

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.)

(Handwritten initials: LPS)

**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 5th day of March 2014.



UNITED STATES DISTRICT JUDGE