

EXHIBIT C

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**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION**

**GOOGLE INC., AOL LLC, YAHOO!
INC., IAC SEARCH & MEDIA, INC., and
LYCOS, INC.**

Plaintiffs

v.

**L. DANIEL EGGER, SOFTWARE
RIGHTS ARCHIVE, LLC, and SITE
TECHNOLOGIES, INC.**

Defendants

Case No. CV08-03172RMW

**SOFTWARE RIGHTS ARCHIVE, LLC'S
OBJECTIONS AND RESPONSES TO
PLAINTIFFS' FIRST SET OF REQUESTS
FOR PRODUCTION OF DOCUMENTS
AND THINGS**

To: Google Inc. and AOL LLC, by and through their attorneys of record Juanita R. Brooks, Fish & Richardson P.C., 12390 El Camino Real, San Diego, California 92130; Thomas B. Walsh, IV, Fish & Richardson P.C., 1717 Main Street, Suite 5000, Dallas, Texas 75201; Ramon K. Tabtiang, Stephen A. Marshall, Fish & Richardson P.C. 225 Franklin Street, Boston, Massachusetts 02110-2804; Harry L. Gillam, Jr., Melissa R. Smith, Gillam & Smith, L.L.P., 303 South Washington Ave., Marshall, Texas 75670.

Software Rights Archive, LLC ("SRA," to be distinguished from SRA's parent "SRA, LLC") makes the following objections and responses to Plaintiffs' First Set of Requests for Production of Documents and Things to Software Rights Archive, LLC.

Respectfully submitted,

Lee Kaplan (by permission /RD)

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Attorneys for Defendants L. Daniel Egger, Software
Rights Archive, LLC, and Site Technologies, Inc.

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing instrument has
been forwarded to all counsel of record pursuant to Federal Rules of Civil Procedure on this the
9th day of December, 2008.

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Lee L. Kaplan

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Melissa R. Smith
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GENERAL OBJECTIONS

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1. SRA objects to these requests to the extent that they request documents unrelated to whether Egger or SRA possessed sufficient contacts with California to give rise to personal jurisdiction in this Court (“personal jurisdiction”). *See* Fed. R. Civ. P. 26(b)(1) (limiting discovery to relevant matters).
2. SRA objects to these requests to the extent that they request documents protected by the attorney-client and/or attorney work product privileges.

1 ALL documents relating to ANY CONTACT BY you and/or SRA, LLC with California
2 or California law, including any COMMUNICATIONS to a California address, California
3 telephone number, and/or PERSON located, residing in, and/or doing business in California.

4 **RESPONSE:**

5 SRA objects to this request to the extent that it requests documents protected by the
6 attorney-client and/or attorney work product privileges. SRA objects to this request to the extent
7 that it requests documents concerning SRA, LLC's contacts with California, because such
8 documents are irrelevant to personal jurisdiction. *See* Fed. R. Civ. P. 26(b)(1) (limiting
9 discovery to relevant matters). Subject to and without waiving these objections, SRA has no
10 documents responsive to this request.

11 **REQUEST FOR PRODUCTION NO. 4:**

12 All DOCUMENTS RELATING TO any capital, equity, loans, line of credit, or funds
13 obtained from, or solicited from PERSONS located, residing in, and/or doing business in
14 California, by YOU, YOUR agents, YOUR principals, any related or controlling entities, and/or
15 any PERSON acting on YOUR behalf.

16 **RESPONSE:**

17 SRA objects to this request to the extent that it requests documents protected by the
18 attorney-client and/or attorney work product privileges. SRA objects to this request to the extent
19 that it requests documents concerning the California contacts of SRA's agents or principals in
20 their individual capacity, and of SRA's related or controlling entities, because such documents
21 are irrelevant to personal jurisdiction. *See* Fed. R. Civ. P. 26(b)(1) (limiting discovery to
22 relevant matters). SRA objects to the remainder of this request because it is duplicative of
23 Request No. 3. *See* Fed. R. Civ. P. 26(b)(2)(C)(i) (mandating limitations on unreasonably
24 duplicative discovery requests). Subject to and without waiving these objections, SRA has no
25 documents responsive to this request.

26 **REQUEST FOR PRODUCTION NO. 5:**

27 All DOCUMENTS RELATING TO any prospectus, subscription, subscription
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1 agreement, portfolio, disclosure, agreement, fund, trust, and/or other vehicle identifying YOU,
2 SRA, LLC, this litigation, *Software Rights Archive, LLC v. Google Inc. et al.*, Civil Action No.
3 2:07-cv-511 (CE) (Eastern District of Texas) and/or the PATENTS-IN-SUIT, and
4 DOCUMENTS sufficient to IDENTIFY all PERSONS receiving such document or participating
5 in such investment who have a residence, domicile, or place of business in California.

6 **RESPONSE:**

7 SRA objects to this request to the extent that it requests documents protected by the
8 attorney-client and/or attorney work product privileges. SRA objects to this request to the extent
9 that it requests documents concerning SRA, LLC's contacts with California, because such
10 documents are irrelevant to personal jurisdiction. *See* Fed. R. Civ. P. 26(b)(1) (limiting
11 discovery to relevant matters). SRA objects to the remainder of this request because it is
12 duplicative of Request No. 3. *See* Fed. R. Civ. P. 26(b)(2)(C)(i) (mandating limitations on
13 unreasonably duplicative discovery requests). SRA objects to this request to the extent that it
14 seeks documents not received by or otherwise related to any California entity, because such
15 documents are irrelevant to personal jurisdiction. *See* Fed. R. Civ. P. 26(b)(1) (limiting
16 discovery to relevant matters). Subject to and without waiving these objections, SRA has no
17 documents responsive to this request.

18 **REQUEST FOR PRODUCTION NO. 6:**

19 All DOCUMENTS RELATING TO any and all of YOUR activities *other than* "in
20 February 2005, . . . acquir[ing] the patents-in-suit . . . and in November 2007, . . . fil[ing] its patent
21 lawsuit against Plaintiffs in the Eastern District of Texas.

22 **RESPONSE:**

23 SRA objects to this request to the extent that it requests documents protected by the
24 attorney-client and/or attorney work product privileges. SRA objects to this request to the extent
25 that it requests documents unrelated to SRA's contacts with California, because such documents
26 are irrelevant to personal jurisdiction. *See* Fed. R. Civ. P. 26(b)(1) (limiting discovery to
27 relevant matters). SRA objects to the remainder of this request because it is duplicative of
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1 Request No. 3. *See* Fed. R. Civ. P. 26(b)(2)(C)(i) (mandating limitations on unreasonably
2 duplicative discovery requests). Subject to and without waiving these objections, SRA has no
3 documents responsive to this request.

4 **REQUEST FOR PRODUCTION NO. 7:**

5 All DOCUMENTS RELATING TO YOUR purported “Archive [that] contains a large
6 library of licensed source code, rare forms of technical literature and documentation, and oral
7 histories ...,” including any promotional materials, correspondence, websites, indexes, catalogs,
8 news media, presentations, memoranda, and notes regarding such “Archive.”

9 **RESPONSE:**

10 SRA objects to this request to the extent that it requests documents protected by the
11 attorney-client and/or attorney work product privileges. SRA objects to this request to the extent
12 that it requests documents unrelated to SRA’s contacts with California, because such documents
13 are irrelevant to personal jurisdiction. *See* Fed. R. Civ. P. 26(b)(1) (limiting discovery to
14 relevant matters). SRA objects to the remainder of this request because it is duplicative of
15 Request No. 3. *See* Fed. R. Civ. P. 26(b)(2)(C)(i) (mandating limitations on unreasonably
16 duplicative discovery requests). Subject to and without waiving these objections, SRA has no
17 documents responsive to this request.

18 **REQUEST FOR PRODUCTION NO. 8:**

19 DOCUMENTS sufficient to IDENTIFY all YOUR current directors and to identify the
20 PERSONS that exercise control over YOU.

21 **RESPONSE:**

22 SRA objects to this request to the extent that it requests documents protected by the
23 attorney-client and/or attorney work product privileges. SRA objects to this request, because the
24 documents it seeks are irrelevant to personal jurisdiction. *See* Fed. R. Civ. P. 26(b)(1) (limiting
25 discovery to relevant matters). Subject to and without waiving these objections, SRA has no
26 documents responsive to this request.

27 **REQUEST FOR PRODUCTION NO. 9:**

1 DOCUMENTS sufficient to IDENTIFY all owners and/or beneficiaries having an
2 interest in YOU, including any such PERSONS having a domicile, residence, or place of
3 business in California.

4 **RESPONSE:**

5 SRA objects to this request to the extent that it requests documents protected by the
6 attorney-client and/or attorney work product privileges. SRA objects to this request, because the
7 documents it seeks are irrelevant to personal jurisdiction. *See* Fed. R. Civ. P. 26(b)(1) (limiting
8 discovery to relevant matters). Subject to and without waiving these objections, SRA has no
9 documents responsive to this request.

10 **REQUEST FOR PRODUCTION NO. 10:**

11 DOCUMENTS sufficient to IDENTIFY each PERSON who stands to directly or
12 indirectly benefit from any alleged recovery that is sought by YOU in this case and/or in
13 *Software Rights Archive, LLC v. Google Inc., et al.*, Civil Action No. 2:07-cv-511 (CE) (Eastern
14 District of Texas), including any such PERSONS having a domicile, residence, or place of
15 business in California.

16 **RESPONSE:**

17 SRA objects to this request to the extent that it requests documents protected by the
18 attorney-client and/or attorney work product privileges. SRA objects to this request, because the
19 documents it seeks are irrelevant to personal jurisdiction. *See* Fed. R. Civ. P. 26(b)(1) (limiting
20 discovery to relevant matters). Subject to and without waiving these objections, SRA has no
21 documents responsive to this request.

22 **REQUEST FOR PRODUCTION NO. 11:**

23 DOCUMENTS sufficient to fully DESCRIBE YOUR relationship with Altitude Capital
24 Partners, L.P., any partners thereof, and any predecessors or successors-in-interest thereof.

25 **RESPONSE:**

26 SRA objects to this request to the extent that it requests documents protected by the
27 attorney-client and/or attorney work product privileges. SRA objects to this request, because the
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1 documents it seeks are irrelevant to personal jurisdiction. *See* Fed. R. Civ. P. 26(b)(1) (limiting
2 discovery to relevant matters). Subject to and without waiving these objections, SRA has no
3 documents responsive to this request.

4 **REQUEST FOR PRODUCTION NO. 12:**

5 DOCUMENTS sufficient to fully DESCRIBE YOUR relationship with Open Source
6 Research Management, Inc., any partners thereof, and any predecessors or successors-in-interest
7 thereof.

8 **RESPONSE:**

9 SRA objects to this request to the extent that it requests documents protected by the
10 attorney-client and/or attorney work product privileges. SRA objects to this request, because the
11 documents it seeks are irrelevant to personal jurisdiction. *See* Fed. R. Civ. P. 26(b)(1) (limiting
12 discovery to relevant matters). Subject to and without waiving these objections, SRA has no
13 documents responsive to this request.

14 **REQUEST FOR PRODUCTION NO. 13:**

15 ALL DOCUMENTS RELATING TO any website currently or formerly maintained by
16 YOU, on YOUR behalf, and/or at the web address "srarchive.com," including any
17 DOCUMENTS RELATING TO the registration of the domain name "srarchive.com" and any
18 records of access made to any such website.

19 **RESPONSE:**

20 SRA objects to this request to the extent that it requests documents protected by the
21 attorney-client and/or attorney work product privileges. SRA objects to this request to the extent
22 that it requests documents unrelated to SRA's contacts with California, because such documents
23 are irrelevant to personal jurisdiction. *See* Fed. R. Civ. P. 26(b)(1) (limiting discovery to
24 relevant matters). SRA objects to the remainder of this request because it is duplicative of
25 Request No. 3. *See* Fed. R. Civ. P. 26(b)(2)(C)(i) (mandating limitations on unreasonably
26 duplicative discovery requests). Subject to and without waiving these objections, SRA has no
27 documents responsive to this request.

1 **REQUEST FOR PRODUCTION NO. 14:**

2 All DOCUMENTS RELATING TO any travel to California by any of YOUR
3 employees, principals, officers, agents, attorneys, and/or owners before July 1, 2008.

4 **RESPONSE:**

5 SRA objects to this request to the extent that it requests documents protected by the
6 attorney-client and/or attorney work product privileges. SRA objects to this request to the extent
7 that it requests documents concerning travel to California by SRA's employees, principals,
8 officers, agents, attorneys, and/or owners in their individual capacities, because such documents
9 are irrelevant to personal jurisdiction. *See* Fed. R. Civ. P. 26(b)(1) (limiting discovery to
10 relevant matters). SRA objects to the remainder of this request because it is duplicative of
11 Request No. 3. *See* Fed. R. Civ. P. 26(b)(2)(C)(i) (mandating limitations on unreasonably
12 duplicative discovery requests). Subject to and without waiving these objections, SRA has no
13 documents responsive to this request.