

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

PERSONALIZED USER MODEL, L.L.P.,	)	
	)	
Plaintiff,	)	
	)	
v.	)	
	)	C.A. No. 09-525 (JJF)
GOOGLE, INC.,	)	
	)	
Defendant.	)	
	)	

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

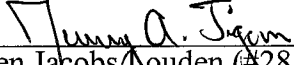
PLEASE TAKE NOTICE that, pursuant to Rules 26 and 30 of the Federal Rules of Civil Procedure, Plaintiff Personalized User Model, L.L.P. (“P.U.M.”) will take the deposition of Defendant Google, Inc. (“Google”) concerning the topics identified in Schedule A, beginning at 9:00 a.m. on June 25, 2010, or at an otherwise mutually agreeable date, at the offices of Sonnenschein, Nath & Rosenthal, 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

  
\_\_\_\_\_  
Karen Jacobs Klouden (#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

*Attorneys for Personalized User Model, L.L.P.*

OF COUNSEL:

Marc S. Friedman  
SONNENSCHN NATH  
& ROSENTHAL LLP  
1221 Avenue of the Americas  
New York, NY 10020-1089  
(212) 768-6700  
mfriedman@sonnenschein.com

Jennifer D. Bennett  
SONNENSCHN NATH  
& ROSENTHAL LLP  
1530 Page Mill Road, Suite 200  
Palo Alto, CA 94304-1125  
(650) 798-0300  
jbennett@sonnenschein.com

June 10, 2010  
3596825

## 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, the ’031 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=54041)

[http://www.google.com/support/accounts/bin/answer.py?hl=en&answer=54048,](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/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 “Google’s Answer” means Defendant Google, Inc.’s Answer, Defenses and Counterclaims to Personalized User Model, LLP’s First Amended Complaint for Patent Infringement (D.I. 39), filed April 22, 2010.

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

24. 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.

25. 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.

26. 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.

27. 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.

28. 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. For the period from December 27, 2005 to the present, Google’s procedures, policies and practices, whether formal or informal, for storing, managing or retaining documents. This includes information pertaining to the individuals or organizations within Google responsible for storing, maintaining or retaining documents, and how those procedures, policies, and practices have changed between December 27, 2005 and the present at each location where Google stores, maintains or retains documents.

2. For the period from December 27, 2005 to the present, Google’s policies, procedures and practices, whether formal or informal, for destroying documents and/or

moving documents to offline storage. This topic includes a description of how such policies, procedures and practices have changed during the stated time period.

3. The procedures Google employed and the specific servers, workstations (including laptop and desktop computers), data stores and files searched by Google to identify documents responsive to PUM's First Set of Requests for Production to Google, PUM's Second Set of Requests for Production to Google, and PUM's First Set of Interrogatories to Google, and the documents and source code that have thus far been produced in the case, including the identity of the individuals or document custodians whose files were searched.

4. The types of documents that Google creates and maintains that describe the structure and operation of its Personalized Search Products/Services, including, but not limited to, the types of documents Google creates and maintains that describe Personalized Search Products/Services' (i) network design and architecture, (ii) source code and databases, (iii) servers and/or other types of hardware, (iv) the interaction between Google's source code, databases, servers, and/or other types of hardware and/or software, (v) the algorithms and/or other calculations used in personalization, (vi) how those algorithms interact with the data and/or databases and where such algorithms are stored, and (vii) to the extent not included in subparts (i) - (vi), any and all other types of documentation that Google creates and maintains that describe how Google's system personalizes search results, advertisements, news, and/or other services for a user.

5. The types of documents that Google creates and maintains that describe the structure and operation of its Other Personalized Products/Services, including, but not limited to, the types of documents Google creates and maintains that describe Other Personalized Products/Services' (i) network design and architecture, (ii) source code and databases, (iii)



servers and/or other types of hardware, (iv) the interaction between Google's source code, databases, servers, and/or other types of hardware and/or software, (v) the algorithms and/or other calculations used in personalization, (vi) how those algorithms interact with the data and/or databases and where such algorithms are stored, and (vii) to the extent not included in subparts (i) - (vi), any and all other types of documentation that Google creates and maintains that describe how Google's system personalizes search results, advertisements, news, and/or other services for a user.

6. The types of documents that Google creates and maintains that describe the structure and operation of its Personalized Search Advertising Products/Services, including, but not limited to, the types of documents Google creates and maintains that describe Personalized Search Advertising Products/Services' (i) network design and architecture, (ii) source code and databases, (iii) servers and/or other types of hardware, (iv) the interaction between Google's source code, databases, servers, and/or other types of hardware and/or software, (v) the algorithms and/or other calculations used in personalization, (vi) how those algorithms interact with the data and/or databases and where such algorithms are stored, and (vii) to the extent not included in subparts (i) - (vi), any and all other types of documentation that Google creates and maintains that describe how Google's system personalizes search results, advertisements, news, and/or other services for a user.

7. The types of documents that Google creates and maintains that describe the structure and operation of its Other Personalized Advertising Products/Services, including, but not limited to, the types of documents Google creates and maintains that describe Other Personalized Advertising Products/Services' (i) network design and architecture, (ii) source code and databases, (iii) servers and/or other types of hardware, (iv) the interaction between

Google's source code, databases, servers, and/or other types of hardware and/or software, (v) the algorithms and/or other calculations used in personalization, (vi) how those algorithms interact with the data and/or databases and where such algorithms are stored, and (vii) to the extent not included in subparts (i) - (vi), any and all other types of documentation that Google creates and maintains that describe how Google's system personalizes search results, advertisements, news, and/or other services for a user.

8. The identification, location, and description of all source code that relates to Personalized Search Products/Services, including, but not limited to:

- i. Identification of the source code, databases, schemas, data structures, involved in Personalized Search Products/Services;
- ii. Identification of the source code (non-test) that personalizes the search results;
- iii. Identification of the source code (non-test) that manages the personalization store in the memory or database structure;
- iv. How changes to (i) are tracked (*e.g.*, via a version control log or some other way) and/or stored;
- v. The identification of other reports and/or logs generated or available in any version control system (VCS), including without limitation narrative descriptions of the revisions made in each version; and
- vi. The identification of person(s) responsible for the design, ongoing operation, maintenance, expansion, backup, and upkeep of the source code.

9. The identification, location, and description of all source code that relates to Other Personalized Products/Services, including, but not limited to:

- i. Identification of the source code, databases, schemas, data structures, involved in Other Personalized Products/Services;
- ii. Identification of the source code (non-test) that personalizes the Other Personalized Products/Services;
- iii. Identification of the source code (non-test) that manages the personalization store in the memory or database structure;
- iv. How changes to (i) are tracked (*e.g.*, via a version control log or some other way) and/or stored;

- v. The identification of other reports and/or logs generated or available in any version control system (VCS), including without limitation narrative descriptions of the revisions made in each version; and
- vi. The identification of person(s) responsible for the design, ongoing operation, maintenance, expansion, backup, and upkeep of the source code.

10. The identification, location, and description of all source code that relates to Personalized Search Advertising Products/Services, including, but not limited to:

- i. Identification of the source code, databases, schemas, data structures, involved in Personalized Search Advertising Products/Services;
- ii. Identification of the source code (non-test) that personalizes the ads;
- iii. Identification of the source code (non-test) that manages the personalization store in the memory or database structure;
- iv. How changes to (i) are tracked (e.g., via a version control log or some other way) and/or stored;
- v. The identification of other reports and/or logs generated or available in any version control system (VCS), including without limitation narrative descriptions of the revisions made in each version; and
- vi. The identification of person(s) responsible for the design, ongoing operation, maintenance, expansion, backup, and upkeep of the source code.

11. The identification, location, and description of all source code that relates to Other Personalized Advertising Products/Services, including, but not limited to:

- i. Identification of the source code, databases, schemas, data structures, involved in Other Personalized Advertising Products/Services;
- ii. Identification of the source code (non-test) that personalizes the ads;
- iii. Identification of the source code (non-test) that manages the personalization store in the memory or database structure;
- iv. How changes to (i) are tracked (e.g., via a version control log or some other way) and/or stored;
- v. The identification of other reports and/or logs generated or available in any version control system (VCS), including without limitation narrative descriptions of the revisions made in each version; and
- vi. The identification of person(s) responsible for the design, ongoing operation, maintenance, expansion, backup, and upkeep of the source code.

12. The identification, location, and description of each group or department that designs, tests, implements, and markets Personalized Search Products/Services. This topic includes information pertaining to:

- the structure of the group or department;
- the identification and location of where the member(s) of the group create, store, manage, retain, and archive their documents.

13. The identification, location, and description of each group or department that designs, tests, implements, and markets Other Personalized Products/Services. This topic includes information pertaining to:

- the structure of the group or department;
- the identification and location of where the member(s) of the group create, store, manage, retain, and archive their documents.

14. The identification, location, and description of each group or department that designs, tests, implements, and markets Personalized Search Advertising Products/Services. This topic includes information pertaining to:

- the structure of the group or department;
- the identification and location of where the member(s) of the group create, store, manage, retain, and archive their documents.

15. The identification, location, and description of each group or department that designs, tests, implements, and markets Other Personalized Advertising Products/Services. This topic includes information pertaining to:

- the structure of the group or department;
- the identification and location of where the member(s) of the group create, store, manage, retain, and archive their documents.

16. To the extent not previously addressed, the identification of persons generally responsible for creating, storing, and/or maintaining the types of documents identified in topics 1-15.

**CERTIFICATE OF SERVICE**

I hereby certify that on June 10, 2010, 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 June 10, 2010 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., 6<sup>th</sup> Floor  
Wilmington, DE 19801  
**rhowitz@potternanderson.com**  
**dmoore@potteranderson.com**

**BY E-MAIL**

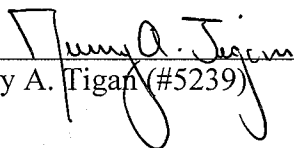
Brian C. Cannon  
QUINN EMANUEL URQUHART  
& SULLIVAN, LLP  
**briancannon@quinnemanuel.com**

Charles K. Verhoeven  
QUINN EMANUEL URQUHART  
& SULLIVAN, LLP  
**charlesverhoeven@quinnemanuel.com**

David A. Perlson  
QUINN EMANUEL URQUHART  
& SULLIVAN, LLP  
**davidperlson@quinnemanuel.com**

Antonio R. Sistos  
QUINN EMANUEL URQUHART  
& SULLIVAN, LLP  
**antoniosistos@quinnemanuel.com**

Eugene Novikov  
QUINN EMANUEL URQUHART  
& SULLIVAN, LLP  
**eugenenovikov@quinnemanuel.com**

  
\_\_\_\_\_  
Jeremy A. Tigan (#5239)