

**KRAMER DECLARATION EXHIBIT C**

Hill, Joyce

From: Steve Schimmel [steve@google.com]
Sent: Wednesday, November 22, 2000 10:02 AM
To: kulpreet@google.com
Subject: Google geolocation contract draft

hi,

Here is yet another contract for your review...
Let me know when you are avail to discuss.

Thx
Steve

ps. Matt's additional comments:

"I thought of something else for the geo contract. Something else we're going to do is create a "country index". We know websites such as redwin.ch are sites in Switzerland, but we want to be able to look up redwin.com's IP address. If that IP were in Switzerland, we'd throw that into the "Switzerland restrict". It's likely that we'd sell the ability to search a country index to our licensing partners.

We definitely need to include this use in the legal contract, and in general we should try to make the usage in the contract be as general as possible, in case we think of other things we want to do too."

----- Original Message -----

Subject: RE: Google geolocation bid request
Date: Wed, 22 Nov 2000 08:31:23 -0500
From: "Rob Friedman" <rob@digitalenvoy.net>
To: "Steve Schimmel" <steve@google.com>

Steve,

Matt gave me a call yesterday and said that Google wanted to get a version of our product up and running at your site as soon as possible.

To that end, I've attached a draft of an agreement incorporating the terms

we've discussed. The agreement should be pretty straightforward. If the agreement looks ok with you, please execute it and fax it back to me at 678

474-0724. We can then get you up and running asap.

Deft Exhibit 8
Dominique Isabeau, CSR
Depo of Friedman
Date 11-17-04

Schimmel
PLF's 18
EXHIBIT NO. 18
9-23-04
A. DUB, CSR RMR CRR

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GOOG 009318

4/6/2004

Please let me know if you have any questions or comments.

Thanks and we look forward to working with you!

Rob

Rob Friedman  
Chief Business Envoy  
Digital Envoy  
(678) 474-9766  
rob@digitalenvoy.net

-----Original Message-----

From: Steve Schimmel [mailto:steve@google.com]  
Sent: Tuesday, November 21, 2000 4:53 PM  
To: Rob Friedman  
Subject: Re: Google geolocation bid request  
Importance: High

-----Google Confidential-----

Rob,

I wanted to give you an update from Google.

The bids have come in...

We have an opportunity for you.  
To be honest, you are the most expensive of the bunch.  
At your current bid, we cannot give you our business.

That being said, after discussing it with Matt, I have become aware that DigitalEnvoy would be our choice if you could meet the following terms:

Unlimited volume and use for country targeting (ie. advertising, customized country pages and internal research purposes) for ~\$3,000/mth total.

We would be willing to discuss targeting down to the metro level for an additional cost when the need arises.

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4/6/2004

Please let me know if you are able to meet these terms:

Note that we are not offering this additional chance to the other vendors.

We would prefer to work with you.

If you agree to this, probably the only thing that could interrupt the decision would be a last effort by another vendor to provide us with the product for --free. I do not anticipate this would happen.

I would optimally like to make a decision this evening..so please let me know.

As for other compensation opportunities such as advertising...please let me know what keywords you think would make sense for your products. We only serve targeted keyword (and phrase) advertising, and I would need to check to see what the inventory would be for those words.

Looking forward to your response.

Steve

Rob Friedman wrote:

> Yes. We provide weekly updates...all done seamlessly and automatically.

No

> cds or anything like that. It is all included in the price.

>

> Rob Friedman

> Chief Business Envoy

> Digital Envoy

> (678) 474-9766

> rob@digitalenvoy.net

>

> -----Original Message-----

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GOOG 009320

4/6/2004

> From: Steve Schimmel [mailto:steve@google.com]  
> Sent: Tuesday, November 21, 2000 2:27 PM  
> To: rob@digitalenvoy.net  
> Subject: Re: Google geolocation bid request  
>  
> Rob,  
>  
> Hope to get a full response out by end of day.  
> Until then, I have a quick question:  
> Do your bids include updates?  
>  
> Thanks,  
> Steve  
>  
> Rob Friedman wrote:  
>  
>> Thanks for the feedback Steve. I appreciate Google's reasoning  
regarding  
>> PR--it makes a lot of sense. We can certainly live without the press  
>> release.  
>>  
>> The fee that I quoted earlier would be for "all you can eat"  
>> metro-targeting-you can use it for everything and there is no volume  
cap.  
>> Again we can talk about possible trade-offs (maybe for advertising or  
>> something, if it makes sense). Additionally, we can also talk about a  
>> graduated payment scale as your use increases (maybe one rate for use in  
>> advertising only, additional for use in the search engine when you  
decide  
> to  
>> implement that)-don't know, just a thought. As for other  
granularities,  
>> we can probably cut the price in half, if you were just interested in  
>> country targeting (unlimited use). BTW, it seems that you should at  
least  
>> use country targeting for your "Google in your Language" feature. I  
think  
>> that it would add a lot to be able to show a Japanese user his or her  
> native  
>> language when he or she first hit your site rather than have to choose  
it  
>> from a menu. Anyway, my that's just my two cents.  
>>  
>> We definitely view Google as a very important customer-especially since  
it  
>> is the unofficial search engine of Digital Envoy (we all use it because  
it  
>> is so fast). <grin>

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GOOG 009321

4/6/2004

>>  
>> Let's talk on Monday!!  
>>  
>> Have a good weekend.  
>>  
>> Cheers,  
>>  
>> Rob  
>>  
>> Rob Friedman  
>> Chief Business Envoy  
>> Digital Envoy  
>> rob@digitalenvoy.net  
>> 678 474-9766 (ext 202)  
>>  
>> -----Original Message-----  
>> From: Steve Schimmel [mailto:steve@google.com]  
>> Sent: Friday, November 17, 2000 8:22 PM  
>> To: Rob Friedman  
>> Subject: Re: Google geolocation bid request  
>>  
>> << File: steve.vcf >> Rob,  
>>  
>> Thanks for getting back to me.  
>> I wanted to respond here, but Ill give you a call (probably Monday).  
>> [please feel free to respond via email before the call].  
>>  
>> We will probably, eventually use your product in all the ways  
>> mentioned..That  
>> being said, we will most likely just use it for advertising targeting  
for  
> a  
>> while (but like to have flexibility).  
>>  
>> We like the ability to go down to the city level, but want to get your  
> bids  
>> for  
>> if we used it at the different levels of granularity.  
>>  
>> As for volume, we do not want to have to deal with forecasting usage, so  
> we  
>> would want to consider it on an "all you can eat" basis.  
>>  
>> We definitely appreciate your attitude and desire to be flexible.  
>>  
>> I do want to let you know our hard stance on PR.  
>> Google is first and foremost a technology company. As such, all  
> information

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4/6/2004

>> regarding technology sources is to be treated as confidential by Google  
>> (you'll  
>> notice that we dont have any type of site vendor or contributors page-  
our  
>> "partners" page is really a partial customer list).  
>> As the leading search technology vendor, competitors constantly try to  
>> discover  
>> how we do what we do. If we go outside our company for  
>> technology/expertise, we  
>> treat this knowledge as one of our competitive advantages. I'm sure  
this  
> is  
>> a  
>> position you can understand, especially given the current competitive  
>> landscape  
>> in search!  
>> That being said, we would not restrict you from mentioning Google when  
you  
>> list  
>> your clients, and perhaps we may act as a reference account to  
non-search  
>> prospective clients.  
>>  
>> I look forward to speaking with you,  
>>  
>> Steve  
>>  
>> Rob Friedman wrote:  
>>  
>>> Steve,  
>>>  
>>> One thing I neglected to ask is how Google would be using our service.  
> I  
>>> was assuming that you'd be using NetAcuity to help determine relevant  
>> search  
>>> results, tailor language on your site for foreign users, as well  
aiding  
> in  
>>> targeting your new advertising push. Also, I assumed that you'd need  
>>> information down to the city-level. These uses are reflected in the  
> price  
>> I  
>>> quoted.  
>>>  
>>> Note that our prices vary based on our customer's use of our  
technology,  
>> the  
>>> approximate number of hits to be processed per month, and the

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4/6/2004

> granularity  
>> of  
>>> information needed (country, region and/or city-level). Please let me  
>> know  
>>> if my assumptions were incorrect.  
>>>  
>>> Again, please feel free to give me a call at 678 474-9766 (ext 202) to  
>>> discuss our products further.  
>>>  
>>> Cheers,  
>>>  
>>> Rob  
>>>  
>>> Rob Friedman  
>>> Chief Business Envoy  
>>> Digital Envoy  
>>> (678) 474-9766  
>>> rob@digitalenvoy.net  
>>>  
>>> -----Original Message-----  
>>> From: Steve Schimmel [mailto:steve@google.com]  
>>> Sent: Wednesday, November 15, 2000 6:29 PM  
>>> To: rob@digitalenvoy.net  
>>> Subject: Google geolocation bid request  
>>>  
>>> Rob,  
>>>  
>>> I wanted to introduce myself.  
>>> I am in the Strategic Alliances group here at Google.  
>>> I am assisting Matt Cutts in getting a geolocation service for us.  
>>>  
>>> We have narrowed down potential alternative vendors for this service,  
>>> and have included you in our finalists.  
>>>  
>>> At this point, I would like to get your best bid on providing us with  
>>> geolocation services for a 6 month contract (with the option to renew  
>>> for an additional 6 months at same terms).  
>>>  
>>> I want to make sure I understand the full cost, so please also  
indicate  
>>> if there are additional items required (ie. if we must purchase any  
>>> hardware from you, etc).  
>>>  
>>> I appreciate your timely response.  
>>>  
>>> Sincerely,  
>>>  
>>> Steve

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4/6/2004