

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

**BRIGHT RESPONSE, LLC,
F/K/A POLARIS IP, LLC**

v.

GOOGLE INC., et al.

Civil Case No. 2:07-CV-371-TJW-CE

JURY TRIAL DEMANDED

**DECLARATION OF TODD KENNEDY IN SUPPORT OF
DEFENDANTS' JOINT RESPONSE BRIEF ON CLAIM CONSTRUCTION**

I, Todd Kennedy, declare:

1. I am an associate of Quinn Emanuel Urquhart Oliver & Hedges LLP, attorneys for defendants Google Inc., America Online, Inc., and AOL, LLC in this litigation. The facts stated herein are true and of my own personal knowledge and, if called as a witness, I could and would testify competently thereto.

2. Attached as Exhibit 1 is a true and correct copy of a document bearing control numbers BR000619-27.

3. Attached as Exhibit 2 is a true and correct copy of U.S. Patent No. 5,581,664.

4. Attached as Exhibit 3 are excerpts from the July 10, 2009 deposition of Richard Gregson.

5. Attached as Exhibit 4 is a true and correct copy of U.S. Provisional Application No. 60/042,494.

6. Attached as Exhibit 5 is a June 13, 2009 office action of the United States Patent and Trademark Office.

7. Attached as Exhibit 6 is a true and correct copy of excerpts from Amar Gupta and Bandreddi E. Prasad, Microcomputer-Based Expert Systems (1988).

8. Attached as Exhibit 7 is a true and correct copy of a document bearing document control numbers BR010462-511.

9. Attached as Exhibit 8 is a true and correct copy of a document filed in the United States Patent Office regarding U.S. Application No. 90/009,155, and dated August 12, 2009.

10. Attached as Exhibit 9 is a true and correct copy of excerpts of Newton's Telecom Dictionary (16th ed. 2000).

11. Attached as Exhibit 10 are excerpts of the July 9, 2009 deposition of Rosanna Piccolo.

I declare under penalty of perjury that the foregoing is true and correct.

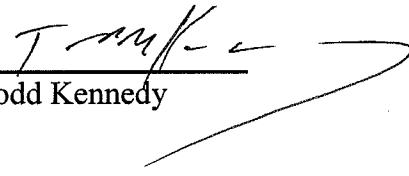
Executed on: February 25, 2010

By: 

Todd Kennedy

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who are deemed to have consented to electronic service on the 25 of February, 2010. Local Rule CV-5(a)(3)(A).

By: 
Todd Kennedy