

**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' MOTION FOR SUMMARY JUDGMENT OF INVALIDITY**

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 A is a true and correct copy of U.S. Patent No. 6,411,947 to Amy Rice et al.
3. Attached as Exhibit B is a true and correct copy of a document entitled "EZ Reader: Embedded AI for Automatic Electronic Mail Interpretation and Routing," AAAI Press / The MIT Press (1996).
4. Attached as Exhibit C is a true and correct copy of U.S. Patent No. 5,581,664 to Bradley P. Allen et al.
5. Attached as Exhibit D is a true and correct copy of excerpts of the transcript of the November 13, 2009 deposition of Anthony Angotti.

6. Attached as Exhibit E is a true and correct copy of excerpts of the transcript of the July 9, 2009 deposition of Rosanna Piccolo.

7. Attached as Exhibit F is a true and correct copy of excerpts of the transcript of the March 19, 2010 deposition of Amy Rice.

8. Attached as Exhibit G is a true and correct copy of a document entitled "Declaration of Amy Rice," bearing document control numbers RICE001403-06.

9. Attached as Exhibit H is a true and correct copy of Plaintiff's Objections and Supplemental Responses to Defendants' First Set of Interrogatories, dated April 29, 2010.

10. Attached as Exhibit I is a true and correct copy of excerpts of the transcript of the June 3, 2010 deposition of Bradlee Sheafe.

11. Attached as Exhibit J is a true and correct copy of Plaintiff's Objections and Responses to Google's Second Set of Interrogatories.

12. Attached as Exhibit K is a true and correct copy of Plaintiff's Objections and Responses to Yahoo's First Set of Interrogatories.

13. Attached as Exhibit L is a true and correct copy of a document entitled "The Eighth Annual Innovative Applications of Artificial Intelligence Conference: Call for Papers, Panels, and Invited Talks."

14. Attached as Exhibit M is a true and correct copy of a document entitled "EZ Reader User's Guide and Reference Manual," dated February 5, 1996 and bearing document control numbers JPM00313-51 and JPM00001-21.

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

16. Attached as Exhibit O is a true and correct copy of a declaration signed by Amy Rice and dated June 9, 1998.

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

Executed on: July 1, 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 July 1, 2010. Local Rule CV-5(a)(3)(A).

By: 

Todd Kennedy