

EXHIBIT 2

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

RED BEND LTD. and
RED BEND SOFTWARE INC.,

Plaintiffs,

v.

GOOGLE INC.,

Defendant.

CIVIL ACTION
NO. 09-cv-11813

GOOGLE INC.,

Counterclaim-Plaintiff,

v.

RED BEND LTD. and
RED BEND SOFTWARE INC.,

Counterclaim-Defendants.

**GOOGLE INC.'S RESPONSES TO RED BEND LTD. AND RED BEND SOFTWARE
INC.'S FIRST [SIC] SET OF REQUESTS FOR PRODUCTION (NOS. 1-70)**

Pursuant to Rules 26 and 34 of the Federal Rules of Civil Procedure, Defendant and Counterclaimant Google Inc. responds and objects to Plaintiffs Red Bend Ltd. and Red Bend Software Inc.'s First [sic] Set of Requests for Production of Documents ("Requests").¹

PRELIMINARY STATEMENT

Google has not yet completed its investigation of the facts pertaining to this action and discovery is ongoing. All responses to the following requests are based on information currently known to Google after a reasonable effort to locate information called for by these requests. Accordingly, all responses are given without prejudice to Google's right to produce evidence based on any additional information that may develop or come to Google's attention at a later time. In addition, Google's objections are made without prejudice to Google's right to assert any

¹ On December 3, 2009, Plaintiffs served their first set of requests for production in this action. Google responded to Plaintiffs' requests on December 7, 2009.

additional or supplemental objections should Google discover additional grounds for such objections. Finally, Google's agreement to produce documents in response to any request does not constitute an admission that any such documents in fact exist or are in Google's possession, custody or control.

Google makes its objections and responses without in any manner waiving: (1) the right to object to the use of any response for any purpose in this action or any other actions on grounds of privilege, relevancy, materiality, or any other appropriate basis; (2) the right to object to any other requests or interrogatory involving or relating to the subject matter of the responses herein; and (3) the right to revise, correct, supplement, or clarify any of the responses provided below at any time. Google expressly reserves the right to further supplement its responses.

GENERAL OBJECTIONS

Google sets forth below its general objections to Plaintiffs' First Set of Requests for Production. These general objections apply to each and every request, whether or not they are specifically set forth in the objections and answers to each request.

1. Google objects to the Requests to the extent they seek information that is neither relevant to any claim or defense nor reasonably calculated to lead to the discovery of admissible evidence.

2. Google objects to the Requests to the extent they are overly broad, unduly burdensome or harassing.

3. Google objects to the Requests to the extent they are vague, ambiguous or unintelligible.

4. Google objects to the Requests to the extent they seek information protected by the attorney-client privilege, the attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery. The inadvertent disclosure of any privileged or protected

information shall not signify any intent by Google to waive any applicable privilege or protection. Google understands each and every one of the Requests to be limited to documents other than those prepared by Google's in-house counsel and counsel of record, Bingham McCutchen LLP, after the commencement of this case. Google further understands each and every one of the Requests to exclude communications between Google's in-house counsel and/or Bingham McCutchen LLP after the commencement of this case.

5. Google objects to the Requests to the extent they purport to require disclosure of Google's trade secrets or other confidential business information. Google will disclose confidential information in accordance with terms of the January 20, 2010 Protective Order and only to the extent directly relevant to the disputed issues in this action.

6. Google objects to the Requests to the extent they seek information that is within the scope of a confidentiality agreement, protective order or settlement agreement, or that otherwise requires consent of any third party prior to disclosure. Google will not disclose such information without either the consent of the relevant third party or a court order compelling disclosure.

7. Google objects to the Requests to the extent they cover information and/or documents not in the possession, custody or control of Google.

8. Google objects to the Requests to the extent that they call for the production or identification of documents or information already in the possession, custody, or control of Plaintiffs on the ground that such a request is unduly burdensome.

9. Google objects to the Requests to the extent that they seek information that is publicly available and/or is equally accessible to Plaintiffs.

10. Google objects to these requests to the extent they are unreasonably cumulative or duplicative, repetitive, redundant, or otherwise excessive, oppressive, or harassing.

11. Google objects to the Requests as unreasonable, overly broad, and unduly burdensome because they are not limited in time.

12. Google objects to the Requests to the extent they call for legal conclusions or present questions of pure law.

13. Google objects to each request as premature to the extent it seeks discovery concerning matters that will be the subject of expert reports or testimony.

14. Google objects to the Requests to the extent they purport to attribute any special or unusual meaning to any technical or legal terms or phrases.

15. Google objects to the Requests to the extent that they seek information protected by constitutional, statutory and/or common law rights to personal privacy and confidentiality.

16. Google objects to the Requests to the extent that they call for a response on behalf of anyone other than Google Inc.

17. Google's responses to the Requests are given without prejudice to Google's right to use facts, witnesses, or documents omitted from these responses by oversight, inadvertence, or good faith error or mistake.

18. These general objections are referred to herein as "General Objections." Google incorporates these General Objections into each and every one of its each and every one of its responses to Plaintiffs' requests as if fully stated therein. A specific response or answer may repeat one or more of the General Objections for emphasis, clarity or some other reason. The failure to include any General Objection in any specific response does not waive any of the General Objections to that request. Moreover, Google reserves the right to amend its responses as discovery progresses. Google's investigation of the matters at issue continues.

OBJECTIONS TO DEFINITIONS AND INSTRUCTIONS

1. Google objects to Plaintiffs' defined term "Delta Update" as overbroad, vague and ambiguous. Plaintiffs have accused a single specific product of infringement. When responding to these discovery Requests, Google will limit its responses to the products and activities that have been specifically accused of infringement. To the extent Google objects or responds to any discovery request, it understands the term "Delta Update" to refer to the Courgette differential compression algorithm referenced at <http://blog.chromium.org/2009/07/smaller-is-faster-and-safer-too.html> and <http://www.chromium.org/developers/design-documents/software-updates-courgette>.

2. Google objects to Plaintiffs' defined term "Courgette" as overbroad, vague and ambiguous. Plaintiffs have accused a single specific product of infringement. When responding to these discovery Requests, Google will limit its responses to the products and activities that have been specifically accused of infringement. To the extent Google objects or responds to any discovery request, it understands the term "Courgette" to refer to the differential compression algorithm referenced at <http://blog.chromium.org/2009/07/smaller-is-faster-and-safer-too.html> and <http://www.chromium.org/developers/design-documents/software-updates-courgette>.

3. Google objects to Plaintiffs' defined term "Open Source" as overbroad, vague and ambiguous, particularly with respect to the phrase "standard open source license."

4. Google objects to Plaintiffs' Definitions and Instructions to the extent that they purport to alter the plain meaning and/or scope of any specific Requests, on the ground that such alteration renders each Request so altered vague, ambiguous, unduly broad, and uncertain.

5. Google objects to the Requests to the extent that Plaintiffs' defined terms purport to impose burdens on Google that are inconsistent with, or not otherwise authorized by, the Federal Rules of Civil Procedure and the applicable rules and orders of this Court. Google will

construe and respond to the Requests in a manner consistent with the Federal Rules of Civil Procedure and the applicable rules or orders of this Court.

6. These objections to Plaintiffs' definitions and instructions are referred to herein as "Objections to Definitions and Instructions" and Google incorporates these Objections to Definitions and Instructions into each and every one of its responses to Plaintiffs' requests as if fully stated therein. A specific response or answer may repeat one or more of the Objections to Definitions and Instructions for emphasis, clarity or some other reason. The failure to include any one of the Objections to Definitions and Instructions in any specific response or answer does not waive any of the Objections to Definitions and Instructions to that request. Moreover, Google reserves the right to amend its responses as discovery progresses.

SPECIFIC OBJECTIONS AND RESPONSES

The foregoing General Objections and Objections to Definitions and Instructions are each incorporated into each response to each numbered request below, and are in addition to the specific objections stated therein.

REQUEST NO. 1:

All documents reflecting or referring to techniques for generating and/or distributing Chrome updates used by Google prior to its use of Courgette, including but not limited to any Delta Update technique used to update Chrome prior to Courgette.

RESPONSE TO REQUEST NO. 1:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 1, served

December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 1, as amended by correspondence dated December 15, 2009:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, vague and ambiguous (including with regard to the phrases “techniques for generating and/or distributing” and “Delta Update technique”), unintelligible, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs’ Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Subject to the foregoing general and specific objections, Google will produce responsive, non-public, non-privileged, non-work product documents sufficient to identify any differential compression algorithm used by Google to update distributed copies of the Chrome web browser [], to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 2:

All documents concerning or relating to the decision to develop Courgette.

RESPONSE TO REQUEST NO. 2:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs. Google further objects to this request on the ground that it is duplicative of Red Bend’s Request for Production No. 2, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 2, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs’ Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Subject to the foregoing general and specific objections, Google will produce responsive, non-privileged, non-work product documents regarding the development of Courgette to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 3:

All documents concerning or relating to the development and operation of Courgette, including but not limited to copies of the source code of all versions of Courgette that Google has used to generate at least one update for Chrome.

RESPONSE TO REQUEST NO. 3:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 3, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 3, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of Plaintiffs. As Plaintiffs are aware, the Courgette source code is publicly available at <http://src.chromium.org/viewvc/chrome/trunk/src/courgette/>, and Plaintiffs have represented that they already have the Courgette source code in their possession, custody or control.

Subject to the foregoing general and specific objections, Google will produce responsive, non-privileged, non-work product documents sufficient to show the operation of Courgette, as well as responsive, non-privileged, non-work product documents regarding the development of Courgette to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 4:

All documents concerning or relating to the use by Google of Courgette.

RESPONSE TO REQUEST NO. 4:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 4, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 4, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad, unduly burdensome, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent it is duplicative of Requests 1 through 3, and subject to and without waiving these objections, incorporates its response to those Requests.

Subject to the foregoing general and specific objections, Google will produce responsive, non-privileged, non-work product documents sufficient to show the operation of Courgette, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 5:

All documents concerning or relating to the download, use, or attempted use by non-parties of Courgette, including, but not limited to, documents sufficient to show (a) the number of times the Courgette source code was accessed or downloaded, and (b) the identity of each machine or person accessing or downloading the source code.

RESPONSE TO REQUEST NO. 5:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 5, served December 3, 2009, and incorporates by reference the following portion of its Responses and Objections to Request for Production No. 5, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information protected by constitutional, statutory and/or common law rights to personal privacy and confidentiality.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will

produce responsive-non-privileged, non-work product documents concerning or relating to the use or attempted use by non-parties of Courgette.

REQUEST NO. 6:

All documents concerning or relating to any communication between Google and any other person or entity (excluding Google's outside counsel) regarding Courgette.

RESPONSE TO REQUEST NO. 6:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 6, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 6, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad, unduly burdensome, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 7:

All documents concerning or relating to Google's decision (a) to release Courgette as open source, and/or (b) to announce Courgette as a "new" algorithm, including any document constituting, reflecting or referring to a discussion related to either or both of the foregoing.

RESPONSE TO REQUEST NO. 7:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 7, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 7, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent it is duplicative of Requests 2 and 3, and subject to and without waiving these objections, incorporates its response to those Requests.

Subject to the foregoing general and specific objections, Google will produce responsive, non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 8:

All documents concerning or relating to Google's decision to seek or not to seek patent protection over Courgette or any aspect of Courgette, including any invention description form or patent application or prosecution file relating to Courgette or any aspect of Courgette.

RESPONSE TO REQUEST NO. 8:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 8, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 8, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce any patent application filed by Google related to Courgette, and all related correspondence between Google and the Patent and Trademark Office.

REQUEST NO. 9:

All documents concerning or relating to any prior art study relating to Courgette or the '552 Patent.

RESPONSE TO REQUEST NO. 9:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 9, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 9, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad, unduly burdensome, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is in the possession of third parties, or is publicly available, and therefore equally accessible to Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Subject to the foregoing general and specific objections, Google will produce responsive, non-privileged, non-work product documents, that constitute prior art to the patent-in-suit that are in Google's possession, custody or control, and are located after a reasonable search. Also subject to the foregoing general and specific objections, Google will produce responsive, non-privileged, non-work product documents, related to "any prior art study relating to Courgette" conducted prior to September 3, 2009.

REQUEST NO. 10:

All documents concerning or relating to the need for Courgette and/or Google's statement in the Chromium Developer Documentation that it "tried several binary diff algorithms."

RESPONSE TO REQUEST NO. 10:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of

Red Bend's Request for Production No. 10, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 10, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, vague and ambiguous (including with regard to the phrase, "the need for Courgette"), and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent it is duplicative of Requests 2 and 3, and subject to and without waiving these objections, incorporates its response to those Requests.

Subject to the foregoing general and specific objections, Google will produce responsive, non-privileged, non-work product documents regarding the development of Courgette to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 11:

All documents concerning or relating to (a) the "more detailed paper on Courgette" referenced in the Chromium Developer Documents and/or any drafts thereof, and/or (b) the decision to publish or not to publish that paper.

RESPONSE TO REQUEST NO. 11:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 11, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 11, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome,

vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Google objects to this request to the extent it is duplicative of Requests 2 and 3, and subject to and without waiving these objections, incorporates its response to those Requests.

Subject to the foregoing general and specific objections, Google will produce responsive, non-privileged, non-work product documents constituting a "more detailed paper on Courgette" as referenced in the Chromium Developer Documents or any draft thereof, if such a document exists, and documents related to any decision to publish or not to publish that paper, to the extent any such decision was made.

REQUEST NO. 12:

All documents concerning or relating to Red Bend or any of the following Red Bend employees: Yoram Salinger, Sharon Peleg, Morten Grauballe, Richard Kinder and/or Roger Wilson.

RESPONSE TO REQUEST NO. 12:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 12, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 12, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, and calls for the production of documents that are neither relevant

to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Subject to the foregoing general and specific objections, Google will produce responsive, non-privileged, non-work product documents, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 13:

All documents concerning or relating to Google's knowledge of the '552 Patent and/or Red Bend's claim to have patent protection over its products or technology.

RESPONSE TO REQUEST NO. 13:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 13, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 13, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege,

attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Subject to the foregoing general and specific objections, Google will produce responsive, non-privileged, non-work product documents, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 14:

All documents concerning or relating to Google's oral and/or written communications and/or meetings with Red Bend prior to September 2009, including but not limited to Red Bend's meeting with Google's Eric Chu and Angana Ghosh on August 28, 2008 and any other meeting between Red Bend and any member of Google's Android team.

RESPONSE TO REQUEST NO. 14:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 14, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 14, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad, unduly burdensome, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Subject to the foregoing general and specific objections, Google will produce responsive, non-privileged, non-work product

documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 15:

All documents concerning or relating to Google's actual or potential use of Delta Update techniques, including but not limited to Courgette, to update Android or any other software or firmware installed on a mobile device running Android, including but not limited to software or firmware supplied or developed by Adobe Systems Incorporated for use with Android.

RESPONSE TO REQUEST NO. 15:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 15, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 15, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), vague and ambiguous (including with regard to the phrases "Google's actual or potential use," "Delta Update techniques" and "any other software or firmware installed on a mobile device running Android"), unduly burdensome, unintelligible, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Google objects to this request on the ground that it calls for trade secrets and other highly confidential business information.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections, and consistent with the previous agreement of parties reflected in correspondence from Jennifer Tempesta to Susan Baker Manning dated December 10, 2009, Google will produce responsive, non-privileged, non-work product documents constituting reflecting or referring to the actual use of, or consideration or discussion regarding whether to use, Courgette to update Android and/or any software or firmware executing on an device running Android.

REQUEST NO. 16:

All documents concerning or relating to the '552 Patent.

RESPONSE TO REQUEST NO. 16:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 16, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 16, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Subject to the foregoing general and specific objections, Google will produce responsive, non-public, non-privileged, non-work

product documents, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 17:

All documents concerning or relating to Courgette's success or advantages, including but not limited to comments by Google or others regarding Courgette, and including but not limited to commercial benefits to Google resulting directly or indirectly from its use of Courgette.

RESPONSE TO REQUEST NO. 17:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 17, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 17, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad, unduly burdensome, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Subject to the foregoing general and specific objections, Google will produce responsive, non-public, non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 18:

All documents concerning or relating to Google's intention or plans to converge or merge its Chrome and Android platforms and/or the possibility of such convergence or merging in the future.

RESPONSE TO REQUEST NO. 18:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 18, served December 3, 2009, and withdrawn by Red Bend on December 10, 2009. *See* Letter from Jennifer Tempesta to Susan Baker Manning (Dec. 10, 2009). Google incorporates by reference its Responses and Objections to Request for Production No. 18, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), vague and ambiguous (including with regard to the phrases "Chrome and Android platforms" and "possibility of such convergence or merging in the future"), unduly burdensome, unintelligible, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Google objects to this request on the ground that it calls for trade secrets and other highly confidential business information.

REQUEST NO. 19:

All documents supporting, tending to rebut, or tending to refute any position, fact, or argument Google relied upon in opposing Red Bend's preliminary injunction motion.

RESPONSE TO REQUEST NO. 19:

Google incorporates its General Objections and Objections to Definitions and Instructions herein. Google further objects to this request on the ground that it is duplicative of Red Bend's Request for Production No. 19, served December 3, 2009, and incorporates by reference its Responses and Objections to Request for Production No. 19, served December 7, 2009:

Google objects to this request on the grounds that it is overbroad, unduly burdensome, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence relevant to, the merits of Plaintiffs' Motion for a Preliminary Injunction.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Subject to the foregoing general and specific objections, Google will produce non-public, non-privileged, non-work product documents responsive to this request.

REQUEST NO. 20:

All documents concerning or relating to Google's research, development or implementation of any Delta Update technique (including but not limited to Courgette).

RESPONSE TO REQUEST NO. 20:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, intended to harass, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 1, 2, and 3.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive, non-public, non-privileged, non-work product documents related to Google's research, development or implementation of Courgette, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 21:

All documents concerning or relating to Google's actual or potential use of any Delta Update technique (including but not limited to Courgette).

RESPONSE TO REQUEST NO. 21:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous (including with regard to the phrase "Google's actual or potential use"), and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 1, 3, 4, 15 and 20.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive, non-public, non-privileged, non-work product documents sufficient to show Google's actual use of Courgette, the operation of Courgette, and Google's consideration, if any, of whether to use Courgette with any product other than the Chrome web browser installed on computers running Microsoft Windows, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 22:

All documents concerning or relating to Google's actual or potential use of any technique for updating executable software.

RESPONSE TO REQUEST NO. 22:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous (including with regard to the phrase "Google's actual or potential use"), and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 1, 3, 4, 15 and 20.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive, non-public, non-privileged, non-work product documents sufficient to show the operation of Courgette, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 23:

All documents concerning or relating to Google's transmission or distribution of updates generated by Courgette.

RESPONSE TO REQUEST NO. 23:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production No. 4.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiff.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive, non-public, non-privileged, non-work product documents relating to the transmission or distribution of updates generated by Courgette, to the extent such documents exist and are located after a reasonable search. To the extent that Red Bend believes that Google Update, sometimes known as Omaha, is relevant, pertinent publicly available documents as well as the open source Omaha code may be obtained by Red Bend at its own burden and expense. The Omaha source code may be found at <http://code.google.com/p/omaha/>.

REQUEST NO. 24:

All documents concerning or relating to any Delta Update used by Google to update software on mobile devices, including cell phones.

RESPONSE TO REQUEST NO. 24:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 15, 20 and 21.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections, Google responds that it does not use Courgette to update software on mobile devices, including cell phones.

REQUEST NO. 25:

All documents, including but not limited to, official actions, responses, and references cited during prosecution, concerning the preparation or prosecution of any United States patent applications relating to the technique(s) for updating Google's web browser, operating systems, or any Google product.

RESPONSE TO REQUEST NO. 25:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will

produce responsive, non-privileged, non-work product documents concerning or relating to U.S. Patent Appln. No. 12/383,616.

REQUEST NO. 26:

All documents concerning or relating to U.S. Patent Appln. No. 12/383,616.

RESPONSE TO REQUEST NO. 26:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production No. 8.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive, non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 27:

All documents concerning or relating to this action.

RESPONSE TO REQUEST NO. 27:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive, non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search, and to the extent that those documents are responsive to an unobjectionable portion of one of Red Bend's other Requests for Production.

REQUEST NO. 28:

All correspondence between Google and Red Bend.

RESPONSE TO REQUEST NO. 28:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production No. 14.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiff.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 29:

All documents concerning or relating to Google's investigation of Red Bend or the '552 Patent.

RESPONSE TO REQUEST NO. 29:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 12 and 16.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 30:

All documents concerning or relating to Google's first knowledge of Red Bend or the '552 Patent.

RESPONSE TO REQUEST NO. 30:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 12, 13, 14 and 16.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 31:

All correspondence between Google and any Third Party regarding Red Bend or the '552 Patent.

RESPONSE TO REQUEST NO. 31:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 12, 13, 14 and 16.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 32:

All documents concerning or relating to Google's efforts to influence or persuade Third Parties, including but not limited to Adobe Systems Inc., not to use Red Bend's products, services or technology.

RESPONSE TO REQUEST NO. 32:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 12, 13, 14, and 16.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search. Based on its investigation to date, Google is informed and believes that there are no documents in its possession, custody or control responsive to this request.

REQUEST NO. 33:

All documents which Google contends are prior art to the '552 Patent.

RESPONSE TO REQUEST NO. 33:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the

production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production No. 9.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents that constitute prior art to the patent-in-suit, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 34:

All documents which support, refute or otherwise relate to any claim or defense in this action, including but not limited to any defense by Google that it has not infringed, induced infringement of, or contributed to infringement of the '552 Patent, or that Google is not infringing, inducing infringement of, or contributing to infringement of the '552 Patent.

RESPONSE TO REQUEST NO. 34:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production No. 27.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Google objects to this request to the extent that it is premature as discovery is ongoing.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to its claims and defenses in this action, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 35:

All documents which support, refute or otherwise relate to any claim or defense of Google that any infringement of the '552 Patent was not or is not willful.

RESPONSE TO REQUEST NO. 35:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 13 and 34.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 36:

All documents which support, refute or otherwise relate to any claim or defense of Google that any claim of the '552 Patent is invalid.

RESPONSE TO REQUEST NO. 36:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 9, 13 and 16.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Google objects to this request to the extent that it is premature as discovery is ongoing.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 37:

All documents reflecting, concerning or relating to any investigation, report, opinion, study, or analysis, whether formal or informal, relating to the infringement or validity of the '552 Patent.

RESPONSE TO REQUEST NO. 37:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 9, 13, 16, 34, 35 and 36.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will

produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 38:

All documents concerning or relating to the scope of any claim in the '552 Patent.

RESPONSE TO REQUEST NO. 38:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 9, 13, 16, 34, 35, 36 and 37.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 39:

All documents concerning or relating to the meaning of any term, phrase, limitation, or element in any claim in the '552 Patent

RESPONSE TO REQUEST NO. 39:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production No. 9, 13, 16, 34, 35, 36, 37 and 38.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 40:

All documents concerning or relating to the level of ordinary skill in the art of the subject matter of the '552 Patent.

RESPONSE TO REQUEST NO. 40:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 9, 13, 16, 34, 35, 36, 37, 38 and 39.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 41:

All documents concerning or relating to any patent search or study which Google has conducted with respect to the subject matter of the '552 Patent.

RESPONSE TO REQUEST NO. 41:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 9, 13, 16, 34, 35, 36, 37, 38 and 39.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 42:

All documents, including but not limited to patents, which Google considered or reviewed prior to its decision to use Courgette or make the Courgette source code available in open source.

RESPONSE TO REQUEST NO. 42:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence. As written, this Request would purport to require Google to locate and produce every document considered by each and every Google employee for any purpose prior to Google's decision to use Courgette or make Courgette available in open source.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 3 and 7.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

REQUEST NO. 43:

All documents concerning or relating to past failures of Google or any Third Party to achieve the results achieved by Google's Courgette.

RESPONSE TO REQUEST NO. 43:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, such as Request for Production No 3.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 44:

All documents concerning or relating to the commercial success of Google's Chrome web browser.

RESPONSE TO REQUEST NO. 44:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague, and ambiguous (including with regard to the phrase "commercial success").

Google objects to this request on the grounds that it calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence. The commercial success of Google's Chrome web browser is in no way relevant to the issues in this case.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Google objects to this request on the ground that it calls for trade secrets and other highly confidential business information.

REQUEST NO. 45:

All documents concerning or relating to Google's decision to make, use, supply, or otherwise distribute the Chrome web browser.

RESPONSE TO REQUEST NO. 45:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague, and ambiguous.

Google objects to this request on the grounds that it calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence. Red Bend does not accuse the Chrome web browser of infringing, and Google's decision to make, use, supply, or distribute the Chrome web browser is not relevant to the issues in this case.

Google objects to this request to the extent that it is duplicative of other Requests for Production, such as Request for Production No 3.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Google objects to this request on the ground that it calls for trade secrets and other highly confidential business information.

REQUEST NO. 46:

All documents concerning or relating to any value or benefit to Google, whether direct or indirect, attributable to its use, supply or distribution of the Chrome web browser and/or the Chrome OS.

RESPONSE TO REQUEST NO. 46:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous (including with regard to the phrases "direct or indirect" and "value or benefit to Google"), and intended to harass.

Google objects to this request on the grounds that it is vague to the extent it calls for all documents concerning or relating to the “supply or distribution” of Chrome OS, which has not been publicly released.

Google objects to this request on the grounds that it calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence. The benefits Google receives from its use, supply and distribution of the Chrome web browser are not relevant to Red Bend’s patent infringement allegations, as neither the Chrome web browser nor Chrome OS are the accused product at issue in this case.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request on the ground that it calls for trade secrets and other highly confidential business information.

REQUEST NO. 47:

All documents and things that Google may rely upon to establish that any secondary indicia of nonobviousness do not apply to the ‘552 Patent.

RESPONSE TO REQUEST NO. 47:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Google objects to this request to the extent that it is premature as discovery is ongoing.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 48:

All documents concerning or relating to Google's efforts to design around the '552 Patent.

RESPONSE TO REQUEST NO. 48:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 13 and 16.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 49:

Documents sufficient to show the total number of times Courgette has been used to update the Chrome web browser on users' computers.

RESPONSE TO REQUEST NO. 49:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it seeks information protected by constitutional, statutory and/or common law rights to personal privacy and confidentiality.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive non-privileged, non-work product documents sufficient to show the total number of times Courgette has been used to update the Chrome web browser.

REQUEST NO. 50:

All documents concerning or relating to Google's projections for the future use of Courgette, including but not limited to, the total number of times Google expects Courgette to be used to update the Chrome web browser on Internet users' computers in the future.

RESPONSE TO REQUEST NO. 50:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous (including with

regard to the phrase “future use of Courgette”), and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive, non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 51:

All documents concerning the calculation of damages in the present action, including the amount of a reasonable royalty and the method of calculation of a royalty base.

RESPONSE TO REQUEST NO. 51:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive, non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 52:

All documents concerning Google's software and/or patent licensing practices, including licenses that Google has entered into, offers of license made and/or received by Google, and negotiations for such licenses (not including off-the-shelf licenses).

RESPONSE TO REQUEST NO. 52:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and is intended to harass.

Google objects to this request on the grounds that it calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.. As written, this Request seeks a potentially significant volume of highly sensitive documents which have absolutely no relevance to the issues in this case and are not discoverable by Red Bend.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Google objects to this request on the ground that it calls for trade secrets and other highly confidential business information.

REQUEST NO. 53:

All documents concerning advertisements and promotional materials used by Google to promote Courgette in connection with the Chrome web browser or with any other product that uses a Delta Update.

RESPONSE TO REQUEST NO. 53:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents concerning advertisements and promotional materials used by Google to promote Courgette in connection with the Chrome web browser, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 54:

All business plans or reports, market analyses, marketing plans, sales plans, operating plans, sales or market projections, or similar documents prepared by Google or anyone acting on its behalf, including consultants, referring or relating to the Chrome web browser or Google's Chrome operating system(s) that use, or will potentially use, Delta Updates.

RESPONSE TO REQUEST NO. 54:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence, and is intended to harass Google.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Google objects to this request on the ground that it calls for trade secrets and other highly confidential business information.

REQUEST NO. 55:

All licenses and/or other contracts or agreements entered into by Google concerning or relating to updating computer programs.

RESPONSE TO REQUEST NO. 55:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, intended to harass, calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence, and is intended to harass Google.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents that constitute patent licenses between Google and a third-party pertaining to delta update software, systems or methods to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 56:

All documents which refer to licenses or agreements between Google and any Third Party concerning or relating to updating computer programs.

RESPONSE TO REQUEST NO. 56:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence, and is intended to harass Google.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents related to patent licenses between Google and a third-party pertaining to delta update software, systems or methods to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 57:

Documents sufficient to determine royalties paid or other amounts paid under any assignments, licenses or other agreements (except off-the-shelf licenses) to which Google is a party, relating to computer programs, including but not limited to updating computer programs.

RESPONSE TO REQUEST NO. 57:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence, and is intended to harass Google.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents sufficient to determine royalties paid or other amounts paid under patent licenses or assignments between Google and a third-party pertaining to delta update software, systems or methods to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 58:

Documents sufficient to determine royalties paid or other amounts paid under any patent licenses to which Google is a party, relating to computer programs, including but not limited to updating computer programs.

RESPONSE TO REQUEST NO. 58:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous calls for the

production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence, and is intended to harass Google.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents sufficient to determine royalties paid or other amounts paid under any patent licenses between Google and a third-party pertaining to delta update software, systems or methods to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 59:

All documents showing Google's practices, methods and/or techniques for valuing the technology of Third Party companies, including but not limited to its valuation practices, methods and techniques it has applied to the technology, products and/or services offered by Third Party companies.

RESPONSE TO REQUEST NO. 59:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and is intended to harass.

Google objects to this request on the grounds that it calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible

evidence. This request calls for a potentially large volume of data that is completely irrelevant to this case. Red Bend is not entitled to documents showing how Google has valued the products and services offered by Third Party companies, which are in no way involved in the present litigation.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Google objects to this request on the ground that it calls for trade secrets and other highly confidential business information.

REQUEST NO. 60:

Documents sufficient to determine actual and anticipated gross sales, net sales, gross profit, operating profit and/or pretax profit related to Google products updated using a Delta Update technique, including Courgette.

RESPONSE TO REQUEST NO. 60:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and is intended to harass Google.

Google objects to this request on the grounds that it calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence. This request calls for documents related to products that are not at issue in this case. Moreover, Google does not sell Courgette or the Chrome web browser for Windows; rather, it provides the products for free.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Google objects to this request on the ground that it calls for trade secrets and other highly confidential business information.

REQUEST NO. 61:

All documents upon which Google's computation of damages are or will be based, including all documents relating to or referring to the basis for Google's damage calculation and the basis for each estimate or assumption used as part of Google's damage calculation.

RESPONSE TO REQUEST NO. 61:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 62:

All documents concerning non-infringing alternatives to the Asserted Claims of the '552 Patent.

RESPONSE TO REQUEST NO. 62:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous (including with regard to the phrase “non-infringing alternatives”), and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it is duplicative of other Requests for Production, including Request for Production Nos. 1 and 26.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents sufficient to show how bsdiff, the only non-infringing alternative identified to date by Red Bend, works. Google will also produce documents sufficient to show how other non-infringing alternatives work, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 63:

Organizational charts of Google, including, without limitation, the Chrome team, the Android team, and the ChromeOS team.

RESPONSE TO REQUEST NO. 63:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, intended to harass, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents relating to individuals who worked on Courgette to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 64:

Documents sufficient to establish the organizational responsibilities of each person at Google who has or had at any time any involvement in the research, development, marketing, decision to use, or decision to post in open source, any Delta Update technique, including but not limited to Courgette.

RESPONSE TO REQUEST NO. 64:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the

production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive-non-privileged, non-work product documents relating to individuals working with on Courgette, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 65:

All documents produced to Google by any Third Party in response to a subpoena or other formal or informal request for documents in connection with this action.

RESPONSE TO REQUEST NO. 65:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive, non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 66:

Documents sufficient to show Google's policies regarding the retention or destruction of records or files.

RESPONSE TO REQUEST NO. 66:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive, non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 67:

All documents identified in any of Google's responses to Red Bend's Interrogatories.

RESPONSE TO REQUEST NO. 67:

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive, non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 68:

All documents supporting, refuting, or relied upon in creating Google's Answer and Counterclaim.

RESPONSE TO REQUEST NO. 68:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive, non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 69:

All documents provided to an expert, consultant, or third-party by Google or its attorneys in connection with this action.

RESPONSE TO REQUEST NO. 69:

Google objects to this request on the grounds that it is overbroad (including with respect to temporal scope), unduly burdensome, oppressive, vague and ambiguous, and calls for the production of documents that are neither relevant to, nor reasonably calculated to lead to the discovery of admissible evidence.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing general and specific objections, the parties' agreements and to the extent not already produced in this action, Google will produce responsive, non-privileged, non-work product documents responsive to this request, to the extent such documents exist and are located after a reasonable search.

REQUEST NO. 70:

All documents Google intends to use at trial.

RESPONSE TO REQUEST NO. 70:

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is publicly available or in the possession of third parties or Plaintiffs.

Google objects to this request to the extent that it seeks information that is protected by the attorney-client privilege, attorney work product doctrine, and/or any other applicable privilege or restriction upon discovery.

Subject to the foregoing General Objections, Objections to Definitions and Instructions and Specific Objections and to the extent not already produced in this action, Google will produce responsive, non-privileged, non-work product documents responsive to this request.

Dated: June 3, 2010

Google Inc.,

By its attorneys,

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CERTIFICATE OF SERVICE

I, Catherine Murphy, hereby certify that on this 3rd day of June, 2010, copies of the foregoing:

GOOGLE INC.'S RESPONSES TO RED BEND LTD. AND RED BEND SOFTWARE
INC.'S FIRST [SIC] SET OF REQUESTS FOR PRODUCTION (NOS. 1-70)

were served upon the following party as indicated:

VIA E-MAIL

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/s/ Catherine Murphy

Catherine Murphy