

EXHIBIT A

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

PERFORMANCE PRICING, INC.,

Plaintiff,

v.

**GOOGLE, INC.; AOL, LLC;
MICROSOFT CORP.; YAHOO! INC.;
IAC SEARCH & MEDIA, INC.; and
A9.COM, INC.,**

Defendants.

CASE NO. 2-07CV-432-LED

Jury Trial Demanded

Notice of Rule 30(b)(6) Deposition of Google, Inc (Part 1).

PLEASE TAKE NOTICE that pursuant to Rule 30 of the Federal Rules of Civil Procedure, counsel for Performance Pricing, Inc., will take the deposition of Google, Inc. at **9:00 a.m. on Wednesday, January 14, 2008**, at Merrill Legal Solutions, 1731 Embarcadero Road, Palo Alto, CA 94303. Should the deposition not be completed on that day, the deposition shall be concluded on a later date to be agreed upon by the parties.

The deposition will be recorded stenographically by a deposition officer, as specified in Rule 28(a) of the Federal Rules of Civil Procedure.

FURTHER NOTICE is hereby given that Plaintiff intends to videotape and audiotape the above deposition pursuant to Rule 30(b)(2), (3), and (4) of the Federal Rules of Civil Procedure.

Definitions

1. "Performance Pricing" means plaintiff Performance Pricing, Inc.

2. The term “you” or “your” means Google, Inc.
3. “‘253 Patent” means United States Patent No. 6,978,253 entitled “Systems and Methods for Transacting Business Over a Global Communications Network such as the Internet.”
4. “Accused Systems” means the Google AdWords System.

Subjects of Examination

1. The detailed identification of all facts and documents that address whether Google’s Accused Systems include each part of each of the following steps from the ‘253 Patent:
 - a. “communicating to a buyer via the global communications network, a description of a product” (claim 1);
 - b. “accepting a first request from the buyer to buy the product for a price to be determined within a price range” (claim 1);
 - c. “accepting a second request from the buyer to allow the price to be determined based upon a performance of the buyer while participating in a Price-Determining Activity (PDA)” (claim 1);
 - d. receiving data from the buyer over the global telecommunications network, said data representing the performance of the buyer during the PDA” (claim 1);
 - e. “determining the price of the product based at least partially upon the data received” (claim 1);
 - f. “said price being within the price range and scaled to the performance of the buyer” (claim 1);
 - f. “participation of at least one participant in addition to the buyer” (claim 9)
 - g. “determining the price based at least partially upon a competition between the buyer and the at least one participant using the PDA” (claim 10).

Dated: December 30, 2008

Respectfully submitted,

By: /s/ Christin Cho

Christin Cho

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ATTORNEYS FOR PLAINTIFF
PERFORMANCE PRICING, INC.

CERTIFICATE OF SERVICE

This is to certify that a true and correct copy of the above and foregoing document was served, via E-mail, on counsel for Defendants this 30th day of December, 2008.

/s/ Christin Cho
Christin Cho