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, L.L.P. and YOCHAI KONIG, Counterclaim-Defendants.	)	C.A. No. 09-525 (LPS)

ORDER

Having considered Plaintiff Personalized User Model, L.L.P.'s *Daubert* Motion to Exclude Portions of Dr. Edward Fox's Non-Infringement Report For Failure to Apply The Court's Claim Construction, it is HEREBY ORDERED THAT:

(1) The Motion is GRANTED; and

(2) The following opinions of Dr. Fox are excluded:

- "User Model specific to the user" and "user-specific learning machine" (including at least Dr. Fox's opinions and arguments each user have his/her own user model/learning machine exclusive to the user).
- "estimating" (including at least Dr. Fox's opinions and arguments that estimating cannot include a calculation or computation).

- "probability" (including at least Dr. Fox's opinions that a "probability" must be between 0 and 1 or an equivalent number such as a percent between 0% and 100%).

SO ORDERED this ___ day of _____, 2014.

_____
UNITED STATES DISTRICT JUDGE