

EXHIBIT T

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In the United States District Court
For the Eastern District of Michigan

****Confidential****

Deposition

Of

Jeffrey Masters, Ph.D.

August 3, 2010

The Weather Underground, Inc.

v.

Navigation Catalyst Systems, Inc., et al.

1 Q. Was there anything else that struck you as inaccurate?

2 A. Yes. He also thought that I gave permission to the
3 Weather Underground of Hong Kong to use our name. I
4 did not give them permission.

5 Q. Do you know if anybody else associated with Weather
6 Underground gave them permission?

7 A. I do not believe so to the best of my recollection.

8 Q. Is there anything else in Mr. Sterenburg's deposition
9 transcript that was inaccurate?

10 A. To the best of my knowledge, no.

11 Q. Other than the deposition transcript of
12 Mr. Sterenburg, did you review any other documents?

13 A. Yes, provided by my attorney, so that would fall under
14 attorney/client privilege.

15 MR. SCHAEFER: Just so you know, basically
16 anything that you and I discussed or you and Anthony
17 discussed obviously is privileged. He can ask you
18 which documents you looked at, but beyond that, don't
19 share anything that we talked about.

20 THE WITNESS: Okay.

21 MR. SCHAEFER: About those documents.

22 BY MR. DELGADO:

23 Q. And that was going to be my next question, which
24 documents did you review in preparation for today's
25 deposition?

1 Q. It says while working on his Ph.D. he cofounded the
2 Weather Underground in 1995, is that correct?

3 A. Weather Underground, Incorporated.

4 Q. Weather Underground, Incorporated.

5 A. Yes.

6 Q. Let me ask you about that. When was your first I
7 guess encounter with the name Weather Underground
8 while you were studying at the University of Michigan?

9 A. It occurred when my advisor, Perry Sampson, advocated
10 using that name for an educational weather project
11 based upon software I had written.

12 Q. What year was that?

13 A. I'm pretty sure it was 1991.

14 Q. And did the software that you had created have a name?

15 A. UM-weather.

16 Q. And did Mr. Sampson tell you why he was suggesting
17 that name for your software project?

18 A. Yes, he said it was because since this weather project
19 got its start at the University of Michigan, and also
20 there was a radical group that got its start at the
21 University of Michigan named Weather Underground, he
22 thought it would be a cute tongue in cheek reference
23 to the '60s radical group.

24 Q. Do you know if Mr. Sampson was involved in that group,
25 the 1960s group?

1 Q. Are you aware of any non-functioning entities other
2 than the '60s radical group?

3 A. No.

4 Q. When did you first hear of the Weather Underground
5 group of Hong Kong?

6 A. I believe it was in 1992 when a fellow named Clarence
7 Fong E-mailed me and asked if he could have a copy of
8 my UN-weather software, and I supplied it to him for
9 free, and at that point he wrote back and said I'm
10 going to name this -- I'm going to run the software
11 and call it the Weather Underground of Hong Kong.

12 So when he informed me that he was calling
13 it the Weather Underground of Hong Kong, that's when I
14 first became aware of the usage of Weather
15 Underground.

16 Q. Okay. What was your response to Mr. Fong?

17 A. I was flattered.

18 Q. They're still in operation today as best as you know?

19 A. Yes. I should qualify that. I'm not sure they're
20 still running my old code from 1991. I would be
21 surprised.

22 Q. Are you familiar with any other entity that uses the
23 phrase wunder with a U in it as part of their name?

24 A. No.

25 Q. In your position at Weather Underground, do you have

1 Q. Prior to that conversation with Mr. Schwerzler, when
2 was the I guess the second most recent conversation
3 you had with one of your business partners about the
4 lawsuit outside of a board of directors meeting?

5 A. Jeff Ferguson and I share an office, so I would say on
6 average once a month we discuss the latest information
7 from Enrico.

8 Q. Where's that office?

9 A. It's 300 North Fifth Avenue, number 240, Ann Arbor.

10 Q. Are you the only two employees for Weather Underground
11 in that office?

12 A. No, we have an accountant part time that also works
13 there.

14 Q. What is that person's name?

15 A. Kelly L-U-C-K. And once a month our two customer
16 support people come in the office and work.

17 Q. Otherwise they work remotely?

18 A. Yes.

19 Q. Have you ever had any communications with any person
20 who works at one of the companies that was named as a
21 defendant in the lawsuit?

22 A. No.

23 Q. To the best of your knowledge were any of the domain
24 names that are the subject of the lawsuit ever offered
25 to Weather Underground for sale?

1 A. No.

2 Q. You are the author of the blog WunderBlog?

3 A. It's called Jeff Masters's WunderBlog.

4 Q. Are there other contributors?

5 A. Yes.

6 Q. Who else is a contributor to the WunderBlog?

7 A. When I'm on vacation Shaun Tanner and Rob Carver fill
8 in for me.

9 Q. And how long have you been authoring WunderBlog?

10 A. Since 2005.

11 Q. Do you recall what month you started?

12 A. Yes, it was April.

13 Q. Does the WunderBlog blog only appear on Weather
14 Underground websites?

15 A. No.

16 Q. Where else does it appear?

17 A. I believe it appears on something called
18 blogburst.com.

19 Q. Do you know what blogburst.com is?

20 A. They're a site that makes money by selling ads on
21 pages that feature other people's blogs.

22 Q. Does Weather Underground have a relationship with
23 blogburst.com?

24 A. No.

25 Q. So how is it that WunderBlog appears on blogburst.com?

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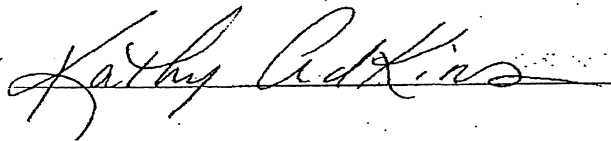
CERTIFICATE OF NOTARY

STATE OF MICHIGAN.)

) SS

COUNTY OF OAKLAND)

I, KATHRYN E. ADKINS, certify that this deposition was taken before me on the date hereinbefore set forth; that the foregoing questions and answers were recorded by me stenographically and reduced to computer transcription; that this is a true, full and correct transcript of my stenographic notes so taken; and that I am not related to, nor of counsel to, either party nor interested in the event of this cause.



KATHRYN E. ADKINS, CSR-4697

Notary Public,

Oakland County, Michigan

My Commission expires: April 10, 2013