

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

**BRIGHT RESPONSE, LLC**

**Plaintiff,**

**v.**

**GOOGLE INC., et al.,**

**Defendants.**

**Civil Action No. 2:07-cv-371-TJW**

**JURY**

**DECLARATION OF ANDREW D. WEISS IN SUPPORT OF REPLY IN  
RESPONSE TO PLAINTIFF'S EMERGENCY MOTION TO STRIKE  
PORTIONS OF DEFENDANTS' INVALIDITY EXPERT REPORT AND  
DEFENDANTS' SUMMARY JUDGMENT BRIEFING**

I, Andrew D. Weiss, declare and state as follows:

1. I am a member of the State Bar of California and an associate at the firm of Russ, August & Kabat, counsel of record for Plaintiff Bright Response, LLC in the above-captioned action. I have personal knowledge of the facts set forth herein, and if called upon to testify, could and would testify competently thereto.

2. Exhibit A is a true and correct copy of the relevant excerpts of the REPORT OF DEFENDANTS' EXPERT L. KARL BRANTING, PH.D, J.D. CONCERNING INVALIDITY OF CLAIMS 26, 28, 30, 31, 33, AND 38 OF U.S. PATENT NO. 6,411,947, served on July 6, 2010.

3. Exhibit B is a true and correct copy of the relevant excerpts from the transcript of the deposition of Phil Klahr, taken on July 23, 2010.

4. Exhibit C is a true and correct copy of an email between Jules Adler and David Perlson regarding the Declaration of Julie Hsu dated April 28, 2010 bearing Bates No. GOOG1689873.

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

Executed this 27th day of July, 2010, in Marshall, Texas.

/s/ Andrew D. Weiss  
Andrew D. Weiss