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*ab*  
**FILED**  
JUL 22 2005

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA

RICHARD W. WIEKING  
CLERK U.S. DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE

Click Defense Inc., a Colorado corporation, et al  
Plaintiff (s)

CASE NUMBER: C05 02579 *AVT*

v.  
Google, Inc., a Delaware corporation, et al  
Defendant (s)

**PROOF OF SERVICE  
SUMMONS AND COMPLAINT**  
(Use separate proof of service for each person/party served)

*IC*

- 1. At the time of service I was at least 18 years of age and not a party to this action and I served copies of the (specify documents):
  - a.  summons  class action complaint  alias summons  first amended complaint
  - second amended complaint
  - third amended complaint

other (specify): **see attachment for additional documents served**

- 2. Person served:
  - a.  Defendant (name): **Google, Inc., a Delaware corporation**
  - b.  Other (specify name and title or relationship to the party/business named): **CSC Lawyers Incorporating Services, agent for service of process by leaving the documents with Becky DeGeorge, Process Specialist**
  - c.  Address Where papers were served: **2730 Gateway Oaks Drive, Suite 100, Sacramento, CA 95833**

- 3. Manner of service in compliance with (the appropriate box must be checked):
  - a.  Federal Rules of Civil Procedure
  - b.  California Code of Civil Procedure

- 4. I served the person named in item 2:
  - a.  By **Personal service**. By personally delivering copies. If the person is a minor, by leaving copies with a parent, guardian, conservator or similar fiduciary and to the minor if at least (12) years of age.

1.  Papers were served on (date): 6/30/05 at (time): 1:15 p.m.

- b.  By **Substituted service**. By leaving copies:

- 1.  (home) at the dwelling house, usual place of abode, or usual place of business of the person served in the presence of a competent member of the household, at least 18 years of age, who was informed of the general nature of the papers.
- 2.  (business) or a person apparently in charge of the office of place of business, at least 18 years of age, who was informed of the general nature of the papers.

3.  Papers were served on (date): \_\_\_\_\_ at (time): \_\_\_\_\_

4.  by mailing (by first-class mail, postage prepaid) copies to the person served in item 2(b) at the place where the copies were left in Item 2(c).

5.  papers were mailed on (date): \_\_\_\_\_

6.  due diligence. I made at least three (3) attempts to personally serve the defendant.

c.  Mail and acknowledgment of service. By mailing (by first-class mail or airmail, postage pre-paid) copies to the person served, with two (2) copies of the form of Waiver of Service of Summons and Complaint and a return envelope, postage prepaid to the sender. (Attach completed Waiver of Service of Summons and Complaint).

d.  Service on domestic corporation, unincorporated association (including partnership), or public entity. (F.R.Civ.P.4(h)) (C.C.P. 416.10) By delivering, during usual business hours, a copy of the summons and complaint to an officer, a managing or

**PROOF OF SERVICE-SUMMONS AND COMPLAINT**

general agent, or to any other agent authorized by appointment of by law to receive service of process and, if the agent is one authorized by statute and the statute so requires, a mailing, by first-class mail, postage prepaid, a copy to the defendant.

- e.  **Substituted service on domestic corporation, unincorporated association (including partnership), or public entity. (C.C.P. 415.20 only)** By leaving during usual office hours, a copy of the summons and complaint in the office of the person served with the person who apparently was in charge and thereafter by mailing *(by first-class mail, postage prepaid)* copies to the persons at the place where the copies were left in full compliance with C.C.P. 415.20. Substitute service upon the California Secretary of state requires a court order. **(Attach a copy of the order to this proof of service).**
- f.  **Service on a foreign corporation.** In any manner prescribed for individuals by FRCP 4(f).
- g.  **Certified or registered mail service.** By mailing to an address outside California *(by first-class mail, postage prepaid, requiring a return receipt)* copies to the person served. **(Attach signed return receipt or other evidence of actual receipt by the person served).**
- h.  **Other** (specify code section and type of service):

5. Service upon the **United States, and Its Agencies, Corporations or Officers.**

- a.  by delivering a copy of the summons and complaint to the clerical employee designated by the U.S. Attorney authorized to accept service, pursuant to the procedures for the Office of the U.S. Attorney for acceptance of service, or by sending a copy of the summons and complaint by registered or certified mail addressed to the civil process clerk at the U.S. Attorneys Office.

Name of person served:

Title of person served:

Date and time of service: *(date)*: \_\_\_\_\_ at *(time)*: \_\_\_\_\_

- b.  By sending a copy of the summons and complaint by registered or certified mail to the Attorney General of the United States at Washington, D.C. **(Attached signed return receipt of other evidence of actual receipt by the person served).**
- c.  By sending a copy of the summons and complaint by registered or certified mail to the officer, agency or corporation **(Attach signed return receipt or other evidence of actual receipt by the person served).**

6. At the time of service I was at least 18 years of age and not a party to this action.

7. Person serving *(name, address and telephone number)*:

**MARK STEINER  
TIME MACHINE NETWORK  
P.O. BOX 861057  
LOS ANGELES, CA 90086  
(800) 994-5454**


a. Fee for service: \$

- b.  Not a Registered California Process Server
- c.  Exempt from registration under B&P 2235(b)
- d.  Registered California Process Server

8.  I am a California sheriff, marshal, or constable and I certify that the foregoing is true and correct.

I declare under penalty of perjury that the foregoing is true and correct.

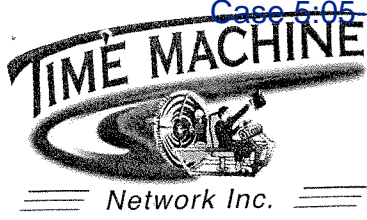
Date: 7/1/05

  
\_\_\_\_\_  
*(Signature)*

**CLICK DEFENSE INC., a Colorado corporation, et al VS. GOOGLE, INC., a Delaware corporation, et al  
CASE NO. C05 02579**

**"ADDITIONAL DOCUMENTS SERVED"**

- CIVIL COVER SHEET
- ORDER SETTING INITIAL CASE MANAGEMENT CONFERENCE
- STANDING ORDER FOR CIVIL PRACTICE IN CASE ASSIGNED FOR ALL PURPOSES TO MAGISTRATE JUDGE PATRICIA V. TRUMBULL
- STANDING ORDER REGARDING CASE MANAGEMENT IN CIVIL CASES
- U.S. DISTRICT COURT NORTHERN CALIFORNIA ECF REGISTRATION INFORMATION HANDOUT
- OFFICE OF THE CLERK UNITED STATES DISTRICT OF COURT NORTHERN DISTRICT OF CALIFORNIA FILING PROCESS GUIDELINES TO THE UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA, CLERK'S OFFICE, SAN JOSE DIVISION
- FEE SCHEDULE SUMMARY
- NORTH DISTRICT OF CALIFORNIA SAN JOSE DIVISION CRIMINAL AND CIVIL LAW AND MOTION/TRIAL/SETTLEMENT/CASE MANAGEMENT/DISMISSAL HEARING SCHEDULES
- NOTICE OF ASSIGNMENT OF CASE TO A UNITED STATES MAGISTRATE JUDGE
- NOTICE OF ELECTRONIC AVAILABILITY OF CASE FILE INFORMATION
- GENERAL ORDER NO. 53 - PRIVACY
- WAIVER OF SERVICE OF SUMMONS
- NOTICE OF LAWSUIT AND REQUEST FOR WAIVER OF SERVICE OF SUMMONS
- GENERAL ORDER NO. 40 – PROHIBITION OF BIAS
- CONSENT TO PROCEED BEFORE A UNITED STATES MAGISTRATE JUDGE
- [BLANK] DECLINATION TO PROCEED BEFORE A MAGISTRATE JUDGE AND REQUEST FOR REASSIGNMENT TO A UNITED STATES DISTRICT JUDGE
- CERTIFICATION AND NOTICE OF INTERESTED PARTIES
- DISPUTE RESOLUTION PROCEDURES IN THE NORTHERN DISTRICT OF CALIFORNIA



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 San Diego Tel. (619) 515-0525 Fax (619) 338-8115  
 San Francisco Tel. (415) 920-9155 Fax (415) 920-9214

www.timemachinenetwork.com

42980 Date: 6/28/05

Firm Name: <b>KABATECK BROWN KELLNER, LLP.</b> 350 S. GRAND AVE. 39FLR. LOS ANGELES CA 90071	Attorney Name: <b>Frank E. Marchetti, Esq.</b>
Tel. / Fax #: (213) 217-5000 (213) 217-5010	Secretary / Paralegal: <b>Irma DeLeon</b>
	Ref/ Billing #: <b>Google</b>

**MESSENGER SERVICES**

PICKUP FROM:	DELIVER TO:					
ADDRESS	ADDRESS					
CITY ZIP	CITY ZIP					
SENDER'S NAME EXT. NO. DEPT.	RECEIVER'S NAME EXT. NO. DEPT.					
SPECIAL* <input type="checkbox"/>	STRAIGHT SHOT (IMMEDIATE) <input type="checkbox"/>	RUSH (2 - 3 HRS) <input type="checkbox"/>	DEFERRED (4 - 6 HRS) <input type="checkbox"/>	RETURN TODAY <input type="checkbox"/>	RETURN NEXT DAY <input type="checkbox"/>	OK TO LEAVE WITHOUT SIGNATURE <input type="checkbox"/>

\* Pick up ready after 2:30 for same day delivery. Time restriction and/or special handling required.

**COURT SERVICES**

NAME OF COURT				
ADDRESS				
CITY ZIP TEL#				
CASE NAME				
CASE #				
DOCUMENTS NAME				
COURT FILING <input type="checkbox"/>	RESEARCH PHOTOCOPY <input type="checkbox"/>	INCLUDE EXHIBITS <input type="checkbox"/>	RECORDING <input type="checkbox"/>	
MAIN FILING WINDOW <input type="checkbox"/>	DEPT.#	FILING DEADLINE		
FILING FEES ATTACHED <input type="checkbox"/>	ADVANCE \$			
SAME DAY <input type="checkbox"/>	NEXT DAY <input type="checkbox"/>	RETURN TODAY <input type="checkbox"/>	RETURN ON ROUTE <input type="checkbox"/>	MAIL BACK <input type="checkbox"/>

**SERVICE OF PROCESS**

NAME OF COMPANY OR PERSON BEING SERVED <b>Corporation Service Company</b>		
ADDRESS <b>2730 Gateway Oaks Dr. Ste 100</b>		
CITY ZIP TEL# <b>Sacramento, CA 95833</b>		
BUSINESS <input checked="" type="checkbox"/>	RESIDENCE <input type="checkbox"/>	SERVICE DEADLINE
PERSONAL SERVICE <input checked="" type="checkbox"/>	SUBSTITUTE SERVICE <input type="checkbox"/>	DROP SERVICE <input type="checkbox"/>
DOCUMENTS NAME <b>Summons and Complaint</b>		
PHYSICAL DESCRIPTIONS		
NAME ON PROOF OF SERVICE		
WITNESS FEES ATTACHED <input type="checkbox"/>	ADVANCE \$	
SAME DAY <input type="checkbox"/>	NEXT DAY <input checked="" type="checkbox"/>	REGULAR 3-4 DAYS <input type="checkbox"/>

**SPECIAL INSTRUCTIONS**

Signature on delivery or person served	Print Name	Del. Time	Messenger #
Signature on return	Print Name	Del. Time	Messenger #
Drv Report:		Lbs. Weight	Waiting Time