

# EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

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ASCENTIVE, LLC,

Plaintiff,

v.

GOOGLE, INC.,

Defendant.

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: Civil Action No. 2:09-cv-02871  
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**NOTICE OF 30(b)(6) DEPOSITION DIRECTED TO DEFENDANT GOOGLE, INC.**

To: Larry R. Wood, Jr.  
Pepper Hamilton LLP  
3000 Two Logan Square  
Eighteenth and Arch Streets  
Philadelphia, PA 19103-2799

Margaret M. Caruso  
Quinn Emanuel Urquhar Oliver Hedges, LLP  
555 Twin Dolphi Dr., Suite 560  
Redwood Shores, CA 94065

*Attorneys for defendant Google, Inc.*

**PLEASE TAKE NOTICE** that plaintiff Ascentive, LLC (“Ascentive”), will take the deposition upon oral examination of an officer(s), director(s), managing agent(s), or other person(s) designated by defendant Google, Inc. (“Google”), in accordance with Rule 30(b)(6) of the Federal Rules of Civil Procedure. Examination is requested on the following matters:

- (a) Google’s decision to permanently suspend Ascentive from its AdWords advertising program on or about February 27, 2009, and the basis, if any, for that decision;

(b) The definition of the term “multiple policy disapprovals,” as that term is used in Google’s April 28, 2009, correspondence to Ascentive (*see* Exhibit 1 to Ascentive’s document requests);

(c) Google’s internal procedures, if any, providing for a review of a suspension of an AdWords account;

(d) Google’s failure to include websites operated by Ascentive, including but not limited to the websites FinallyFast.com and FastatLast.com, in its search listings, and to assign these websites a PageRank of zero;


(e) Google’s internal procedures, if any, related to Google’s investigation of the use of trademarks in AdWords headings and ad text, and the removal of trademarks from AdWords headings and ad text;

(f) Google’s review of the trademark complaints submitted to Google by Ascentive, any investigation by Google in response to these complaints, and the results of any investigation in response to these complaints;

(g) The approximate number of Google Advertisers that selected or bid on trademarks owned by Ascentive (trademarks identified in Ascentive’s complaint in the above-captioned matter), as keywords between 2003 and the present, and the amount paid to Google by these advertisers;

(h) The approximate number of Google Advertisers that submitted or ran ads containing trademarks owned by Ascentive in their headings or text between 2003 and the present, and the amount paid to Google by these advertisers.

The deposition of Google's designee(s) will be taken on \_\_\_\_\_, 2009,  
at 10:00 a.m. at the offices of Flaster/Greenberg, PC., 1600 John F. Kennedy Blvd., Suite 200,  
Philadelphia, PA 19103, before a person duly authorized to administer oaths and will be recorded  
by stenographic means.

By:   
Abbe F. Fletman, Esq.  
Jordan A. LaVine, Esq.  
Alexis Arena, Esq.  
FLASTER/GREENBERG P.C.  
1600 John F. Kennedy Blvd., Suite 200  
Philadelphia, PA 19103  
*Attorneys for plaintiff Ascentive, LLC*

Dated: July 24, 2009

**CERTIFICATE OF SERVICE**

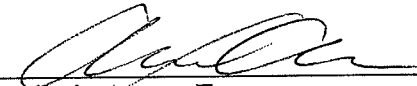
I hereby certify that on July 24, 2009, I caused to be served a true and correct copy of the foregoing Notice of 30(b)(6) Deposition Directed to Defendant Google, Inc., upon the following via the Court's electronic filing system:

Larry R. Wood, Jr.  
Pepper Hamilton LLP  
3000 Two Logan Square  
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Redwood Shores, CA 94065

*Attorneys for Defendant Google, Inc.*

By: \_\_\_\_\_



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Philadelphia, PA 19103  
*Attorney for plaintiff Ascentive, LLC*

Dated: July 24, 2009