed in the County of San Mateo. My business address is Fish & Richardson
3 P.C., 500 Arguello Street, Suite 500, Redwood City, California 94063. I am over the age of 18
and not a party to the foregoing action.

4 I am readily familiar with the business practice at my place of business for collection and
5 processing of correspondence for personal delivery, for mailing with United States Postal Service,
for facsimile, and for overnight delivery by Federal Express, Express Mail, or other overnight
6 service.

7 On October 27, 2009, I caused a copy of the following document(s):

8 PLAINTIFF GOOGLE INC.'S RESPONSES TO NETLIST'S REQUEST FOR
ADMISSIONS SET NO. ONE [NOS. 1-26]

9 to be served on the interested parties in this action by placing a true and correct copy thereof,
10 enclosed in a sealed envelope, and addressed as follows:

11 Erica J. Pruetz
Email: ejpruetz@pruetzlaw.com
Adrian M. Pruetz
12 Email: ampruetz@pruetzlaw.com
Pruetz Law Group LLP
13 200 N. Sepulveda Blvd., Suite 1525
El Segundo, CA 90245
14 Telephone: (310) 765-7650
Facsimile: (310) 765-7641

Attorneys for Defendant and
Counterclaimant
NETLIST, INC.

15 Enoch H. Liang
16 Email: ehl@ltlcounsel.com
Steven R. Hansen
17 Email: srh@ltlcounsel.com
Lee Tran & Liang APLC
18 601 S. Figueroa Street, Suite 4025
Los Angeles, CA 90017
19 Telephone: (213) 612-3737
20 Facsimile: (213) 612-3773

Attorneys for Defendant and
Counterclaimant
NETLIST, INC.

21 **MAIL:** Such correspondence was deposited, postage fully paid, with the
22 United States Postal Service on the same day in the ordinary course
of business.

23 **PERSONAL:** Such envelope was delivered by hand to the offices of the addressee.

24 **FACSIMILE:** Such document was faxed to the facsimile transmission machine
25 with the facsimile machine number stated above. Upon completion
26 of the transmission, the transmitting machine issued a transmission
report showing the transmission was complete and without error.

27 **ELECTRONIC**
28 **MAIL:** Such document was transmitted by electronic mail to the addressees'
email addresses as stated above.

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FEDERAL EXPRESS:

Such correspondence was deposited on the same day in the ordinary course of business with a facility regularly maintained by Federal Express.

EXPRESS MAIL:

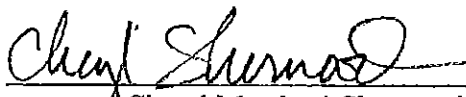
Such correspondence was deposited on the same day in the ordinary course of business with a facility regularly maintained by the United States Postal Service.

OVERNIGHT DELIVERY:

Such correspondence was given on the same day in the ordinary course of business to an authorized courier or a driver authorized by that courier to receive documents.

I declare that I am employed in the office of a member of the bar of this Court at whose direction the service was made.

I declare under penalty of perjury that the above is true and correct. Executed on October 27, 2009, at Redwood City, California.


Cheryl Marchesi-Sherwood

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