

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)

[PROPOSED] VOIR DIRE

Pursuant to D. Del. LR 47.1, Personalized User Model, L.L.P. and Yochai Konig submit the attached proposed voir dire to the jury panel.

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February 21, 2014

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Plaintiff,)

v.)

GOOGLE, INC.,)

Defendant.)

C.A. No. 09-525 (LPS)

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

YOCHAI KONIG,)

Counterclaim-Defendants.)

VOIR DIRE

Good morning, ladies and gentlemen. I am Judge Stark, and I am about to ask you a series of questions. This process of asking you questions and getting your answers is called “voir dire.” The purpose of the voir dire examination is to determine whether any prospective juror should be excused from serving as a juror on this case.

If your answer is “yes” to any of the questions I am about to ask you, please remember the questions to which you have responded “yes.” Later, I will ask those who have responded “yes” to any of the questions to meet with me individually together with counsel for the parties to discuss your answers.

This is a patent infringement case involving personalized search technology. In this case, Google, Inc. (which will be referred to during the trial simply as “Google”) is accused of

infringing patents owned by Personalized User Model, L.L.P. (which will be referred to during the trial as “Personalized User Model” or “P-U-M”). Google denies that it infringes the patents. Google also contends that the patents are invalid and has asserted a counterclaim for breach of contract.

Members of the jury:

1. Do you have any personal knowledge of this case, or any opinion regarding it, or have you read or heard this case discussed?
2. Do you have any personal knowledge of U.S. Patent Nos. 6,981,040 or 7,685,276, or have any opinion regarding them, or have you read or heard about either of these patents?
3. The following is a list of companies and individuals involved in this case: Personalized User Model, L.L.P.; Dr. Yochai Konig; Utopy, Inc.; Levino Ltd.; Google, Inc.; and SRI International.
 - a. Have you or a member of your family ever worked for any of the listed companies?
 - b. Are you, or is a member of your family, personally acquainted with any officer, director, or employee of any of these companies?
 - c. Do you or a member of your family now own, or have you or any such member ever owned, any stocks or bonds in any of these companies?
 - d. Have you or a member of your family had any business dealings with, or relied financially in any way on, any of these companies or individuals?

- e. Do you or a member of your family have any feelings, positive or negative, toward any of the listed companies or individuals, or any of their products?
 - f. Have you or a member of your family had any positive or negative experiences with any of these companies or individuals, or any of their products?
4. Have you, a family member, or a close friend ever worked for a computer software or Internet company?
 5. Have you, a family member, or a close friend ever worked on designing, developing, or testing computer software or applications of any kind?
 6. Are you, a family member, or a close friend a computer software engineer or computer programmer or have any education, training or experience in software engineering or computer programming?
 7. Have you ever used Google Search or YouTube Video?
 8. Do you regularly play computer games?
 9. Have you, a member of your immediate family, or anyone close to you ever purchased advertising from Google?
 10. The following is a list of the attorneys and law firms involved in this litigation: for Morris, Nichols, Arsht & Tunnell LLP: Karen Jacobs, Jeremy Tigan, and Regina Murphy; for Dentons US LLP: Marc Friedman, Mark Nelson, Steven Geiszler, Jennifer Bennett, Andrew Grodin, and Richard Salgado; for Potter Anderson & Corroon LLP: Richard Horwitz, David Moore, and Bindu Palapura; and for Quinn Emanuel Urquhart & Sullivan, LLP: Charles Verhoeven, David

Perlson, Andrea Pallios Roberts, Joshua Lee Sohn, Antonio Sistos, and Margaret Kammerud.

(a) Are you related to, or acquainted with, any of these attorneys or law firms, or have you ever been represented by any of these attorneys or other associates or members of the listed law firms?

11. The following is a list of the individuals who may testify as witnesses in this case:
[insert names of individuals listed on the parties' final witness lists].

(a) Are you related to, or acquainted with, any of these individuals?

12. Have you, a family member, or a close friend ever been a plaintiff, a defendant, or a witness in a civil lawsuit?

13. Have you ever served as a juror in a civil lawsuit?

14. Have you or a family member had any legal education or training?

15. Have you ever owned a business or started your own business?

16. Do you have any knowledge about or experience with drafting or negotiating employment contracts?

17. Have you or someone close to you ever been required to sign an employment contract?

18. Have you ever invented anything?

19. Do you have any knowledge about or experience with patents, including applying for a patent?

20. Have you ever worked for a company that had patented products or processes?

21. Have you or any company that you have worked for ever been involved in a patent dispute?

22. Have you, any member of your immediate family, or anyone close to you ever been employed by the United States Patent and Trademark Office or have any strong feelings about the United States Patent and Trademark Office?
23. Have you ever been accused of taking an idea, design, concept, or other intellectual property that belonged to someone else?
24. Do you have any particular feelings about individuals who were born or who live outside of the United States or about foreign companies?
25. Do you have any disability or problem that would make it difficult or impossible for you to serve as a member of the jury in this case?
26. On most days, jurors will be expected to sit from 9:00 in the morning until 4:30 in the afternoon. There will be a half-hour lunch break and a 15-minute break in both the morning and the afternoon. The trial is expected to be completed by March 21, 2014. In light of this schedule, would you be unable to sit as a juror in this case for that period of time?
27. Do you know of any other matter that you believe should be called to the Court's attention as having some bearing upon your qualifications or ability to sit as a juror, or which you think may prevent you from rendering a fair and impartial verdict based solely upon the evidence and my instructions as to the law?