

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION**

NET JUMPER SOFTWARE, L.L.C.  
a Michigan limited liability corporation,

Plaintiff/Counterclaim  
Defendant,

Civil Action No. 04-70366-CV  
Hon. Julian Abele Cook

v.

Magistrate Judge R. Steven Whalen

GOOGLE INC.,  
a Delaware corporation

Defendant/Counterclaim  
Plaintiff.

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**DECLARATION OF L. PAHL ZINN  
IN SUPPORT OF GOOGLE'S REPLY BRIEF  
FOR LEAVE TO FILE ITS SECOND AMENDED ANSWER**

I, L. Pahl Zinn, provide the following declaration in the above-captioned matter based on my own personal knowledge except where stated otherwise, and if called to do so, could and would competently testify as follows:

1. I am a partner in the law firm of Dickinson Wright PLLC, counsel of record to Defendant Google Inc. ("Google") in the above-captioned matter.
2. Attached hereto as Exhibit A is an excerpt of the transcript of the deposition of Gilbert Borman (Vols. I and II), to wit pages 118-25, 135-36, and 199-204 thereof.
3. Attached hereto as Exhibit B is an excerpt of the transcript of the deposition of Rajat Bhatnagar, to wit pages 88-89 thereof.
4. Attached hereto as Exhibit C is an excerpt of the transcript of the deposition of Anup Mathur, to wit pages 138-39 thereof.
5. Attached hereto as Exhibit D is an excerpt of NetJumper's First Amended Answers to Google's First Set of Requests for Admission, Answers to Requests Nos. 8, 25, and 29.
6. Attached hereto as Exhibit E are relevant pages from letters of January 12, April 1, and April 6, 2005, from counsel for Google Inc. (Jason W. Wolff) to counsel for NetJumper Software L.L.C. (Nabeel N. Hamameh), enclosing invalidity charts for the URL Grabber and CyberPilot prior art references, which describe why these references are material to the patentability of the asserted claims.
7. Google served a Motion for Summary Judgment of Non-Infringement and Invalidity of the '172 Patent on counsel for NetJumper on August 10, 2005. The portion of the motion concerning invalidity is based upon the CyberPilot prior art.
8. Attached hereto as Exhibit F is a true and correct copy of the signed Declaration of Randall Stark attesting to the authenticity and date of the CyberPilot product and user documentation, though without a CD-ROM (G 3714), which could not be e-filed.

Dated: August 15, 2005

By: s/ L. Pahl Zinn  
L. Pahl Zinn (P57516)