

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PERSONALIZED USER MODEL, L.L.P.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	
GOOGLE, INC.,	)	
	)	
Defendant.	)	
_____	)	C.A. No. 09-525 (LPS)
GOOGLE, INC.,	)	
	)	
Counterclaimant,	)	
	)	
v.	)	
	)	
PERSONALIZED USER MODEL, L.L.P.	)	
and YOCHAI KONIG,	)	
	)	
Counterclaim-Defendants.	)	

**AMENDED NOTICE OF RULE 30(b)(6) DEPOSITION OF GOOGLE, INC.**

PLEASE TAKE NOTICE that, pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure, Plaintiff Personalized User Model, L.L.P. (“P.U.M.”) will take the deposition of Defendant Google, Inc. (“Google”) concerning the topics identified in Schedule A, beginning at 9:00 a.m. on November 3rd, 2011, or at an otherwise mutually agreeable date, and will be held at the offices of SNR Denton US LLP, 1530 Page Mill Road, CA 94304, or at an otherwise mutually agreeable location. If the deposition is not completed on the date set out above, the taking of the deposition will continue day to day thereafter or pursuant to the parties’ agreement. The deposition will be recorded by stenographic, videographic, and/or audiographic means.

Pursuant to Rule 30(b)(6) of the Federal Rules of Civil Procedure, Google is directed to designate one or more officers, directors, or managing agents, or other persons who will testify on its behalf, who are most knowledgeable regarding the matters identified in the attached Schedule A. Google is requested to provide a written designation of the names and positions of the officers, directors, managing agents, or other persons designated to testify concerning the matters identified in the attached Schedule and, for each person, identify the matters on which he or she will testify.

P.U.M. reserves the right to serve additional 30(b)(6) notices.

MORRIS, NICHOLS, ARSHT & TUNNELL LLP

*/s/ Jeremy A. Tigan*

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Karen Jacobs Loudon (#2881)  
Jeremy A. Tigan (#5239)  
1201 N. Market Street  
P.O. Box 1347  
Wilmington, DE 19899-1347  
(302) 658-9200  
klouden@mnat.com  
jtigan@mnat.com

OF COUNSEL:

Attorneys for Personalized User Model, L.L.P.  
and Yochai Konig

Marc S. Friedman  
SNR Denton US LLP  
1221 Avenue of the Americas  
New York, NY 10020-1089  
(212) 768-6700

Jennifer D. Bennett  
SNR Denton US LLP  
1530 Page Mill Road, Ste. 200  
Palo Alto, CA 94304-1125  
(650) 798-0300

October 18, 2011

4550365

## SCHEDULE A

### **I. Definitions and Instructions**

1. The term “P.U.M.” means Personalized User Model, L.L.P., including all of its current and past officers, directors, agents, employees, consultants, attorneys, and others acting or purporting to act on behalf of Personalized User Model, L.L.P., including all predecessors, subsidiaries, parents, affiliates, and successors.

2. The term “Google” means Google, Inc., including all of its current and past officers, directors, agents, employees, consultants, attorneys, and others acting or purporting to act on behalf of Google, Inc., including all predecessors, subsidiaries, parents, affiliates, and successors.

3. The term “document” is synonymous in meaning and equal in scope to the usage of this term in Federal Rule of Civil Procedure 34(a), including without limitation electronic or computerized data compilations. A draft or non-identical copy is a separate document within the meaning of this term.

4. The term “person” means any natural person or any business, legal or governmental entity, or association.

5. When referring to a person, “to identify” means to give, to the extent known, the person’s full name, present or last known address, and when referring to a natural person, additionally, the present or last known place of employment.

6. When referring to documents, “to identify” means to provide, to the extent known, the: (i) type of document; (ii) general subject matter; (iii) date of the document; and (iv) author(s), addressee(s) and recipient(s).

7. The terms “plaintiff” and “defendant,” as well as a party’s full or abbreviated name or a pronoun referring to a party, mean the party and, where applicable, its officers, directors, employees, partners, corporate parent, subsidiaries, or affiliates. This definition is not intended to impose discovery obligations on any person who is not a party to the litigation.

8. The term “concerning” means relating to, referring to, describing, evidencing, or constituting.

9. The terms “all” and “each” when used individually shall be construed as both all and each.

10. The connectives “and” and “or” shall be construed either disjunctively or conjunctively as necessary to bring within the scope of the discovery requests all relevant responses that might otherwise be construed to be outside of its scope.

11. The use of the singular form of any word includes the plural and vice versa.

12. The term “including” means “including but not limited to.”

13. The term “relating to” means relating to, referring to, concerning, mentioning, reflecting, pertaining to, evidencing, involving, describing, depicting, discussing, commenting on, embodying, responding to, supporting, contradicting, or constituting (in whole or part), as necessary to bring within the scope of the request all relevant responses that might otherwise be construed to be outside of its scope.

14. The term “employee” means any director, trustee, officer, employee, partner, corporate parent, subsidiary, affiliate or servant of the designated entity, whether active or retired, full-time or part-time, current or former, and compensated or not.

15. The term “entity” means any individual and any other cognizable entity, including corporations, proprietorships, partnerships, joint ventures, businesses, consortiums, clubs, associations, foundations, governmental agencies or instrumentalities, societies, and orders.

16. The term “affiliate” means any corporation or entity related to Defendant through corporate ownership of stock such as a parent, subsidiary or sister company, or through common directors, officers, and employees, either at the present time or at any time in the past.

17. The term “the ’040 Patent” means U.S. Patent No. 6,981,040 B1, entitled “Automatic, Personalized Online Information and Product Services.”

18. The term “the ’031 Patent” means U.S. Patent No. 7,320,031 B2, entitled “Automatic, Personalized Online Information and Product Services.”

19. The term “the ’276 Patent” means U.S. Patent No. 7,685,276 B2, entitled “Automatic, Personalized Online Information and Product Services.”

20. The terms “the patents-at-issue” or “the patents-in-suit” mean the ’040 Patent, and ’276 Patent, individually or collectively, and any other asserted patents in this litigation.

21. The term “personalized search” means “more relevant, useful search results, recommendations, and other personalized features that deliver to the user more useful, relevant information on the Internet,” as Google uses that term or variations of it. This term includes but is not limited to the personalization of search results, Adwords, Adsense, other personalized advertising, personalized news, as used, for example, in at least the following links:  
<http://www.google.com/support/accounts/bin/answer.py?hl=en&answer=54041>,  
<http://www.google.com/support/accounts/bin/answer.py?hl=en&answer=54048>,  
<http://googleblog.blogspot.com/2009/12/personalized-search-for-everyone.html>,  
<http://googleblog.blogspot.com/2005/06/search-gets-personal.html>,

<https://www.google.com/accounts/ServiceLogin?hl=en&continue=http://www.google.com/history/&nui=1&service=hist>, [www.google.com/press/guides/personalized\\_overview.pdf](http://www.google.com/press/guides/personalized_overview.pdf),  
<http://www.google.com/support/accounts/bin/answer.py?hl=en&answer=54047>,  
<http://www.google.com/support/accounts/bin/answer.py?hl=en&answer=55988>,  
<http://www.google.com/support/accounts/bin/answer.py?hl=en&answer=106230>,  
<http://www.google.com/support/accounts/bin/topic.py?hl=en&topic=14153>,  
and/or as used by Google in its videos on personalized search found at  
<http://www.youtube.com/watch?v=EKuG2M6R4VM> and  
<http://www.youtube.com/watch?v=UsUBnPRtTbI>.

22. The term “Personalized Search Products/Services” means all products or services that provide personalized search results, for example, Google Search and iGoogle.

23. The term “Other Personalized Products/Services” means all products or services that provide personalized features, results, or the display of personalized information found for example, in at least Google News, Blog Search, Google Reader, iGoogle, Google Product Search, and Google Mobile.

24. The term “Personalized Search Advertising Products/Services” means all products or services that provide personalized advertisements in conjunction with Google Search and iGoogle, i.e., Adwords and Google Analytics, including, on thirty party websites.

25. The term “Other Personalized Advertising Products/Services” means all products or services that provide personalized advertisements found in at least Google’s Gmail, YouTube, iGoogle, and partner websites, i.e., Adsense.

26. Grammar and syntax, as used in this Notice, shall be construed and interpreted to give proper meaning and consistency to their context. By way of illustration and not by way of

limitation, the singular form of words may include the plural and the plural form of words may apply to each individual person and/or thing, and the use of any gender or tense may be construed to include all genders and tenses, wherever appropriate in these interrogatories, to bring within their scope any relevant information which might otherwise be construed to be outside their scope.

27. Unless otherwise indicated, the use of the name of any party, person, or business organization in the Notice shall specifically include all agents, employees, shareholders, owners, officers, directors, joint ventures, representatives, attorneys, and all other persons acting on behalf of the subject party, person, or business organization.

## **II. Topics of Deposition**

1. The significance and/or meaning of each piece of information contained in the produced user profiles, including, the significance of the order of the IDs and/or interests, the identification of the boosting algorithm that uses this information, the identification of the profiling algorithm that uses this information, how certain values are calculated (e.g., the `int_value` and `float_value`), the meaning of certain entries (e.g., `int_signal`, in the `navboost` profile, the `navboost_type`, `id`, `position_boost` and `signal`), the significance of the `q`, `rc`, `ac` columns and the fields, the significance, including how certain entries were added to the profile (i.e., including why certain urls are in the profile after a particular search query), the meaning of certain annotations (e.g. `twiddle`: “k2navboost:h1;h1;q2;u1;q4;u2”, `annotation`: “wp”, `annotation`: “a0”, `annotation`: “a12”, `annotation`: “a6”, `suggested_boost`: 1.668453f, `mark_as_personalized`: true, `short_name`: “k2navboost:h1;h1;q2;u1;q4;u2”, `boost`: 2.375227f, `delta`), and the significance of the `vis_url` domain, `UINormalized_PredictedCTR`, `vertical_id`: 82, `toplevel_vertical_id`: 14.

2. The use of the data and information described in topic 1 for providing personalized information services, including personalization of search results and presentation of ads.



**CERTIFICATE OF SERVICE**

I hereby certify that on October 18, 2011, I caused the foregoing to be electronically filed with the Clerk of the Court using CM/ECF which will send electronic notification of such filing to all registered participants.

Additionally, I hereby certify that true and correct copies of the foregoing were caused to be served on October 18, 2011, upon the following individuals in the manner indicated:

**BY E-MAIL**

Richard L. Horwitz  
David E. Moore  
POTTER ANDERSON & CORROON LLP  
1313 N. Market St., 6th Floor  
Wilmington, DE 19801

**BY E-MAIL**

Brian C. Cannon  
QUINN EMANUEL URQUHART  
& SULLIVAN, LLP  
555 Twin Dolphin Dr., 5th Floor  
Redwood Shores, CA 94065

Charles K. Verhoeven  
David A. Perlson  
Antonio R. Sistos  
Andrea Pallios Roberts  
Joshua Lee Sohn  
QUINN EMANUEL URQUHART  
& SULLIVAN, LLP  
50 California Street, 22nd Floor  
San Francisco, CA 94111

*/s/ Jeremy A. Tigan*

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Jeremy A. Tigan (#5239)