

# Exhibit E

**quinn emanuel trial lawyers | new york**

51 Madison Avenue, 22nd Floor, New York, New York 10010-1601 | TEL: (212) 849-7000 FAX: (212) 849-7100

WRITER'S DIRECT DIAL NO.  
(212) 849-7106

WRITER'S INTERNET ADDRESS  
[eddefranco@quinnemanuel.com](mailto:eddefranco@quinnemanuel.com)

September 22, 2009

**VIA EMAIL**

Joseph S. Grinstein, Esq.  
Susman Godfrey L.L.P.  
1000 Louisiana, Suite 5100  
Houston, TX 77002

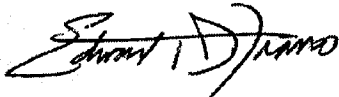
Joe:

As we discussed, in a good faith effort to narrow the issues for trial, Google has reviewed and reduced the number of asserted prior art references. These references are listed on the attachment to this letter. The attachment also sets forth the first bates number for some of the documents on which Google will rely.

Please note that Google also reserves its rights under L.P.R. 3-6, and it may rely on other references to rebut any assertions by FM on the prior art, such as the state of the online advertising art at the time of the alleged inventions.

Please let me know if you have any questions.

Regards,



Edward J. DeFranco  
EJD:JRL

**quinn emanuel urquhart oliver & hedges, llp**

LOS ANGELES | 865 South Figueroa Street, 10th Floor, Los Angeles, California 90017-2543 | TEL (213) 443-3000 FAX (213) 443-3100  
SAN FRANCISCO | 50 California Street, 22nd Floor, San Francisco, California 94111 | TEL (415) 875-6600 FAX (415) 875-6700  
SILICON VALLEY | 555 Twin Dolphin Drive, Suite 560, Redwood Shores, California 94065-2139 | TEL (650) 801-5000 FAX (650) 801-5100  
CHICAGO | 250 South Wacker Drive, Suite 230, Chicago, Illinois 60606-6301 | TEL (312) 463-2961 FAX (312) 463-2962  
LONDON | 16 Old Bailey, London EC4M 7EG, United Kingdom | TEL +44(0) 20 7653 2000 FAX +44(0) 20 7653 2100  
TOKYO | Akasaka Twin Tower Main Bldg., 6th Fl., 17-22 Akasaka 2-Chome, Minato-ku, Tokyo 107-0052, Japan | TEL +81 3 5561-1711 FAX +81 3 5561-1712

<b>Prior Art References On Which Google Intends to Rely</b>		
<b>Reference</b>		<b>Starting Bates Number/Exhibit Number</b>
U.S. Patent No. 5,918,014		G025074
U.S. Patent No. 5,948,061		G000550
U.S. Patent No. 6,026,368		G000597
U.S. Patent No. 6,401,075		G001011
U.S. Patent No. 6,985,882		G001178
WO 97/21183		G000170
Robbin Zeff & Brad Aronson, Advertising on the Internet (John Wiley & Sons, 1997)		G018953
Robbin Zeff & Brad Aronson, Advertising on the Internet, 2nd ed. (John Wiley & Sons, 1999)		G018509
Langheinrich et al., Unobtrusive Customization Techniques for Web Advertising, 31 Computer Networks, pp. 1259–1272 (May 1999)		G016452
AdForce	AdForce, Inc., User Guide: A Complete Guide to AdForce, Version 2.6 (1998)	G005430
	Passing and Using Multiple Parameters in AdForce Tags	G005733
	Guidelines for Creating and Submitting Creatives	G008119
Aaddzz	Information Access Technologies, Inc., Aaddzz Brochure (1997)	G005296
AdKnowledge	Campaign Manager: Reviewer's Guide (1996)	G014779
	MarketMatch Planner: Reviewer's Guide (1996)	G014856
NetGravity	NetGravity AdServer v. 3.5, User Assistance Guide (1998)	G017154
DoubleClick	DoubleClick User Manual	G003512
	DoubleClick DART Brochure	G014967
	DoubleClick University	GGL-FM0040181
	DART for Advertisers Quick Reference Cards	GGL-FM0040221
	DART for Advertisers Trafficking Training	GGL-FM0040240
AdStar	Ad-Star Orange County Register User's Manual (1996)	Deposition Exhibit 167
	Ad-Star Web site	Deposition Exhibit 169
AdManagerPro	Baseview Products, Inc., AdManagerPro Administrator's Manual, Version 2.0 (June 1998)	G068214
	Baseview Products, Inc., AdManagerPro User Manual, v. 2.0 (June 1998)	G068441