

EXHIBIT A

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.)

**PUM’S [PROPOSED] ORDER REGARDING
PUM’S MOTION *IN LIMINE* ON OWNERSHIP ISSUES**

The Court having considered PUM’s motion *in limine* No. 1 concerning trial on ownership issues (D.I. 588, Ex. 12), and in furtherance to the Court’s February 27, 2014 Order ruling on the motions *in limine* (D.I. 606), IT IS HEREBY ORDERED THAT:

- 1) Google shall not present evidence or argument to the jury that Google is a rightful owner of the patents-in-suit or will become an owner of the patents-in-suit should the jury find that Dr. Konig breached his employment agreement by failing to assign the invention to SRI;
- 2) Google shall not present evidence or argument to the jury that PUM will or may lose ownership of the patents-in-suit;

3) Notwithstanding the foregoing, Google is not precluded from posing questions or arguing on cross examination of the inventors that PUM had an incentive to change position as to the conception date of the invention because of an alleged concern that Google might attempt to assert co-ownership rights in the patents; and

4) Nothing in this Order shall preclude either party from relying on the SRI/Google Purchase Agreement for any relevant purpose, including but not limited to Google rebutting evidence or argument by PUM that Google does not have standing to assert a breach of contract claim against Konig, but Google shall not argue that it actually holds rights in the patents or will obtain any rights as a consequence of its breach of contract claim.

SO ORDERED this _____ day of March 2014.

UNITED STATES DISTRICT JUDGE

EXHIBIT B

UNITED STATES DISTRICT COURT
DISTRICT OF DELAWARE

PERSONALIZED USER MODEL, L.L.P.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 09-525-LPS
)	
GOOGLE INC.,)	JURY TRIAL DEMANDED
)	
Defendant.)	
<hr/>		
GOOGLE, INC.)	
)	
Counterclaimant,)	
)	
v.)	
)	
PERSONALIZED USER MODEL, LLP and)	
YOCHAI KONIG)	
)	
Counterdefendants.)	

[PROPOSED] ORDER ON PUM’S MOTION IN LIMINE NO. 1

The Court having considered PUM’s motion *in limine* No. 1 concerning trial on ownership issues (D.I. 588, Ex. 12), and in furtherance to the Court’s February 27, 2014 Order ruling on the motions *in limine* (D.I. 606), IT IS HEREBY ORDERED THAT:

1. Google shall not state at trial that a finding in Google’s favor on its breach of contract claim will result in Google owning the patents-in-suit. (2/26/14 Hearing Tr., 28:13-15) In other words, Google shall not state that title will necessarily transfer to Google if the jury finds in Google’s favor on the breach of contract claim, and Google shall not argue that it presently holds title to the patents.

2. Notwithstanding the foregoing, Google is not precluded from arguing, or posing questions on cross examination of the inventors, that PUM had an incentive to change position as to the conception date of the invention because of an alleged concern that Google might attempt

to assert co-ownership rights in the patents, or that PUM may lose sole ownership of the patents-in-suit. (*See* Dkt. No. 606, 5.)

3. Nothing in this Order shall preclude either party from relying on the SRI/Google Purchase Agreement for any relevant purpose, including but not limited to Google rebutting evidence or argument by PUM that Google does not have standing to assert a breach of contract claim against Konig.

DATED: _____

Leonard P. Stark
United States District Judge