

**Exhibit E - Excerpt from transcript of Jay Taylor deposition of November 30, 2009.**

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- 19 Q. Have you yourself ever recommend that a client do a  
20 patentability search?  
21 A. Yes.  
22 Q. When is the last time you did that?  
23 A. Oh, I don't know. Sometime last year.  
24 Q. Who actually did the search?  
25 A. Um, we have several search firms in DC that we use,

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- 1 contracted with over the years. I don't remember  
2 exactly which one did it.  
3 Q. On this last occasion when you had a search done, did  
4 that search firm send you any type of report?  
5 A. They sent me a letter that just included -- listed  
6 the patents that they thought were pertinent.  
7 Q. Uh-huh. Did they express any comment one way or the  
8 other about any of those patents?  
9 A. Just to the extent to state what was in the patent  
10 that they felt might be pertinent. They never  
11 expressed an opinion one way or the other. They just  
12 provide information and say here it is. And then  
13 from there on, it's for the attorney to make the  
14 determination.  
15 Q. When you were using that search firm, did you send  
16 them any type of correspondence giving them  
17 instructions on what to do?  
18 A. Usually, yeah.  
19 Q. Okay.  
20 A. Sometimes email, sometimes telephone.  
21 Q. When you reviewed the files of Baker & Daniels and  
22 Barnes & Thornburg, did you find any type of  
23 correspondence instructing the search firm on what to  
24 do?  
25 A. No, I did not.

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- 1 Q. Did you find any type of report from the search firm?  
2 A. No, I did not.  
3 Q. When you yourself have used search firms and received  
4 correspondence from them, and sent correspondence to

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5     them, did you keep a copy of that in your files?

6     A. Usually.

7     Q. Why?

8     A. Because I put everything in the file.