

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

PERSONALIZED USER MODEL, L.L.P.,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 09-525-LPS
)	
GOOGLE INC.,)	JURY TRIAL DEMANDED
)	
Defendant.)	

NOTICE OF SUBPOENAS

PLEASE TAKE NOTICE that, pursuant to Rule 45 of the Federal Rules of Civil Procedure, defendant Google, Inc. will serve the attached subpoenas (Exhibits 1-2) in the above-referenced action.

POTTER ANDERSON & CORROON LLP

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Attorneys for Defendant Google Inc.

Dated: September 21, 2010
982929 / 34638

EXHIBIT 1

UNITED STATES DISTRICT COURT

for the Northern District of California

Personalized User Model LLP)
Plaintiff)
v.) Civil Action No. 1:09-cv-525-LPS
Google Inc.)
Defendant) (If the action is pending in another district, state where:
District of Delaware

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS OR TO PERMIT INSPECTION OF PREMISES

To: Marek Alboszta
Electronic Scripting Products, Inc., 555 Bryant St. #142, Palo Alto, CA 94301

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: See Ex. A.

Table with 2 columns: Place (Quinn Emanuel Urquhart & Sullivan, 50 California St., 22nd Flr., San Francisco, CA 94111) and Date and Time (10/13/2010 10:00 am)

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Table with 2 columns: Place and Date and Time (empty)

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 09/21/2010

CLERK OF COURT

OR Eugene Novikov
Signature of Clerk or Deputy Clerk Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Google Inc., who issues or requests this subpoena, are: Eugene Novikov, Quinn Emanuel Urquhart & Sullivan LLP, 50 California St., 22nd Flr., San Francisco, CA 94111, eugenenovikov@quinnemanuel.com, 415.875.6308.

Civil Action No. 1:09-cv-525-LPS

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

This subpoena for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the subpoena on the individual at *(place)* _____
_____ on *(date)* _____; or

I left the subpoena at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the subpoena to *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
_____ on *(date)* _____; or

I returned the subpoena unexecuted because _____; or

other *(specify)*:

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)

(c) Protecting a Person Subject to a Subpoena.

(1) Avoiding Undue Burden or Expense; Sanctions. A party or attorney responsible for issuing and serving a subpoena must take reasonable steps to avoid imposing undue burden or expense on a person subject to the subpoena. The issuing court must enforce this duty and impose an appropriate sanction — which may include lost earnings and reasonable attorney's fees — on a party or attorney who fails to comply.

(2) Command to Produce Materials or Permit Inspection.

(A) Appearance Not Required. A person commanded to produce documents, electronically stored information, or tangible things, or to permit the inspection of premises, need not appear in person at the place of production or inspection unless also commanded to appear for a deposition, hearing, or trial.

(B) Objections. A person commanded to produce documents or tangible things or to permit inspection may serve on the party or attorney designated in the subpoena a written objection to inspecting, copying, testing or sampling any or all of the materials or to inspecting the premises — or to producing electronically stored information in the form or forms requested. The objection must be served before the earlier of the time specified for compliance or 14 days after the subpoena is served. If an objection is made, the following rules apply:

(i) At any time, on notice to the commanded person, the serving party may move the issuing court for an order compelling production or inspection.

(ii) These acts may be required only as directed in the order, and the order must protect a person who is neither a party nor a party's officer from significant expense resulting from compliance.

(3) Quashing or Modifying a Subpoena.

(A) When Required. On timely motion, the issuing court must quash or modify a subpoena that:

(i) fails to allow a reasonable time to comply;

(ii) requires a person who is neither a party nor a party's officer to travel more than 100 miles from where that person resides, is employed, or regularly transacts business in person — except that, subject to Rule 45(c)(3)(B)(iii), the person may be commanded to attend a trial by traveling from any such place within the state where the trial is held;

(iii) requires disclosure of privileged or other protected matter, if no exception or waiver applies; or

(iv) subjects a person to undue burden.

(B) When Permitted. To protect a person subject to or affected by a subpoena, the issuing court may, on motion, quash or modify the subpoena if it requires:

(i) disclosing a trade secret or other confidential research, development, or commercial information;

(ii) disclosing an unretained expert's opinion or information that does not describe specific occurrences in dispute and results from the expert's study that was not requested by a party; or

(iii) a person who is neither a party nor a party's officer to incur substantial expense to travel more than 100 miles to attend trial.

(C) Specifying Conditions as an Alternative. In the circumstances described in Rule 45(c)(3)(B), the court may, instead of quashing or modifying a subpoena, order appearance or production under specified conditions if the serving party:

(i) shows a substantial need for the testimony or material that cannot be otherwise met without undue hardship; and

(ii) ensures that the subpoenaed person will be reasonably compensated.

(d) Duties in Responding to a Subpoena.

(1) Producing Documents or Electronically Stored Information. These procedures apply to producing documents or electronically stored information:

(A) Documents. A person responding to a subpoena to produce documents must produce them as they are kept in the ordinary course of business or must organize and label them to correspond to the categories in the demand.

(B) Form for Producing Electronically Stored Information Not Specified. If a subpoena does not specify a form for producing electronically stored information, the person responding must produce it in a form or forms in which it is ordinarily maintained or in a reasonably usable form or forms.

(C) Electronically Stored Information Produced in Only One Form. The person responding need not produce the same electronically stored information in more than one form.

(D) Inaccessible Electronically Stored Information. The person responding need not provide discovery of electronically stored information from sources that the person identifies as not reasonably accessible because of undue burden or cost. On motion to compel discovery or for a protective order, the person responding must show that the information is not reasonably accessible because of undue burden or cost. If that showing is made, the court may nonetheless order discovery from such sources if the requesting party shows good cause, considering the limitations of Rule 26(b)(2)(C). The court may specify conditions for the discovery.

(2) Claiming Privilege or Protection.

(A) Information Withheld. A person withholding subpoenaed information under a claim that it is privileged or subject to protection as trial-preparation material must:

(i) expressly make the claim; and

(ii) describe the nature of the withheld documents, communications, or tangible things in a manner that, without revealing information itself privileged or protected, will enable the parties to assess the claim.

(B) Information Produced. If information produced in response to a subpoena is subject to a claim of privilege or of protection as trial-preparation material, the person making the claim may notify any party that received the information of the claim and the basis for it. After being notified, a party must promptly return, sequester, or destroy the specified information and any copies it has; must not use or disclose the information until the claim is resolved; must take reasonable steps to retrieve the information if the party disclosed it before being notified; and may promptly present the information to the court under seal for a determination of the claim. The person who produced the information must preserve the information until the claim is resolved.

(e) Contempt. The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty's failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

EXHIBIT A

I. DEFINITIONS

1. "PLAINTIFF," "PERSONALIZED USER MODEL" or "PUM," shall mean plaintiff Personalized User Model, LLC, and its agents, officers, employees, representatives and attorneys, and any and all of its predecessor or successor companies, corporations or business entities.

2. "MAREK ALBOSZTA," "YOU," or "YOUR" shall mean Marek Alboszta, the patent attorney with responsibilities for the prosecution of U.S. Patent No. 6,981,040.

3. "DOCUMENT" or "DOCUMENTS" shall include all written, graphic or otherwise recorded material, including without limitation, microfilms or other film records or impressions, tape recordings or computer cards, floppy disks or printouts, any and all papers, photographs, films, recordings, memoranda, books, records, accounts, communications, letters, telegrams, correspondence, notes of meetings, notes of conversations, notes of telephone calls, inter-office memoranda or written communications of any nature, recordings of conversations either in writings or upon any mechanical or electrical recording devices, including electronic mail ("e-mail"), notes, papers, reports, analyses, invoices, canceled checks or check stubs, receipts, minutes of meetings, time sheets, diaries, desk calendars, ledgers, schedules, licenses, financial statements, telephone bills, logs, and any differing versions of any of the foregoing, whether so denominated, formal, informal or otherwise, as well as copies of the foregoing which differ in any way, including by the addition of handwritten notations or other written or printed matter of any nature, from the original. The foregoing specifically includes information stored in a computer database and capable of being generated in documentary form, such as electronic mail.

4. "THING" as used herein means any physical object other than a "DOCUMENT."

(a) "PERSON" refers to any individual, corporation, proprietorship, association, joint venture, company, partnership or other business or legal entity, including governmental bodies and agencies.

5. “REFLECT,” “REFLECTING,” “RELATE TO,” “REFER TO,” “RELATING TO,” and “REFERRING TO” shall mean relating to referring to, concerning, mentioning, reflecting, pertaining to, evidencing, involving, describing, discussing, commenting on, embodying, responding to, supporting, contradicting, or constituting (in whole or in part), as the context makes appropriate.

6. The “‘040 PATENT” shall mean U.S. Patent No. 6,981,040.

7. The “‘031 PATENT” shall mean U.S. Patent No. 7,320,031.

8. The “‘276 PATENT” shall mean U.S. Patent No. 7,685,276.

9. The term “RELATED PATENTS/APPLICATIONS” shall mean (1) any United States or foreign patent or patent application related to the ‘040 PATENT or the ‘031 PATENT by way of subject matter or claimed priority date, (2) all parent, grandparent or earlier, divisional, continuation, continuation-in-part, provisionals, reissue, reexamination, and foreign counterpart patents and applications of thereof, and/or (3) any patent or patent application filed by one of more of the same applicant(s) (or his or her assignees) that refers to any of (1) or (2) herein.

10. The term “LAWSUIT” shall mean Personalized User Model LLP’s lawsuit against Google Inc. filed on July 16, 2009, in the U.S. District Court, District of Delaware, Case 1:09-cv-00525-JJF.

11. The singular form of words shall include the plural, and the plural shall include the singular.

II. INSTRUCTIONS

1. If any portion of a DOCUMENT or THING is responsive to a request, the entire DOCUMENT or THING shall be produced, redacting only privileged material if any.

2. YOU are to produce the original and each non-identical copy of each DOCUMENT or THING requested herein that is in YOUR possession, custody or control.

3. DOCUMENTS produced pursuant to these requests shall be produced in the original files and shall not be shuffled or otherwise rearranged. DOCUMENTS which were stapled, clipped, or otherwise fastened together shall be produced in that form.

4. THINGS produced pursuant to these requests shall be produced in their present form and shall not be changed or modified in any way.

5. In the event that any DOCUMENT or THING called for by these requests or subsequent requests is to be withheld on the basis of a claim of privilege or immunity from discovery, that DOCUMENT or THING is to be identified by stating:

- (a) the author(s), addressee(s) and any indicated or blind copyee(s);
- (b) the DOCUMENT's or THING's date, number of pages and attachments or appendices;
- (c) the subject matter(s) of the document;
- (d) the nature of the privilege or immunity asserted; and
- (e) any additional facts upon which you would base your claim of privilege or immunity.

6. In the event that any DOCUMENT or THING called for by these requests or subsequent requests has been destroyed or discarded, that DOCUMENT or THING is to be identified by stating:

- (a) the author(s), addressee(s) and any indicated or blind copyee(s);
- (b) the DOCUMENT's or THING's date, number of pages and attachments or appendices;
- (c) the DOCUMENT's or THING's subject matter;
- (d) the date of destruction or discard, manner of destruction or discard, and reason for destruction or discard;
- (e) the PERSONS who were authorized to carry out such destruction or discard; and

(f) whether any copies of the DOCUMENT or THING presently exist and, if so, the name of the custodian of each copy.

6. These Requests shall be deemed continuing so as to require further and supplemental production in accordance with the Federal Rules of Civil Procedure.

III. REQUESTS FOR PRODUCTION

1. All DOCUMENTS or THINGS that REFER or RELATE to the '031, '040 or '276 PATENTS or any RELATED PATENTS/APPLICATIONS, including without limitation any DOCUMENTS that relate to the inventorship, prosecution, valuation, sale or assignment of the '031, '040 and '276 PATENTS or RELATED PATENTS/APPLICATIONS and including without limitation any opinions, analyses and/or investigations of infringement of such patents.

2. All DOCUMENTS or THINGS that REFER or RELATE to the priority claim made in the '031, '040 and '276 PATENTS.

3. All DOCUMENTS or THINGS that REFER or RELATE to tracking or accounting for YOUR work done during the prosecution of the '031, '040 or '276 PATENTS, including without limitation billing records and time sheets.

4. All prior art to the '031, '040 or '276 PATENTS, including publications, references, or THINGS asserted by third parties to be prior art, or evaluated by YOU as potential prior art.

5. All DOCUMENTS or THINGS that REFER or RELATE TO or identify the conception and/or reduction to practice of any invention disclosed, described, or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS, including, but not limited to, notebooks and research notes.

6. All DOCUMENTS RELATING TO diligence between the dates of conception and reduction to practice of any alleged invention described, disclosed, or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

7. All DOCUMENTS or THINGS that REFER or RELATE to any communications or correspondence between YOU and any other person or entity regarding the technology

relating to the purported inventions disclosed, described, or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

8. All DOCUMENTS or THINGS that REFER or RELATE to Google's products and services with respect to personalized search technology, including any investigations of Google's products and/or attempts to distinguish Google's products from any technology owned or promoted by Yochai Konig, Roy Twersky, Michael R. Berthold and Utopy Inc.

9. All DOCUMENTS RELATING TO any analyses or efforts to design the '031, '040 or '276 PATENTS or products or systems embodying the subject matter disclosed or claimed in the '031, '040 or '276 PATENTS around other products, systems or patents.

10. A copy of any source code or software that embodies or reflects any of the inventions claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

11. All DOCUMENTS or THINGS that REFER or RELATE to the first written description, first disclosure, and best mode of practice of any alleged invention described, disclosed, or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

12. All COMMUNICATIONS, including correspondence and memoranda, with foreign patent agents or third parties, RELATED TO the prosecution of the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

13. All DOCUMENTS or THINGS RELATING TO any U.S. or foreign patents or patent applications filed prior to December 28, 1999 RELATING TO personalized search, or any alleged invention disclosed, described or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

14. All DOCUMENTS RELATING TO the design or development of any alleged invention described, disclosed, or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS, including any invention disclosure forms and prototypes.

15. All DOCUMENTS RELATING TO any publications, sale, offer for sale, or public use prior to July 5, 2001 of any methods or systems related to personalized search or any alleged invention disclosed, described, or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

16. All DOCUMENTS or THINGS challenging, questioning, analyzing, or otherwise RELATING TO the patentability, validity, enforceability, or infringement of any alleged invention described, disclosed, or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

17. All DOCUMENTS supporting any objective indicia of non-obviousness of any alleged invention described, disclosed or claimed in the '031, '040 or '276 PATENTS, including, but not limited to, contentions of commercial success of the invention and/or products embodying the invention, long-felt but unsolved needs met by those products and/or the invention, failure of others to meet these needs, industry recognition of the invention and/or products embodying the invention, and deliberate copying of the invention or laudatory statements by accused infringers.

18. All DOCUMENTS RELATING TO any alleged infringement of the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS, including, but not limited to, any DOCUMENTS concerning or RELATING TO pre-litigation investigations RELATED TO the alleged infringement.

19. All DOCUMENTS recording or RELATED TO the ownership, assignment or conveyance of any interest in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

20. All communications with any law or patent firms in addition to YOU that participated in the prosecution of the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS, that REFER or RELATE to that prosecution.

21. All DOCUMENTS or THINGS that REFER or RELATE to any and all versions of software designed, manufactured, or marketed by Yochai Konig, Roy Twersky, Michael R. Berthold and/or Utopy Inc.

22. All DOCUMENTS or THINGS that REFER or RELATE to Personalized User Model LLP.

23. All COMMUNICATIONS with attorneys or agents of any of the following: Personalized User Model LLP, Yochai Konig, Roy Twersky, or Michael R. Berthold RELATING TO the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS or the LAWSUIT.

24. All notes or minutes from any meetings or telephone conferences with the United States Patent and Trademark Office, Personalized User Model LLP, Yochai Konig, Roy Twersky, or Michael R. Berthold in which Personalized User Model LLP, the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS, or the LAWSUIT were discussed.

25. All DOCUMENTS or THINGS that REFER or RELATE to the LAWSUIT.

EXHIBIT 2

UNITED STATES DISTRICT COURT

for the
Western District of Texas

Personalized User Model LLP
Plaintiff
v.
Google Inc.
Defendant
Civil Action No. 1:09-cv-525-LPS
District of Delaware

SUBPOENA TO PRODUCE DOCUMENTS, INFORMATION, OR OBJECTS
OR TO PERMIT INSPECTION OF PREMISES

To: Katharina Schuster
Sprinkle IP Law Group, 1301 W 25th St., Suite 408, Austin, TX 78705

Production: YOU ARE COMMANDED to produce at the time, date, and place set forth below the following documents, electronically stored information, or objects, and permit their inspection, copying, testing, or sampling of the material: See Ex. A.

Place: AcuScribe Court Reporters
1601 Rio Grande, Suite 443
Austin, TX 78701
Date and Time: 10/13/2010 10:00 am

Inspection of Premises: YOU ARE COMMANDED to permit entry onto the designated premises, land, or other property possessed or controlled by you at the time, date, and location set forth below, so that the requesting party may inspect, measure, survey, photograph, test, or sample the property or any designated object or operation on it.

Place:
Date and Time:

The provisions of Fed. R. Civ. P. 45(c), relating to your protection as a person subject to a subpoena, and Rule 45 (d) and (e), relating to your duty to respond to this subpoena and the potential consequences of not doing so, are attached.

Date: 09/21/2010

CLERK OF COURT

OR

Signature of Clerk or Deputy Clerk

Attorney's signature

The name, address, e-mail, and telephone number of the attorney representing (name of party) Google Inc., who issues or requests this subpoena, are:

Eugene Novikov, Quinn Emanuel Urquhart & Sullivan LLP, 50 California St., 22nd Flr., San Francisco, CA 94111, eugenenovikov@quinnemanuel.com, 415.875.6308.

Civil Action No. 1:09-cv-525-LPS

PROOF OF SERVICE

(This section should not be filed with the court unless required by Fed. R. Civ. P. 45.)

This subpoena for *(name of individual and title, if any)* _____
was received by me on *(date)* _____.

I personally served the subpoena on the individual at *(place)* _____
on *(date)* _____; or

I left the subpoena at the individual's residence or usual place of abode with *(name)* _____
_____, a person of suitable age and discretion who resides there,
on *(date)* _____, and mailed a copy to the individual's last known address; or

I served the subpoena to *(name of individual)* _____, who is
designated by law to accept service of process on behalf of *(name of organization)* _____
on *(date)* _____; or

I returned the subpoena unexecuted because _____; or

other *(specify)*:

Unless the subpoena was issued on behalf of the United States, or one of its officers or agents, I have also
tendered to the witness fees for one day's attendance, and the mileage allowed by law, in the amount of
\$ _____.

My fees are \$ _____ for travel and \$ _____ for services, for a total of \$ _____ 0.00.

I declare under penalty of perjury that this information is true.

Date: _____

Server's signature

Printed name and title

Server's address

Additional information regarding attempted service, etc:

Federal Rule of Civil Procedure 45 (c), (d), and (e) (Effective 12/1/07)

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(i) disclosing a trade secret or other confidential research, development, or commercial information;

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(e) Contempt. The issuing court may hold in contempt a person who, having been served, fails without adequate excuse to obey the subpoena. A nonparty’s failure to obey must be excused if the subpoena purports to require the nonparty to attend or produce at a place outside the limits of Rule 45(c)(3)(A)(ii).

EXHIBIT A

I. DEFINITIONS

1. "PLAINTIFF," "PERSONALIZED USER MODEL" or "PUM," shall mean plaintiff Personalized User Model, LLC, and its agents, officers, employees, representatives and attorneys, and any and all of its predecessor or successor companies, corporations or business entities.
2. "KATHARINA WANG SCHUSTER," "YOU," or "YOUR" shall mean Katharina Wang Schuster, the patent attorney with responsibilities for the prosecution of U.S. Patent No. 6,981,040.
3. "DOCUMENT" or "DOCUMENTS" shall include all written, graphic or otherwise recorded material, including without limitation, microfilms or other film records or impressions, tape recordings or computer cards, floppy disks or printouts, any and all papers, photographs, films, recordings, memoranda, books, records, accounts, communications, letters, telegrams, correspondence, notes of meetings, notes of conversations, notes of telephone calls, inter-office memoranda or written communications of any nature, recordings of conversations either in writings or upon any mechanical or electrical recording devices, including electronic mail ("e-mail"), notes, papers, reports, analyses, invoices, canceled checks or check stubs, receipts, minutes of meetings, time sheets, diaries, desk calendars, ledgers, schedules, licenses, financial statements, telephone bills, logs, and any differing versions of any of the foregoing, whether so denominated, formal, informal or otherwise, as well as copies of the foregoing which differ in any way, including by the addition of handwritten notations or other written or printed matter of any nature, from the original. The foregoing specifically includes information stored in a computer database and capable of being generated in documentary form, such as electronic mail.
4. "THING" as used herein means any physical object other than a "DOCUMENT."

(a) "PERSON" refers to any individual, corporation, proprietorship, association, joint venture, company, partnership or other business or legal entity, including governmental bodies and agencies.

5. "REFLECT," "REFLECTING," "RELATE TO," "REFER TO," "RELATING TO," and "REFERRING TO" shall mean relating to referring to, concerning, mentioning, reflecting, pertaining to, evidencing, involving, describing, discussing, commenting on, embodying, responding to, supporting, contradicting, or constituting (in whole or in part), as the context makes appropriate.

6. The "'040 PATENT" shall mean U.S. Patent No. 6,981,040.

7. The "'031 PATENT" shall mean U.S. Patent No. 7,320,031.

8. The "'276 PATENT" shall mean U.S. Patent No. 7,685,276.

9. The term "RELATED PATENTS/APPLICATIONS" shall mean (1) any United States or foreign patent or patent application related to the '040 PATENT or the '031 PATENT by way of subject matter or claimed priority date, (2) all parent, grandparent or earlier, divisional, continuation, continuation-in-part, provisionals, reissue, reexamination, and foreign counterpart patents and applications of thereof, and/or (3) any patent or patent application filed by one of more of the same applicant(s) (or his or her assignees) that refers to any of (1) or (2) herein.

10. The term "LAWSUIT" shall mean Personalized User Model LLP's lawsuit against Google Inc. filed on July 16, 2009, in the U.S. District Court, District of Delaware, Case 1:09-cv-00525-JJF.

11. The singular form of words shall include the plural, and the plural shall include the singular.

II. INSTRUCTIONS

1. If any portion of a DOCUMENT or THING is responsive to a request, the entire DOCUMENT or THING shall be produced, redacting only privileged material if any.

2. YOU are to produce the original and each non-identical copy of each DOCUMENT or THING requested herein that is in YOUR possession, custody or control.

3. DOCUMENTS produced pursuant to these requests shall be produced in the original files and shall not be shuffled or otherwise rearranged. DOCUMENTS which were stapled, clipped, or otherwise fastened together shall be produced in that form.

4. THINGS produced pursuant to these requests shall be produced in their present form and shall not be changed or modified in any way.

5. In the event that any DOCUMENT or THING called for by these requests or subsequent requests is to be withheld on the basis of a claim of privilege or immunity from discovery, that DOCUMENT or THING is to be identified by stating:

- (a) the author(s), addressee(s) and any indicated or blind copyee(s);
- (b) the DOCUMENT's or THING's date, number of pages and attachments or appendices;
- (c) the subject matter(s) of the document;
- (d) the nature of the privilege or immunity asserted; and
- (e) any additional facts upon which you would base your claim of privilege or immunity.

6. In the event that any DOCUMENT or THING called for by these requests or subsequent requests has been destroyed or discarded, that DOCUMENT or THING is to be identified by stating:

- (a) the author(s), addressee(s) and any indicated or blind copyee(s);
- (b) the DOCUMENT's or THING's date, number of pages and attachments or appendices;
- (c) the DOCUMENT's or THING's subject matter;
- (d) the date of destruction or discard, manner of destruction or discard, and reason for destruction or discard;

(e) the PERSONS who were authorized to carry out such destruction or discard; and

(f) whether any copies of the DOCUMENT or THING presently exist and, if so, the name of the custodian of each copy.

6. These Requests shall be deemed continuing so as to require further and supplemental production in accordance with the Federal Rules of Civil Procedure.

III. REQUESTS FOR PRODUCTION

1. All DOCUMENTS or THINGS that REFER or RELATE to the '031, '040 or '276 PATENTS or any RELATED PATENTS/APPLICATIONS, including without limitation any DOCUMENTS that relate to the drafting and prosecution of the '031, '040 and '276 PATENTS or RELATED PATENTS/APPLICATIONS and including without limitation any opinions, analyses and/or investigations of infringement of such patents.

2. All DOCUMENTS or THINGS that REFER or RELATE to the priority claim made in the '031, '040 and '276 PATENTS.

3. All prior art to the '031, '040 or '276 PATENTS, including publications, references, or THINGS asserted by third parties to be prior art, or evaluated by YOU as potential prior art.

4. All DOCUMENTS or THINGS that REFER or RELATE TO or identify the conception and/or reduction to practice of any invention disclosed, described, or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS, including, but not limited to, notebooks and research notes.

5. All DOCUMENTS RELATING TO diligence between the dates of conception and reduction to practice of any alleged invention described, disclosed, or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

6. All DOCUMENTS or THINGS that REFER or RELATE to any communications or correspondence between YOU and any other person or entity regarding the technology

relating to the purported inventions disclosed, described, or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

7. All DOCUMENTS or THINGS that REFER or RELATE to the first written description, first disclosure, and best mode of practice of any alleged invention described, disclosed, or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

8. All COMMUNICATIONS, including correspondence and memoranda, with foreign patent agents or third parties, RELATED TO the prosecution of the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

9. All DOCUMENTS RELATING TO the design or development of any alleged invention described, disclosed, or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS, including any invention disclosure forms and prototypes.

10. All DOCUMENTS RELATING TO any publications, sale, offer for sale, or public use prior to July 5, 2001 of any methods or systems related to personalized search or any alleged invention disclosed, described, or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

11. All DOCUMENTS or THINGS challenging, questioning, analyzing, or otherwise RELATING TO the patentability, validity, enforceability, or infringement of any alleged invention described, disclosed, or claimed in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

12. All DOCUMENTS recording or RELATED TO the ownership, assignment or conveyance of any interest in the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS.

13. All communications with any law or patent firms in addition to YOU that participated in the prosecution of the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS, that REFER or RELATE to that prosecution.

14. All DOCUMENTS or THINGS that REFER or RELATE to any and all versions of software designed, manufactured, or marketed by Yochai Konig, Roy Twersky, Michael R. Berthold and/or Utopy Inc.

15. All DOCUMENTS or THINGS that REFER or RELATE to Personalized User Model LLP.

16. All COMMUNICATIONS with attorneys or agents of any of the following: Personalized User Model LLP, Yochai Konig, Roy Twersky, or Michael R. Berthold RELATING TO the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS or the LAWSUIT.

17. All notes or minutes from any meetings or telephone conferences with the United States Patent and Trademark Office, Personalized User Model LLP, Yochai Konig, Roy Twersky, or Michael R. Berthold in which Personalized User Model LLP, the '031, '040 or '276 PATENTS or RELATED PATENTS/APPLICATIONS, or the LAWSUIT were discussed.

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CERTIFICATE OF SERVICE

I, David E. Moore, hereby certify that on September 21, 2010, the attached document was electronically filed with the Clerk of the Court using CM/ECF which will send notification to the registered attorney(s) of record that the document has been filed and is available for viewing and downloading.

I further certify that on September 21, 2010, the attached document was Electronically Mailed to the following person(s):

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