

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PERSONALIZED USER MODEL, L.L.P.,)

Plaintiff,)

v.)

GOOGLE INC.,)

Defendant.)

GOOGLE, INC.)

Counterclaimant,)

v.)

PERSONALIZED USER MODEL, LLP and
YOCHAI KONIG)

Counterdefendants.)

C.A. No. 09-525-LPS

JURY TRIAL DEMANDED

PUBLIC VERSION

**DECLARATION OF ANDREA PALLIOS ROBERTS IN SUPPORT OF GOOGLE'S
MOTION FOR SUMMARY JUDGMENT ON ITS BREACH OF CONTRACT
COUNTERCLAIM, ITS DECLARATION OF OWNERSHIP COUNTERCLAIM, AND
ITS AFFIRMATIVE DEFENSE OF LACK OF STANDING**

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Attorneys for Defendant Google Inc.

Dated: December 6, 2012

PUBLIC VERSION

December 13, 2012

1086445 / 34638

I, Andrea Pallios Roberts, declare as follows:

1. I am an attorney in the law firm on Quinn Emanuel Urquhart & Sullivan, LLP, counsel for Defendant Google in this action. I have personal knowledge of the matters set forth in this Declaration and, if called as a witness, could testify competently thereto.

2. Attached hereto as Exhibit A is a true and correct copy of the Employment Agreement between Yochai Konig and SRI International, dated April 8, 1996. Testimony authenticating this document can be found in the deposition excerpts of Yochai Konig, Exhibit O to this Declaration, at 399:2-10.

3. Attached hereto as Exhibit B is a true and correct copy of excerpts from the deposition of Yochai Konig, dated December 2, 2010.

4. Attached hereto as Exhibit C is a true and correct copy of a document titled "Utopy: Providing Your Personal Web," dated May 1999 and produced in this action at the Bates range PUM 0091910-15.

5. Attached hereto as Exhibit D is a true and correct copy of a document titled "Utopy: Personal Web," dated July 1999 and produced in this action at the Bates range PUM 0042214-35.

6. Attached hereto as Exhibit E is a true and correct copy of a document titled "Utopy: Personal Web," dated July 1999 and produced in this action at the Bates range PUM 0042165-87.

7. Attached hereto as Exhibit F is a true and correct copy of PUM's Eleventh Supplemental Response to Google's First Set of Interrogatories, dated December 1, 2010.

8. Attached hereto as Exhibit G is a true and correct copy of the Purchase Agreement between Google and SRI International, dated January 18, 2011. Testimony authenticating this

document can be found in the deposition excerpts of Doug Bercow, Exhibit M to this Declaration, at 52:25-53:9.

9. On January 27, 2011, I emailed to Plaintiff's counsel a draft of Google's Amended Answer, asserting ownership of the patents-in-suit. A true and correct copy of my transmittal email is attached hereto as Exhibit H.

10. Attached hereto as Exhibit I is a true and correct copy of an email chain between Plaintiff's counsel, Yochai Konig, and Roy Twersky, dated January 30, 2011 and produced in this action at the Bates range PUM 0223374-75.

11. Attached hereto as Exhibit J is a true and correct copy of an email chain between Plaintiff's counsel, Yochai Konig, and Roy Twersky, dated February 6, 2011 and produced in this action at the Bates range PUM 0223380-81.

12. Attached hereto as Exhibit K is a true and correct copy of excerpts from the deposition of Yochai Konig, dated January 26, 2012.

13. Attached hereto as Exhibit L is a true and correct copy of Plaintiff's Thirteenth Supplemental Response to Google's First Set of Interrogatories, dated February 8, 2011.

14. Attached hereto as Exhibit M is a true and correct copy of excerpts from the deposition of SRI International's 30(b)(6) representative Doug Bercow, dated April 14, 2011.

15. Attached hereto as Exhibit N is a true and correct copy of excerpts from the deposition of Plaintiff's validity expert Jaime Carbonell, dated November 27, 2012.

16. Attached hereto as Exhibit O is a true and correct copy of excerpts from the deposition of Yochai Konig, dated May 4, 2011.

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

Executed this 6th day of December 2012, in Redwood Shores, CA.

A handwritten signature in cursive script, reading "Andrea Pallios Roberts". The signature is written in black ink and is positioned above a horizontal line.

Andrea Pallios Roberts

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on December 13, 2012, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I further certify that on December 13, 2012, the attached document was Electronically Mailed to the following person(s):

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