

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

FUNCTION MEDIA, L.L.C.,

v.

GOOGLE INC. AND YAHOO!, INC.

Civil Case No. 2:007-CV-279 (CE)

**GOOGLE INC.'S FIRST SUPPLEMENTAL INITIAL DISCLOSURES
PURSUANT TO FED. R. CIV. P. 26(a)(1)**

Google provides its first supplemental initial disclosures pursuant to Federal Rule of Civil Procedure 26(a)(1) and the Court's January 24, 2008 Discovery Order based on the information reasonably available to Google at this time. Google reserves its right to supplement these disclosures in the future. By making these disclosures, Google does not intend to waive any applicable privilege or work product protection and expressly reserves its right to object to the production of any of the information identified herein on those grounds. Google also reserves its right to object to the admissibility of any of the information disclosed below. Google is only supplementing specific sections of its Initial Disclosures below and continues to rely on its Initial Disclosures served on March 24, 2008 to the extent not supplemented below.

D. Individuals Likely to Have Discoverable Information

At this time, Google believes the following individuals are likely to have discoverable information that Google may use to support its claims and/or defenses. Some of the individuals identified below are Google employees or were Google employees during the relevant time period when they may have gained knowledge regarding the identified subjects. Plaintiffs may contact them only through Google's attorneys of record.

Name	Contact Information	Subjects
Virtual Cities, LLC and/or Virtual Cities Inc.	Known to plaintiff	Patents-in-suit, prosecution, conception, reduction to practice, design, development, embodiments, licensing, commercial success, predecessors in interest
O.N.S., Inc.	Known to plaintiff	Patents-in-suit, prosecution, conception, reduction to practice, design, development, embodiments, licensing, commercial success, predecessors in interest
Michael Coker, Esq.	Known to plaintiff	Patents-in-suit, predecessors in interest
Lucinda Stone	Known to plaintiff	Patents-in-suit, prosecution, conception, reduction to practice, design, development, embodiments, licensing, commercial success, predecessors in interest
Michael Dean	Known to plaintiff	Patents-in-suit, prosecution, conception, reduction to practice, design, development, embodiments, licensing, commercial success, predecessors in interest
Kenneth S. Roberts, Esq.	Known to plaintiff	Prior art, prosecution of patents-in-suit
Henry Croskell, Esq.	Known to plaintiff	Prosecution of patents-in-suit
Orrick, Herrington & Sutcliffe LLP	Known to plaintiff	Prior art, prosecution of patents-in-suit
Arnold Behrman	301 Pleasant Valley Rd. Morganville, NJ 07751 (732) 946-3304	Prior art, prosecution of patents-in-suit
DoubleClick Inc. (current and former employees and related entities, e.g., NetGravity, L90)	A company recently acquired by Google Inc., contact may be made through counsel for Google Inc.	Prior art
Microsoft Corporation (current and former employees and related entities, e.g., Accipiter, Atlas, Engage, Go Toast)	One Microsoft Way Redmond, WA 98025 (800) 642-7676	Prior art, Internet Explorer APIs, commerce server products

Name	Contact Information	Subjects
CMGI Corporate (current and former employees and related entities, e.g., Accipiter, AdForce, AdKnowledge, Engage, ClickOver, Flycast Communications, FocalLink Media Services)	11000 Winter Street, Suite 4600 Waltham, MA 02451 (781) 663-5001	Prior art
Mozilla Foundation	1981 Landings Drive Building K Mountain View, CA 94043 (650) 387-0625	Mozilla FireFox APIs
Association for Computing Machinery (ACM)	1515 Broadway New York, NY 10036 (212) 869-7440	Prior art
IEEE	3 Park Avenue, 17th Fl. New York, NY 10016 (212) 419-7900	Prior art
WPP Group plc (current and former employees and related entities, e.g., 24/7 Media, Real Media)	Represented by: David S. Greenberg Davis & Gilbert LLP 1740 Broadway New York, NY 10019 (212) 468-4895 Witness address is: 125 Park Avenue New York, NY 10017 (212) 632-2200	Prior art
Internet Advertising Bureau	116 East 27 th Street, 7 th Floor New York, NY 10016 (212) 380-4700	Prior art
Internet Archive	116 Sheridan Avenue The Presidio of San Francisco San Francisco, CA 94129 (415) 561-6767	Prior art
Omnicom Group (current and former employees and related entities, e.g. BBDO)	437 Madison Avenue New York, NY 10022 (212) 415-3600	Prior art
Yahoo! Inc. (current and former employees and related entities, e.g. , Overture Services, GoTo.com, etc.)	701 First Street Sunnyvale, CA 94089 (408) 349-3300	Prior art
Match.com (current and former employees and related entities,	Post Office Box 25472 Dallas, TX 75225	Prior art

Name	Contact Information	Subjects
e.g. Electric Classifieds, Inc.	(214) 265-3039	
Amazon.com, Inc. (current and former employees and related entities)	1200 12 th Ave., S, Ste. 1200 Seattle, WA 98144 (206) 266-1000	Prior art
Travelocity.com, L.P. (current and former employees and related entities)	3150 Sabre Drive Southlake, TX 76092 (682) 605-1000	Prior art
Expedia, Inc. (current and former employees and related entities)	3150 139 th Ave., SE Bellevue, WA 98005 (800) 397-3342	Prior art
Information Access Technologies, Inc. (current and former employees and related entities)	1500 Oliver Road, Ste. K Fairfield, CA 94534 (510) 704-0160	Prior art
Newspaper National Network LP (current and former employees and related entities)	20 W. 33 rd Street New York, NY 10001 (866) 451-4636	Prior art
Nestor, Inc. (current and former employees and related entities, including Nestor Interactive and Peter Schofield)	42 Oriental Street Providence, RI 02908-3238 (401) 274-5658	Prior art
ad pepper media USA, LLC	108 West 39th Street Suite 1000 10018 New York (212) 686-1000	Prior art
ad pepper media International N.V. (Ulrich Schmidt)	Frankenstraße 150 C FrankenCampus 90461 Nürnberg 49 (0) 911/ 92 90 57-0	Prior art
Eclipse Services (Jeanette MacNeille)	Represented by counsel for Google Inc. P.O. Box 2075 Upper Darby, PA 19082 (610) 352-6800	Prior art
AdStar, Inc. (current and former employees including Eli Rousso)	4553 Glencoe Ave., Ste. 300 Marina del Rey, CA 90292 (310) 577-8255	Prior art
Priceline.com, Inc.	800 Connecticut Ave., Norwalk, CT 06854	Prior art
Arthur Britto	2536 College Avenue, #4A Berkeley, CA 94704 (510) 704-0160	Prior art
Christopher Evans (formerly with Accipiter)	Represented by counsel for Google Inc.	Prior art

Name	Contact Information	Subjects
	8354 Six Forks Road, #204 Raleigh, NC 27615 (919) 844-9991	
Roy Fielding (formerly with Apache Software Foundation)	Represented by counsel for Google Inc. 80 Corsica Drive Newport Beach, CA 92660 (949) 573-4007	Prior art
Sandilee Mathers (formerly with AdForce, Inc.)	Represented by counsel for Google Inc. 2536 Santa Ana, #2 Costa Mesa, CA 92627 (949) 574-1984	Prior art
Andrew Schulz (formerly with AdKnowledge, Inc.)	Represented by counsel for Google Inc. 267 Kelton Avenue San Carlos, CA 94070 (650) 274-7008	Prior art
Robbin Zeff	Represented by counsel for Google: 3111 20 th Street, N. C542 Arlington, VA 22201 (703) 966-2457	Prior art
Tom Shields (formerly with NetGravity)	1205 Drake Avenue Burlingame, CA 94010 (415) 699-3474	Prior art
Phillip Lindsay (Software Engineer, formerly with AdForce, Inc.)	Google Inc.	Prior art
Mark Scheele (formerly with AdForce, Inc.)	Google Inc.	Prior art
Brian Axe (Product Management Director)	Google Inc.	Accused products
Richard Holden (Product Management Director)	Google Inc.	Accused products
Adam Leader (Product Manager)	Google Inc.	Accused products
Angela Lai (Uber Tech Lead)	Google Inc.	Accused products
Scott Bonneau (Tech Lead/Manager)	Google Inc.	Accused products
Jeffrey Dean (Google Fellow)	Google Inc.	Accused products
Peter Kappler (Staff Software Engineer)	Google Inc.	Accused products

Name	Contact Information	Subjects
Sridhar Ramaswamy (Engineering Director)	Google Inc.	Accused products
Jason Miller (PM)	Google Inc.	Accused products
Chad Steelberg (formerly with AdForce, Inc.)	101 Academy, Ste. 110 Irvine, CA 92617	Prior art
Fair Isaac (current and former employees and related entities, including Aptex Software Inc.)	901 Marquette Ave. Ste. 3200 Minneapolis, MN 55402 (612) 758-5200	Prior art
Greg Meinke (Sr. Software Engineer, formerly with AdForce, Inc.)	Google Inc.	Prior art
MediaSpan (current and former employees of Baseview Products Inc., including possibly Mark Best)	Represented by: John M. Guaragna DLA Piper US LLP 1221 S. Mopac Expressway Ste. 400 Austin, TX 78746 (512) 457-7125 Witness address is: 333 Jackson Plaza Ann Arbor, MI 484103 (734) 887-4400	Prior art
Jack Rosensweig (formerly with MediaSpan/Baseview Products, Inc.)	3254 N Dancer Rd. Dexter, MI 48130 (734) 426-7765	Prior art
Peter Johnson (formerly with MediaSpan/Baseview Products, Inc.)	3302 N Dancer Rd. Dexter, MI 48130 (734) 426-7026	Prior art
James Meyer (formerly with MediaSpan/Baseview Products, Inc.)	1288 Bird Rd. Ann Arbor, MI 48103 (734) 668-6336	Prior art
Ragan Montemayor (formerly with MediaSpan/Baseview Products, Inc.)	638 Cromwell Way Lexington, KY 40503 (859) 227-4338	Prior art
Paul Nakada (formerly with NetGravity)	108 Chaves Ave. San Francisco, CA 94127 (415) 661-3080	Prior art
Ryan Steelberg (formerly with AdForce, Inc.)	101 Academy, Ste. 110 Irvine, CA 92617	Prior art
Sterling Valley Systems, Inc.	722 South Main PO Box 309 Stowe, VT 05672 (802) 253-2905	Prior art

Name	Contact Information	Subjects
TMA E-Marketing	5509 Eden Prairie Road Minnetonka, MN 55345 (952) 931-9960	Prior art
Karen Delfau (Manager, Software Engineer, formerly with DoubleClick)	Google Inc.	Prior art
Kenneth Jensen (Senior Account Manager, formerly with DoubleClick)	Google Inc.	Prior art
Steve Rupp (MTS, Senior Staff Software Engineer, formerly with DoubleClick)	Google Inc.	Prior art
Russ Seligman (formerly with NetGravity)	Represented by counsel for Google Inc. 4207 Highview Drive San Mateo, CA 94403 (650) 740-5150	Prior art
Greg Tagaris (Director, Software Engineering, formerly with DoubleClick)	Google Inc.	Prior art
Alex Kinnier (Group Product Manager)	Google Inc.	Accused products
Andrew Poon (Lead PM)	Google Inc.	Accused products
Bhavesh Mehta (Engineering Director)	Google Inc.	Accused products
Dominic Preuss (Product Manager)	Google Inc.	Accused products
Gokul Rajaram (Product Manager Director)	Google Inc.	Accused products
Maneesh Arora (Product Manager)	Google Inc.	Accused products
Pete Koomen (Associate Product Manager)	Google Inc.	Accused products
Rama Ranganath (Staff Software Engineer)	Google Inc.	Accused products
Rohit Dhawan (Sr. Product Manager)	Google Inc.	Accused products
Jennifer Su (Account Associate)	Google Inc.	Virtualcites.com account
Leo Dilem (Account Strategist)	Google Inc.	Virtualcites.com account
Geoffrey Vitt (Team Lead)	Google Inc.	Virtualcites.com account
Anna Khesed (Platforms Marketing)	Google Inc.	Virtualcities.com account
Nic Bennett (Account Strategist)	Google Inc.	Virtualcities.com account

Name	Contact Information	Subjects
James Cole (Sales Representative)	Google Inc.	Virtualcities.com account
Pauline Samson (formerly with Customer Support)	Google Inc.	Virtualcities.com account

Dated: August 27, 2008

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ Jason W. Wolff

Juanita R. Brooks - Lead Attorney
(CA SBN 75934)
E-mail: brooks@fr.com
Jason W. Wolff
(CA SBN 215819)
E-mail: wolff@fr.com
Fish & Richardson P.C.
12390 El Camino Real
San Diego, CA 92130
Telephone: (858) 678-5070
Facsimile: (858) 678-5099

Thomas B. Walsh, IV
Texas Bar No. 00785173
E-mail: walsh@fr.com
Fish & Richardson P.C.
5000 Bank One Center
1717 Main Street
Dallas, TX 75201
Telephone: (214) 747-5070
Facsimile: (214) 747-2091

Harry L. Gillam, Jr.
Texas Bar No. 07921800
E-mail: gil@gillamsmithlaw.com
Melissa R. Smith
Texas Bar No. 24001351
E-mail: melissa@gillamsmithlaw.com
GILLAM & SMITH, L.L.P.
303 South Washington Avenue
Marshall, TX 75670
Telephone: (903) 934-8450
Facsimile: (903) 934-9257

Counsel for Defendant and Counter-Claimant
GOOGLE INC.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on counsel of record via electronic means as agreed by the parties on August 27, 2008.

/s/ Jason W. Wolff
Jason W. Wolff