

EXHIBIT 4

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January 6, 2010

BY ELECTRONIC MAIL

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Re: Red Bend Ltd. v. Google Inc., Case No. 09-cv-11813

Dear Susan:

We write in response to your letter of January 4, 2010 regarding the proposed depositions of Yoram Salinger and Dr. Stephen Edwards.

As an initial matter, our schedules would not permit depositions to occur next week as you propose. More importantly, Red Bend believes that there is insufficient time in the current schedule to permit both sides to complete depositions relating to the issues to be raised at the preliminary injunction hearing, and we are not inclined to postpone the hearing date. Most importantly, as you know, at the conference on December 2, 2009, the Court considered, but rejected, the possibility of depositions prior to the February 17th hearing:

THE COURT: My default on this at this point is declarations or affidavits from the witnesses that you intend to introduce here.

MS. BAKER MANNING: And would cross be introduced through deposition testimony, your Honor?

THE COURT: I don't know what cross would be necessary yet. And what I think I would say is in the argument on the 17th, I'll hear you on the question of whether or not you think it is necessary to have cross-examination. And then I'll schedule time if I think it's appropriate. . . , but the time at which I'll make a determination about that I think is going to be at the hearing on this.

For these reasons, we cannot agree to your request to depose Red Bend's declarants at this time.

Very truly yours,

S/
Eliot D. Williams