

EXHIBIT C

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<p>IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN</p> <p>THE WEATHER UNDERGROUND, INC., a Michigan corporation</p> <p>Plaintiff,</p> <p>vs. No. 2:09-CV-10756</p> <p>NAVIGATION CATALYST SYSTEMS, INC., a Delaware corporation; BASIC FUSION INC., a Delaware corporation; CONNEXUS CORP., a Delaware corporation; and FIRSTLOOK INC., a Delaware corporation, Defendants.</p> <p>CONFIDENTIAL</p> <p>DEPOSITION OF CHRISTOPHER SCHWERZLER</p> <p>Thursday, April 29, 2010</p> <p>SHEILA CHASE & ASSOCIATES REPORTING FOR: West Court Reporting Services 221 Main Street, Suite 1250 San Francisco, California 94105 Phone: (415) 321-2300 Fax: (415) 618-0743</p> <p>Reported by: JANIS JENNINGS, CSR, CRP, CLR</p>	<p>1</p> <p>2</p> <p>3</p> <p>4</p> <p>5</p> <p>6 Deposition of CHRISTOPHER SCHWERZLER, taken</p> <p>7 on behalf of the Defendants, at 221 Main Street,</p> <p>8 Suite 1250, San Francisco, California,</p> <p>9 beginning at 9:55 A.M. on Thursday, April 29,</p> <p>10 2010, before JANIS L. JENNINGS, Certified</p> <p>11 Shorthand Reporter No. 3942, CRP</p> <p>12</p> <p>13</p> <p>14</p> <p>15</p> <p>16</p> <p>17</p> <p>18</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>																																							
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<p>1 APPEARANCES:</p> <p>2</p> <p>3 FOR THE PLAINTIFF:</p> <p>4 BRIAN A. HALL, ESQ.</p> <p>5 TRAVERSE LEGAL</p> <p>6 810 Cottageview Drive, Suite G-20</p> <p>7 Traverse City, Michigan 49684</p> <p>8 Phone: 231.932.0411 Fax: 231.932.0636</p> <p>9 E-mail: brianhall@traverselegal.com</p> <p>10</p> <p>11</p> <p>12 FOR THE DEFENDANTS:</p> <p>13 WILLIAM A. DELGADO, ESQ.</p> <p>14 WILLENKEN WILSON LOW & LIEB LLP</p> <p>15 707 Wilshire Boulevard, Suite 3850</p> <p>16 Los Angeles, California 90017</p> <p>17 Phone: 213.955.9240 Fax: 213.955.9250</p> <p>18 E-mail: williamdelgado@willenken.com</p> <p>19</p> <p>20</p> <p>21</p> <p>22</p> <p>23</p> <p>24</p> <p>25</p>	<p>1 INDEX</p> <p>2</p> <p>3 DEPOSITION OF</p> <p>4 CHRISTOPHER SCHWERZLER</p> <p>5 THURSDAY, APRIL 29, 2010</p> <p>6</p> <p>7 PAGE</p> <p>8 EXAMINATION BY MR. DELGADO 7</p> <p>9</p> <p>10</p> <p>11</p> <p>12 EXHIBITS</p> <p>13</p> <table border="0"> <thead> <tr> <th style="text-align: left;">NO.</th> <th style="text-align: left;">DESCRIPTION</th> <th style="text-align: right;">PAGE</th> </tr> </thead> <tbody> <tr> <td>14</td> <td>Exhibit 1 Notice of Deposition of Chris</td> <td></td> </tr> <tr> <td>15</td> <td>Schwerzler</td> <td style="text-align: right;">11</td> </tr> <tr> <td>16</td> <td>Exhibit 2 Copy of Weather Underground brochure; WU03946 - 3958</td> <td style="text-align: right;">27</td> </tr> <tr> <td>17</td> <td>Exhibit 3 Document; WU04021 - 4026, WU06926 - 6931</td> <td style="text-align: right;">48</td> </tr> <tr> <td>18</td> <td>Exhibit 4 Wall Street Journal article; WU01106 - 07</td> <td style="text-align: right;">55</td> </tr> <tr> <td>19</td> <td>Exhibit 5 Alexa web page; WU00755</td> <td style="text-align: right;">57</td> </tr> <tr> <td>20</td> <td>Exhibit 6 Quantcast.com web page; WU00820</td> <td style="text-align: right;">59</td> </tr> <tr> <td>21</td> <td>Exhibit 7 Hitwise News and Media Category Weekly</td> <td></td> </tr> <tr> <td>22</td> <td>Report; WU01050</td> <td style="text-align: right;">62</td> </tr> <tr> <td>23</td> <td>Exhibit 8 Quantcast web page; WU01773</td> <td style="text-align: right;">63</td> </tr> <tr> <td>24</td> <td>Exhibit 9 Quantcast web page; WU01774</td> <td style="text-align: right;">69</td> </tr> <tr> <td>25</td> <td>Exhibit 10 Quantcast web pages; WU001776 - 1780</td> <td style="text-align: right;">72</td> </tr> </tbody> </table>	NO.	DESCRIPTION	PAGE	14	Exhibit 1 Notice of Deposition of Chris		15	Schwerzler	11	16	Exhibit 2 Copy of Weather Underground brochure; WU03946 - 3958	27	17	Exhibit 3 Document; WU04021 - 4026, WU06926 - 6931	48	18	Exhibit 4 Wall Street Journal article; WU01106 - 07	55	19	Exhibit 5 Alexa web page; WU00755	57	20	Exhibit 6 Quantcast.com web page; WU00820	59	21	Exhibit 7 Hitwise News and Media Category Weekly		22	Report; WU01050	62	23	Exhibit 8 Quantcast web page; WU01773	63	24	Exhibit 9 Quantcast web page; WU01774	69	25	Exhibit 10 Quantcast web pages; WU001776 - 1780	72
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1 placements on our own site.
2 MR. DELGADO: Okay. Mark this as 26.
3 (Whereupon, Defendants' Exhibit 26 was
4 marked for identification.)
5 BY MR. DELGADO:
6 Q. Take a look at that. Let me know when you've
7 had a chance to look at it.
8 A. I've had a chance to look at it.
9 Q. Okay. Do you recognize what that document is?
10 A. It appears to be a part of our self-help, or
11 our WunderWiki we call it, W-u-n-d-e-r-W-i-k-i. I do
12 not know if that is an active trademark or not. That
13 would be a better question for Jeff Ferguson. It seems
14 to be describing the process of adding a weather sticker
15 to your content or common problems you might see trying
16 to do so.
17 Q. Do you know the approximate date for that
18 document?
19 A. It appears that it says it was last modified
20 on the 21st of May, 2007, at the bottom and that it's
21 been accessed 299,586 times. That seems to be the data.
22 Q. Other than that, you don't know when the exact
23 date of that is?
24 A. I'm assuming that it was last modified on
25 May 21st, 2007.

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1 question is: Can you tell me what they are?
2 A. If I can have a second to review.
3 Q. Sure.
4 A. Okay. I believe that page 3423 is a listing
5 of national parks.
6 Q. Okay.
7 A. Probably part of our travel section. I'm not
8 that familiar with that particular piece of content,
9 other than it appears to be a list of parks. I'd guess
10 it's probably for search optimization, so that large
11 search engines, like Google, can properly index that we
12 have information on parks like Yosemite.
13 Page 3424 appears to be a printout of our
14 tropical weather section, in very small format, listing
15 the tropical map as the main feature seen towards the
16 top, where we track active storms around the world, and
17 the lower half probably being a list of storm-related
18 resources that you can go to on other sites if you want
19 to learn more.
20 Q. Okay.
21 A. Other than that, I have trouble making out the
22 right-hand detail, myself. You could probably get this
23 by going to wunderground.com/tropical to get a better
24 representation of what is on this page.
25 MR. DELGADO: Okay. We are getting to the end

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1 Q. Have you ever heard of other people referring
2 to putting up little, you know, blocks of weather
3 information on their websites and calling it a weather
4 sticker but not necessarily getting it from you?
5 A. Yes. I believe that there was a point
6 there -- I can't remember whether it was weather.com or
7 AccuWeather that started referring to a knock-off
8 product, developed after our weather stickers, as
9 weather stickers. And I believe -- my recollection is
10 that Ferguson had a legal document drafted asking them
11 to cease and desist, but I was not the person that sent
12 that out nor can I be certain that that is the
13 situation.
14 Q. Other than those companies who you just
15 mentioned, have you ever heard of anybody else using
16 that term?
17 A. Not that I can recall.
18 MR. DELGADO: All right. We'll see how good
19 your vision is.
20 Mark this as 27.
21 (Whereupon, Defendants' Exhibit 27 was
22 marked for identification.)
23 BY MR. DELGADO:
24 Q. I'll tell you these are documents produced to
25 me. I can't tell what either of these are so my only

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1 here. Let's mark this 28.
2 (Whereupon, Defendants' Exhibit 28 was
3 marked for identification.)
4 BY MR. DELGADO:
5 Q. All right. I will represent to you that this
6 is a search -- the first ten pages of a search -- excuse
7 me. Strike that.
8 A. Two.
9 Q. I will represent to you it's the first two
10 pages showing the first ten results of a Google search
11 that I ran for Weather Underground.
12 You are familiar with Google; yes?
13 A. Yes.
14 Q. You recognize this as a Google search?
15 A. I recognize the Google logo.
16 Q. Okay. Can you just run through this and let
17 me know which entries, if any, are not affiliated with
18 your company?
19 In fact, I'll just give you my pen, and if
20 you'd just put an "X."
21 A. I believe the last one --
22 MR. HALL: What do you mean by "affiliated"?
23 MR. DELGADO: It's not them.
24 MR. HALL: Meaning they do not own it?
25 MR. DELGADO: Yes or have anything to do with