

EXHIBIT A

Andrea P Roberts

From: Scott Leslie [SLeslie@cravath.com]
Sent: Friday, April 22, 2011 8:28 AM
To: Andrea P Roberts
Cc: ahale@cravath.com; aharasymiak@cravath.com; AMayo@ashby-geddes.com; Fenwick, Anthony I.; Lisson, David; Moore, David E.; Google-Xerox; jblumenfeld@mnat.com; Brodsky, Jeremy; Imaguire@ashby-geddes.com; mnoreika@mnat.com; Horwitz, Richard L.; Richard Stark
Subject: Re: Xerox v. Google

Andrea -

Xerox declines Defendants' proposal to delay the schedule ordered by the Court in February. As you know, Judge Stark set the dates for expert discovery and dispositive motions at the same time he set the dates for the *Markman* briefing and hearing. Since then, nothing has occurred that would warrant postponing any of those dates.

Best,

Scott

Scott A. Leslie
Cravath, Swaine & Moore LLP
825 Eighth Avenue
New York, NY 10019
(212) 474-1778 (phone)
(212) 474-3700 (fax)

From: Andrea P Roberts <andreaproberts@quinnemanuel.com>
To: Scott Leslie <SLeslie@cravath.com>, "aharasymiak@cravath.com" <aharasymiak@cravath.com>, "ahale@cravath.com" <ahale@cravath.com>, Richard Stark <RStark@cravath.com>, "AMayo@ashby-geddes.com" <AMayo@ashby-geddes.com>, "Imaguire@ashby-geddes.com" <Imaguire@ashby-geddes.com>
Cc: Google-Xerox <Google-Xerox@quinnemanuel.com>, "Horwitz, Richard L." <rhorwitz@Potteranderson.com>, "Moore, David E." <dmoore@potteranderson.com>, "Fenwick, Anthony I." <anthony.fenwick@davispolk.com>, "Lisson, David" <david.lisson@davispolk.com>, "Brodsky, Jeremy" <jeremy.brodsky@davispolk.com>, "jblumenfeld@mnat.com" <jblumenfeld@mnat.com>, "mnoreika@mnat.com" <mnoreika@mnat.com>
Date: 04/21/2011 12:57 PM
Subject: Xerox v. Google

Counsel,

I write regarding the expert discovery deadlines in the February 15, 2011 Scheduling Order. Under the current schedule, opening expert reports are due on July 29, regardless of whether the Court has issued an order on claim construction. Based on the Court's current schedule, it seems unlikely that we will have a claim construction order before that date. Accordingly, we believe it would make more sense for the expert discovery and dispositive motion deadlines to trigger off of the date the Court issues its claim construction order. Defendants suggest the following:

Opening expert reports: due 45 days after claim construction order

Rebuttal expert reports: due 30 days after service of opening expert reports

Reply expert reports: due 21 days after service of rebuttal expert reports

Expert depositions: to be completed within 30 days after service of reply expert reports

Dispositive motions: due within 30 days of the close of expert discovery. No case dispositive motion under Rule 56 may be filed more than ten (10) days before this date without leave of Court.

We look forward to Xerox's thoughts.

Thanks,

Andrea

Andrea Pallios Roberts

Quinn Emanuel Urquhart & Sullivan, LLP

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EXHIBIT B



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UNITED STATES DEPARTMENT OF COMMERCE
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Alexandria, Virginia 22313-1450
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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
95/001,430	09/08/2010	6778979	19473-0036RX1	1480

11 580 7590 03/07/2011
Schwegman Lundberg & Woessner/Xerox
P.O. Box 2938
Minneapolis, MN 55402

EXAMINER

WOOD, WILLIAM H

ART UNIT	PAPER NUMBER
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3992

MAIL DATE	DELIVERY MODE
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03/07/2011

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.



UNITED STATES PATENT AND TRADEMARK OFFICE

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THIRD PARTY REQUESTER'S CORRESPONDENCE ADDRESS
FISH & RICHARDSON P.C.
P.O. BOX 1022
MINNEAPOLIS, MN 55440-1022

Date:

MAILED
MAR 07 2011

CENTRAL REEXAMINATION UNIT

**Transmittal of Communication to Third Party Requester
Inter Partes Reexamination**

REEXAMINATION CONTROL NO. : 95001430
PATENT NO. : 6778979
TECHNOLOGY CENTER : 3999
ART UNIT : 3992

Enclosed is a copy of the latest communication from the United States Patent and Trademark Office in the above identified Reexamination proceeding. 37 CFR 1.903.

Prior to the filing of a Notice of Appeal, each time the patent owner responds to this communication, the third party requester of the inter partes reexamination may once file written comments within a period of 30 days from the date of service of the patent owner's response. This 30-day time period is statutory (35 U.S.C. 314(b)(2)), and, as such, it cannot be extended. See also 37 CFR 1.947.

If an ex parte reexamination has been merged with the inter partes reexamination, no responsive submission by any ex parte third party requester is permitted.

All correspondence relating to this inter partes reexamination proceeding should be directed to the Central Reexamination Unit at the mail, FAX, or hand-carry addresses given at the end of the communication enclosed with this transmittal.

OFFICE ACTION IN INTER PARTES REEXAMINATION	Control No.	Patent Under Reexamination	
	95/001,430	6778979	
	Examiner	Art Unit	
	WILLIAM H. WOOD	3992	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address. --

Responsive to the communication(s) filed by:

Patent Owner on _____

Third Party(ies) on 8 September 2010

RESPONSE TIMES ARE SET TO EXPIRE AS FOLLOWS:

For Patent Owner's Response:

2 MONTH(S) from the mailing date of this action. 37 CFR 1.945. EXTENSIONS OF TIME ARE GOVERNED BY 37 CFR 1.956.

For Third Party Requester's Comments on the Patent Owner Response:

30 DAYS from the date of service of any patent owner's response. 37 CFR 1.947. NO EXTENSIONS OF TIME ARE PERMITTED. 35 U.S.C. 314(b)(2).

All correspondence relating to this inter partes reexamination proceeding should be directed to the **Central Reexamination Unit** at the mail, FAX, or hand-carry addresses given at the end of this Office action.

This action is not an Action Closing Prosecution under 37 CFR 1.949, nor is it a Right of Appeal Notice under 37 CFR 1.953.

PART I. THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892
2. Information Disclosure Citation, PTO/SB/08.
3. _____

PART II. SUMMARY OF ACTION:

- 1a. Claims 1-20 are subject to reexamination.
- 1b. Claims _____ are not subject to reexamination.
2. Claims _____ have been canceled.
3. Claims _____ are confirmed. [Unamended patent claims]
4. Claims _____ are patentable. [Amended or new claims]
5. Claims 1-20 are rejected.
6. Claims _____ are objected to.
7. The drawings filed on _____ are acceptable are not acceptable.
8. The drawing correction request filed on _____ is: approved. disapproved.
9. Acknowledgment is made of the claim for priority under 35 U.S.C. 119 (a)-(d). The certified copy has:
 - been received. not been received. been filed in Application/Control No 95001430.
10. Other _____

Transmittal of Communication to Third Party Requester Inter Partes Reexamination	Control No.	Patent Under Reexamination	
	95/001,430	6778979	
	Examiner	Art Unit	
	WILLIAM H. WOOD	3992	

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If an *ex parte* reexamination has been merged with the *inter partes* reexamination, no responsive submission by any *ex parte* third party requester is permitted.

All correspondence relating to this *inter partes* reexamination proceeding should be directed to the **Central Reexamination Unit** at the mail, FAX, or hand-carry addresses given at the end of the communication enclosed with this transmittal.

DETAILED ACTION

Reexamination (*Inter Partes*) has been requested by a third party for claims 1-20 of U.S. Patent 6,778,979 to Grefenstette et al. which issued on 08/17/2004 (*Grefenstette*).

A substantial new question of patentability affecting claims 1-20 of U.S. Patent 6,778,979 to Grefenstette et al. is raised by the Request for *Inter Partes* Reexamination filed 09/08/2010.

The following is the Office action on the merits.

Request Established References

The Request for Reexamination argues the following patents and/or printed publications provide teachings relevant to the claims of requested reexamination of patent 6,778,979 (*Grefenstette*):

- 1) WO 01/44992 A1, PCT Application Number PCT/US00/41713, published 06/21/2001. (herein *Wieser*)
- 2) Rhodes et al. (USPN 6,236,768) issued 05/22/2001, filed 05/01/1998. (herein *Rhodes*)
- 3) Stibel (USPN 7,089,236) issued 08/08/2006, filed 10/13/1999. (herein *Stibel*)

- 4) Pazzani et al., "Syskill & Webert: Identifying interesting web sites", published 1996. (herein *Syskill*)
- 5) Black et al. (USPN 6,546,386) issued 04/08/2003, filed 10/31/2000. (herein *Black*)
- 6) Donaldson et al. (USPN 7,225,180) issued 05/29/2007, filed 12/28/2000. (herein *Donaldson*)
- 7) Mauldin (USPN 5,748,954) issued 05/05/1998, filed 06/05/1995. (herein *Mauldin*)
- 8) Weiss et al., "HyPursuit: A Hierarchical Network Search Engine that Exploits Content-Linked Hypertext Clustering", published 1996. (herein *HyPursuit*)
- 9) Reader (US Patent Application Publication US 2002/0147738 A1) published 10/10/2002, filed 04/06/2001. (herein *Reader*)
- 10) Mase et al., "Experimental Simulation for Automatic Patent Categorization", published 1996. (herein *Mase*)

Claim Rejections - 35 USC § 102 and § 103

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Art Unit: 3992

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

Adopted and Not Adopted Rejections

The following is a *summary* of the status of the adopted and not adopted third party proposed rejections, in light of the third party Request for Reexamination (09/08/2010) and making use of the numbering scheme established in the request:

Adopted – Grounds 1-14.

The following is an *explanation* of the adopted and not adopted third party proposed rejections, in light of the third party Request for Reexamination (09/08/2010) and making use of the numbering scheme established in the request:

Ground 1.

Claims 1, 5, 10, 13, 14 and 18 are proposed to be rejected under 35 U.S.C. 102(e) as being anticipated by *Reader*.

This rejection is proposed by the third party requester in the request for reexamination (09/08/2010), and it is **adopted** for the reasons set forth in the request for reexamination (pages 34-44; all of which is hereby incorporated by reference; and including the appropriate claim charts).

Ground 2.

Claims 1, 5, 10, 13, 14 and 18 are proposed to be rejected under 35 U.S.C. 103(a) as being unpatentable over *Reader* in view of *Mase*.

This rejection is proposed by the third party requester in the request for reexamination (09/08/2010), and it is **adopted** for the reasons set forth in the request for reexamination (pages 44-60; all of which is hereby incorporated by reference; and including the appropriate claim charts).

Ground 3.

Claims 1, 5, 6, 10-14 and 18 are proposed to be rejected under 35 U.S.C. 102(a)/102(e) as being anticipated by *Wieser*.

This rejection is proposed by the third party requester in the request for reexamination (09/08/2010), and it is **adopted** for the reasons set forth in the request for reexamination (pages 60-71; all of which is hereby incorporated by reference; and including the appropriate claim charts).

Ground 4.

Claims 2, 7, 15 and 19 are proposed to be rejected under 35 U.S.C. 103(a) as being unpatentable over *Wieser* in view of *Stibel*.

This rejection is proposed by the third party requester in the request for reexamination (09/08/2010), and it is **adopted** for the reasons set forth in the request for reexamination (pages 74-74; all of which is hereby incorporated by reference; and including the appropriate claim charts).

Ground 5.

Claims 3 and 8 are proposed to be rejected under 35 U.S.C. 103(a) as being unpatentable over *Wieser* in view of *Stibel* and in further view of *Syskill*.

This rejection is proposed by the third party requester in the request for reexamination (09/08/2010), and it is **adopted** for the reasons set forth in the request for reexamination (pages 74-75; all of which is hereby incorporated by reference; and including the appropriate claim charts).

Ground 6.

Claims 1, 2, 5-7, 10-15 and 18-19 are proposed to be rejected under 35 U.S.C. 102(a)/102(e) as being anticipated by *Rhodes*.

This rejection is proposed by the third party requester in the request for reexamination (09/08/2010), and it is **adopted** for the reasons set forth in the request

for reexamination (pages 75-92; all of which is hereby incorporated by reference; and including the appropriate claim charts).

Ground 7.

Claims 4, 16-17 and 20 are proposed to be rejected under 35 U.S.C. 103(a) as being unpatentable over *Rhodes* in view of *Stibel*.

This rejection is proposed by the third party requester in the request for reexamination (09/08/2010), and it is **adopted** for the reasons set forth in the request for reexamination (pages 93-95; all of which is hereby incorporated by reference; and including the appropriate claim charts).

Ground 8.

Claims 3 and 8 are proposed to be rejected under 35 U.S.C. 103(a) as being unpatentable over *Rhodes* in view of *Syskill*.

This rejection is proposed by the third party requester in the request for reexamination (09/08/2010), and it is **adopted** for the reasons set forth in the request for reexamination (pages 95-96; all of which is hereby incorporated by reference; and including the appropriate claim charts).

Ground 9.

Claim 9 is proposed to be rejected under 35 U.S.C. 103(a) as being unpatentable over *Rhodes* in view of *Black* in view of *Syskill* and in further view of *Mauldin*.

This rejection is proposed by the third party requester in the request for reexamination (09/08/2010), and it is **adopted** for the reasons set forth in the request for reexamination (pages 96-98; all of which is hereby incorporated by reference; and including the appropriate claim charts).

Ground 10.

Claims 1, 2, 4-7 and 10-20 are proposed to be rejected under 35 U.S.C. 103(a) as being unpatentable over *Black* in view of *HyPursuit*.

This rejection is proposed by the third party requester in the request for reexamination (09/08/2010), and it is **adopted** for the reasons set forth in the request for reexamination (pages 99-120; all of which is hereby incorporated by reference; and including the appropriate claim charts).

Ground 11.

Claims 3 and 8 are proposed to be rejected under 35 U.S.C. 103(a) as being unpatentable over *Black* in view of *HyPursuit* and in further view of *Syskill*.

This rejection is proposed by the third party requester in the request for reexamination (09/08/2010), and it is **adopted** for the reasons set forth in the request for reexamination (pages 120-121; all of which is hereby incorporated by reference; and including the appropriate claim charts).

Ground 12.

Claims 1, 5, 6, 10-14 and 18 are proposed to be rejected under 35 U.S.C. 103(a) as being unpatentable over *Black* in view of *Donaldson*.

This rejection is proposed by the third party requester in the request for reexamination (09/08/2010), and it is adopted for the reasons set forth in the request for reexamination (pages 121-138; all of which is hereby incorporated by reference; and including the appropriate claim charts).

Ground 13.

Claims 2, 4, 7, 15-17, 19 and 20 are proposed to be rejected under 35 U.S.C. 103(a) as being unpatentable over *Black* in view of *Donaldson* and in further view of *Stibel*.

This rejection is proposed by the third party requester in the request for reexamination (09/08/2010), and it is adopted for the reasons set forth in the request for reexamination (pages 139-143; all of which is hereby incorporated by reference; and including the appropriate claim charts).

Ground 14.

Claims 3 and 8 are proposed to be rejected under 35 U.S.C. 103(a) as being unpatentable over *Black* in view of *Donaldson* in view of *Stibel* and in further view of *Syskill*.

This rejection is proposed by the third party requester in the request for reexamination (09/08/2010), and it is **adopted** for the reasons set forth in the request for reexamination (pages 143-145; all of which is hereby incorporated by reference; and including the appropriate claim charts).

Important Reexamination Notices

Extensions of Time

Extensions of time under 37 CFR 1.136(a) will not be permitted in these proceedings because the provisions of 37 CFR 1.136 apply only to "an applicant" and not to parties in a reexamination proceeding. Additionally, 35 U.S.C. 314(c) requires that reexamination proceedings "will be conducted with special dispatch" (37 CFR 1.937(a)). Patent Owner extensions of time in *inter partes* reexamination proceedings are provided for in 37 CFR 1.956. Extensions of time are not available for third party requester comments, because a comment period of 30 days from service of patent owner's response is set by statute. 35 U.S.C. 314(b)(2).

Service of Papers

After filing of a request for *inter partes* reexamination by a third party requester, any document filed by either the patent owner or the third party requester must be served on the other party (or parties where two or more third party requester proceedings are merged) in the reexamination proceeding in the manner provided in 37

CFR 1.248. The document must reflect service or the document may be refused consideration by the Office. See 37 CFR 1.550(f) and 1.903.

Litigation Reminder

The patent owner is reminded of the continuing responsibility under 37 CFR 1.565(a) and 1.985(a) to apprise the Office of any litigation activity, or other prior or concurrent proceeding, involving Patent No. 6,778,979 throughout the course of this reexamination proceeding. The third party requester is also reminded of the ability to similarly apprise the Office of any such activity or proceeding throughout the course of this reexamination proceeding. See MPEP §§ 2207, 2282, 2286, 2682 and 2686.

Correspondence Information

All correspondence relating to this *Inter Partes* reexamination proceeding should be directed:

By Mail to: Mail Stop *Inter Partes* Reexam
 Central Reexamination Unit
 Commissioner for Patents
 United States Patent & Trademark Office
 P.O. Box 1450
 Alexandria, VA 22313-1450

By FAX to: (571) 273-9900
 Central Reexamination Unit

By hand: Customer Service Window
 Randolph Building
 401 Dulany Street
 Alexandria, VA 22314

Any inquiry concerning this communication or earlier communications from the Reexamination Legal Advisor or Examiner, or as to the status of this proceeding should be directed to the Central Reexamination Unit at telephone number (571)272-7705.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR systems, see <http://pair-direct.uspto.gov>. For questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

/William H. Wood/
Primary Examiner, CRU AU 3992
February 18, 2011

Conferees:

___/EBK/___

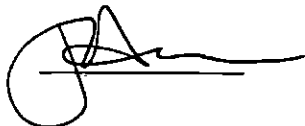


EXHIBIT C

**Decision on Petition for Extension
of Time in Reexamination**

Control No.: 95/001,430

1. THIS IS A DECISION ON THE PETITION FILED 12 April 2011.
2. THIS DECISION IS ISSUED PURSUANT TO:
 - A. 37 CFR 1.550(c) – The time for taking any action by a patent owner in an *ex parte* reexamination proceeding will be extended only for sufficient cause and for a reasonable time specified.
 - B. 37 CFR 1.956 – The time for taking any action by a patent owner in an *inter partes* reexamination proceeding will be extended only for sufficient cause and for a reasonable time specified.
The petition is before the Central Reexamination Unit for consideration.
3. FORMAL MATTERS
Patent owner requests that the period for responding to the Office action dated 07 March 2011 which sets a two (2) month period for filing a response to the Office action, be extended by one (1) month.
 - A. Petition fee per 37 CFR §1.17(g):
 - i. Petition includes authorization to debit a deposit account.
 - ii. Petition includes authorization to charge a credit card account.
 - iii. Other: _____
 - B. Proper certificate of service was provided. (Not required in reexamination where patent owner is requester.)
 - C. Petition was timely filed.
 - D. Petition properly signed.
4. DECISION (See MPEP 2265 and 2665)
 - A. Granted or Granted-in-part for one (1) month, because petitioner provided a factual accounting that established sufficient cause. (See 37 CFR 1.550(c) and 37 CFR 1.956).
 - B. Other/comment: see attached
 - C. Dismissed because:
 - i. Formal matters (See unchecked box(es) (A, B, C and/or D) in section 4 above).
 - ii. Petitioner failed to provide a factual accounting of reasonably diligent behavior by all those responsible for preparing a response to the outstanding Office action within the statutory time period.
 - iii. Petitioner failed to explain why, in spite of the action taken thus far, the requested additional time is needed.
 - iv. The statements provided fail to establish sufficient cause to warrant extension of the time for taking action (See attached).
 - v. The petition is moot.
 - vi. Other/comment: _____

5. CONCLUSION

Telephone inquiries with regard to this decision should be directed to Mark Reinhart at 571-272-1611. In his/her absence, calls may be directed to Eric Keasel at 571-272-4929 in the Central Reexamination Unit.

/Mark Reinhart/
[Signature]

SPE, AU 3992 Central Reexamination Unit
(Title)

EXHIBIT D

CRAVATH, SWAINE & MOORE LLP

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RICHARD W. CLARY
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SANDRA C. GOLDSTEIN
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MICHAEL S. GOLDMAN
RICHARD HALL
ELIZABETH L. GRAYER
JULIE A. NORTH
ANDREW W. NEEDHAM
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PHILIP J. BOECKMAN
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FAIZA J. SAEED
RICHARD J. STARK
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JAMES C. WOOLERY
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MICHAEL T. REYNOLDS
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GEORGE A. STEPHANAKIS
DARIN P. MCATEE
GARY A. BORNSTEIN
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KARIN A. DEMASI
LIZABETHANN R. EISEN
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DAVID GREENWALD
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GEORGE F. SCHOEN
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MINH VAN NGO

SPECIAL COUNSEL
SAMUEL C. BUTLER
GEORGE J. GILLESPIE, III

OF COUNSEL
PAUL C. SAUNDERS

December 28, 2010

Xerox Corp. v. Google Inc., et al., C.A. No. 10-136-LPS-MPT

Dear Gene:

Enclosed please find a CD of documents bearing bates numbers
XR01031223 to XR01036847. Please note that various documents in this production
have been designated "Confidential" or "Confidential - Outside Counsel Only".

With this CD, Xerox believes it has completed document production in
this case. Xerox requests that Google likewise confirms that it has completed document
production or provide Xerox with a date by which Google's production will be complete.

Should you have any questions, please do not hesitate to contact me.

Very truly yours,



Scott A. Leslie

Eugene Novikov
Quinn Emanuel Urquhart & Sullivan LLP
50 California Street, 22nd Floor
San Francisco, CA 94111-4788

BY EMAIL & UPS

EXHIBIT E

quinn emanuel trial lawyers | san francisco

50 California Street, 22nd Floor, San Francisco, California 94111-4788 | TEL: (415) 875-6600 FAX: (415) 875-6700

WRITER'S DIRECT DIAL NO.
(415) 875-6308

WRITER'S INTERNET ADDRESS
eugenenovikov@quinnemanuel.com

January 28, 2011

VIA EMAIL

Scott Leslie
Cravath Swaine & Moore LLP
Worldwide Plaza
825 Eighth Ave.
New York, NY 10019

Re: *Xerox Corp. v. Google Inc. et al.*, C.A. No. 10-136-LPS

Dear Scott:

I write regarding the depositions of the named inventors and prosecuting attorneys of the '979 patent.

Plaintiff's initial disclosures state that these witnesses may be contacted only through Plaintiff's counsel. They also state that one of the named inventors, Gregory T. Grefenstette, and one of the prosecuting attorneys, Thomas Zell, reside in France. Please let us know whether Mr. Grefenstette and Mr. Zell will be made available for deposition in the United States or in another location where a deposition will be practicable.

Please also confirm that Mr. James Shanahan will be made available for deposition in San Francisco.

Please provide available dates for both named inventors and Mr. Zell in March, and also let us know as soon as you are able whether they will be represented by counsel in connection with the depositions, and, if so, by whom. We can discuss further on Monday's call.

quinn emanuel urquhart & sullivan, llp

LOS ANGELES | 865 South Figueroa Street, 10th Floor, Los Angeles, California 90017-2543 | TEL (213) 443-3000 FAX (213) 443-3100
NEW YORK | 51 Madison Avenue, 22nd Floor, New York, New York 10010-1601 | TEL (212) 849-7000 FAX (212) 849-7100
SILICON VALLEY | 555 Twin Dolphin Drive, 5th Floor, Redwood Shores, California 94065-2139 | TEL (650) 801-5000 FAX (650) 801-5100
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TOKYO | 15F Hibiya Bldg., 25F, 1-1-7, Uchisaiwai-cho, Chiyoda-ku, Tokyo 100-0011, Japan | TEL +81 3 5510 1711 FAX +81 3 5510 1712
MANNHEIM | Erzbergerstraße 5, 68165 Mannheim, Germany | TEL +49(0) 621 43298 6000 FAX +49(0) 621 43298 6100

Sincerely,

/s/

Eugene Novikov

EXHIBIT F

Andrea P Roberts

From: Scott Leslie [SLeslie@cravath.com]
Sent: Tuesday, February 08, 2011 5:52 PM
To: Andrea P Roberts
Cc: ahale@cravath.com; aharasymiak@cravath.com; AMayo@ashby-geddes.com; angela.quach@davispolk.com; Fenwick, Anthony I.; Lisson, David; Moore, David E.; felicia.yu@davispolk.com; Google-Xerox; jblumenfeld@mnat.com; jday@ashby-geddes.com; Brodsky, Jeremy; Imaguire@ashby-geddes.com; Horwitz, Richard L.
Subject: Xerox v. Google - Depositions for Drs. Grefenstette and Shanahan

Counsel -

Following up on my letter of earlier today, we have confirmed with Dr. Grefenstette and Dr. Shanahan that they are available for depositions in late April. Specifically, Dr. Grefenstette is available for deposition in New York on Wednesday, April 27, and Dr. Shanahan is available in New York on Friday, April 29. Because both deponents will have to travel to New York from Europe, we would like to confirm these dates as soon as possible. Please let us know if these dates present problems. As with the proposed deposition date for Mr. Zell stated in my letter, if we do not hear from you by Friday, we will assume Dr. Grefenstette's and Dr. Shanahan's depositions will proceed on these dates.

Best,

Scott

Scott A. Leslie
Cravath, Swaine & Moore LLP
825 Eighth Avenue
New York, NY 10019
(212) 474-1778 (phone)
(212) 474-3700 (fax)

From: Scott Leslie/NYC/Cravath
To: Andrea P Roberts <andreaproberts@quinnemanuel.com>
Cc: "ahale@cravath.com" <ahale@cravath.com>, "aharasymiak@cravath.com" <aharasymiak@cravath.com>, "AMayo@ashby-geddes.com" <AMayo@ashby-geddes.com>, "angela.quach@davispolk.com" <angela.quach@davispolk.com>, "Fenwick, Anthony I." <anthony.fenwick@davispolk.com>, "Lisson, David" <david.lisson@davispolk.com>, "Moore, David E." <dmoore@potteranderson.com>, "felicia.yu@davispolk.com" <felicia.yu@davispolk.com>, Google-Xerox <Google-Xerox@quinnemanuel.com>, "jblumenfeld@mnat.com" <jblumenfeld@mnat.com>, "jday@ashby-geddes.com" <jday@ashby-geddes.com>, "Brodsky, Jeremy" <jeremy.brodsky@davispolk.com>, "Imaguire@ashby-geddes.com" <Imaguire@ashby-geddes.com>, "Horwitz, Richard L." <rhowitz@Potteranderson.com>
Date: 02/08/2011 05:30 PM
Subject: Re: Xerox v. Google

Counsel -

Please see the attached correspondence.

Best,

Scott

Scott A. Leslie

Cravath, Swaine & Moore LLP
825 Eighth Avenue
New York, NY 10019
(212) 474-1778 (phone)
(212) 474-3700 (fax)

[attachment "2011-02-08 - Ltr. to Defendants re meet and confer.pdf" deleted by Scott Leslie/NYC/Cravath]

From: Andrea P Roberts <andreaproberts@quinnemanuel.com>
To: "aharasymiak@cravath.com" <aharasymiak@cravath.com>, "ahale@cravath.com" <ahale@cravath.com>, Scott Leslie <SLeslie@cravath.com>, "AMayo@ashby-geddes.com" <AMayo@ashby-geddes.com>, "jday@ashby-geddes.com" <jday@ashby-geddes.com>, "lmaquire@ashby-geddes.com" <lmaquire@ashby-geddes.com>
Cc: Google-Xerox <Google-Xerox@quinnemanuel.com>, "Horwitz, Richard L." <rhowitz@Potteranderson.com>, "Moore, David E." <dmoore@potteranderson.com>, "angela.quach@davispolk.com" <angela.quach@davispolk.com>, "Fenwick, Anthony I." <anthony.fenwick@davispolk.com>, "Lisson, David" <david.lisson@davispolk.com>, "felicia.yu@davispolk.com" <felicia.yu@davispolk.com>, "jblumenfeld@mnat.com" <jblumenfeld@mnat.com>, "Brotsky, Jeremy" <jeremy.brotsky@davispolk.com>
Date: 02/02/2011 12:57 PM
Subject: Xerox v. Google

Andrei,

Please see attached.

Andrea Pallios Roberts
Quinn Emanuel Urquhart & Sullivan, LLP

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[attachment "2.2.11 letter to A. Harasymiak re meet and confer.pdf" deleted by Scott Leslie/NYC/Cravath]

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EXHIBIT G

Andrea P Roberts

From: Scott Leslie [SLeslie@cravath.com]
Sent: Monday, February 14, 2011 4:56 PM
To: Andrea P Roberts
Cc: 'ahale@cravath.com'; 'aharasymiak@cravath.com'; 'AMayo@ashby-geddes.com'; 'Fenwick, Anthony I.'; 'Lisson, David'; 'Moore, David E.'; 'Google-Xerox'; 'jday@ashby-geddes.com'; 'Brodsky, Jeremy'; 'Imaguire@ashby-geddes.com'; 'rhorwitz@Potteranderson.com'; 'Richard Stark'
Subject: Re: Xerox v. Google

Counsel -

I write in response to Andrea's email below regarding deposition dates for Mr. Zell and the inventors of the '979 Patent, as well as to address other outstanding issues.

First, Defendants initially requested deposition dates for Mr. Zell and Drs. Grefenstette and Shanahan in March 2011. Mr. Zell arranged his schedule so that he could come to New York from France in the middle of March. Defendants then changed their minds, and now request that Mr. Zell's deposition be held in the last few days of March or the first week of April. Despite Defendants' shifting demands, Mr. Zell has been able to rearrange his schedule so that he can be available for deposition here in New York on April 7, 2011. Please confirm immediately that this date works for Defendants.

The April dates proposed for Dr. Grefenstette and Dr. Shanahan reflected their preferences based on their work and travel schedules over the next few months and the fact that at least one of them will have to travel to the U.S. from Europe for his deposition. Again, Defendants rejected Xerox's dates, and now propose a window of just four days within which to schedule both depositions. Despite the unreasonableness of that request, both Dr. Grefenstette and Dr. Shanahan have been able to modify their schedules so as to be available in New York for depositions during the week of March 28. Specifically, Dr. Grefenstette is available for deposition in New York on Wednesday, March 30, and Dr. Shanahan is available for deposition in New York on Friday, April 1. As these dates are directly in line with Defendants' requested period, we assume that Defendants have no further complaints. But please confirm immediately that these dates are acceptable so that both inventors can finalize their travel plans. Xerox trusts Defendants will be equally flexible concerning deposition dates for their witnesses.

Second, as we explained during the parties' January 31 teleconference and in my follow-up letter of February 8, Defendants' completion of document production and Defendants' invalidity contentions are all long overdue. Xerox therefore requests that Yahoo confirm it will be completing document production this week and that both Defendant groups confirm they will be responding in the first instance to Xerox's 30(b)(6) deposition notices regarding document collection and providing detailed invalidity contentions this week as well, as discussed during the parties' teleconference. As for the results of Google's search-term analysis, which continues to delay Google's completion of document production in this case, Xerox notes that the information provided in Google's letter of today on this subject remains wholly insufficient and lacks any of the detail Xerox has repeatedly requested from Google for months. Xerox will address these shortcomings in separate correspondence with Google.

Finally, in my February 9 email concerning claim construction matters, I proposed a meet-and-confer in accordance with the Court's Scheduling Order for this Wednesday, Thursday or Friday to discuss all of the claims at issue and to determine where claim construction disputes exist. We have not received a response from either Defendant group. Please let us know if you are available for a call this week.

Best,

Scott

Scott A. Leslie
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(212) 474-3700 (fax)

From: Andrea P Roberts <andreaproberts@quinnemanuel.com>
To: 'Scott Leslie' <SLeslie@cravath.com>, "ahale@cravath.com" <ahale@cravath.com>, "aharasymiak@cravath.com" <aharasymiak@cravath.com>, "AMayo@ashby-geddes.com" <AMayo@ashby-geddes.com>, "jday@ashby-geddes.com" <jday@ashby-geddes.com>, "Imaguire@ashby-geddes.com" <Imaguire@ashby-geddes.com>, 'Richard Stark' <RStark@cravath.com>
Cc: "Fenwick, Anthony I." <anthony.fenwick@davispolk.com>, "Lisson, David" <david.lisson@davispolk.com>, "Brodsky, Jeremy" <jeremy.brodsky@davispolk.com>, Google-Xerox <Google-Xerox@quinnemanuel.com>, "rhorwitz@Potteranderson.com" <rhorwitz@Potteranderson.com>, "Moore, David E." <dmoore@potteranderson.com>
Date: 02/11/2011 01:07 AM
Subject: Xerox v. Google

Counsel,

I write regarding the three deposition dates offered by Xerox. We are not available to take the Zell deposition on March 17 in New York. Please provide alternative dates.

Additionally, please provide earlier dates for the depositions of Shanahan and Grefenstette. It is not reasonable that they are both unavailable for deposition until the last week of April—two weeks after the parties' responsive claim construction briefs are due. Given that we requested dates for these depositions on January 28 and Xerox thereafter advocated to the Court accelerating the claim construction schedule, Xerox should have advised us earlier of these dates. In any event, it is hard to believe that neither inventor is available at an earlier date. In particular, Xerox's Initial Disclosures state that Dr. Shanahan is in San Francisco. If this is the case, it is unreasonable that Defendants have to wait 11 weeks before flying across the country to depose him.

Accordingly, please provide dates between March 29 and April 1 for the Shanahan and Grefenstette depositions. Please provide dates between March 29 and April 8 for the Zell deposition.

Thank you,

Andrea

Andrea Pallios Roberts
Quinn Emanuel Urquhart & Sullivan, LLP

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EXHIBIT H

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REDACTED IN ITS ENTIRETY**

EXHIBIT I

**THIS EXHIBIT HAS BEEN
REDACTED IN ITS ENTIRETY**