

**AN EMPIRICAL ANALYSIS OF CONSUMERS' UNDERSTANDING OF THE
RELATIONSHIP BETWEEN SPONSORED LINKS AND "SEARCHED FOR"
LINKS ON INTERNET SEARCH ENGINES**

Submitted to:

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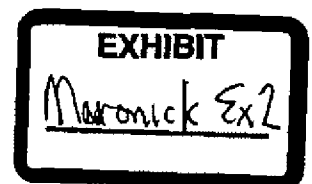
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Report -x



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Dr. Thomas J. Maronick, DBA, JD

QUALIFICATIONS

I am a Professor of Marketing at Towson University in Towson, Maryland, and have been a member of the Marketing faculty since 1987. My primary teaching responsibilities are undergraduate and graduate courses in Marketing Research and Marketing Strategy. My educational background includes an undergraduate degree in Philosophy from St. Thomas Seminary, a Masters in Business Administration from the University of Denver, a Doctorate in Business Administration with a major in Marketing from the University of Kentucky, and a JD from the University of Baltimore School Of Law. My curriculum vita is attached as Exhibit A and provides a more detailed summary of my educational background and professional experience.

BACKGROUND AND EXPERIENCE

From 1980 through 1997, I was the Director of the Office of Impact Evaluation in the Bureau of Consumer Protection at the Federal Trade Commission (FTC). In that capacity I served as the FTC staff expert on marketing, advertising, consumer behavior, and survey matters, and provided advice on marketing-related matters to the legal staff in each of the Bureau's Divisions¹ and to the Director and Associate Director of the Bureau of Consumer Protection. As the Director of the Office of Impact Evaluation, I also designed and implemented over 300 consumer studies on behalf of the Commission in

¹ The Divisions of the Bureau of Consumer Protection were: Enforcement, Marketing Practices, Advertising Practices, and Credit Practices.

support of its litigation activities. Since 1997, when I left the FTC, I have served as an independent marketing and advertising consultant and have been qualified as an expert in deceptive marketing and advertising matters in numerous state and federal jurisdictions. Included in my litigation experience is designing numerous consumer and business-to-business surveys and serving as a marketing expert in evaluating surveys undertaken by others as part of their litigation strategies.

Based on my educational background, my experience at the FTC, and my experience as an independent consultant, I consider myself and have been qualified as an expert in marketing and survey research and in the evaluation of marketing practices of firms operating in the marketplace.

MATERIALS REVIEWED

1. Class Action Complaint

SCOPE OF ENGAGEMENT

I have been retained by attorneys representing class plaintiffs to design two consumer surveys to assess consumers' interpretation of the relationship between search page results and "sponsored links" found on search page results. The surveys assess consumers' perceptions of generic and hypothetical sponsored links that may be presented to a user on Google.com, Yahoo.com, and Ask.com search page results (Survey 1) and consumers' perceptions of actual sponsored links that are presented to a user as part of Google search page results (Survey 2). The studies also assess consumers' perception of the likelihood of being able to purchase the "searched for" company or trademark holder's product or service from both hypothetical and actual sponsored link firms. In designing the surveys I am relying on my educational background, my academic/teaching background, and my professional experiences designing consumer

surveys for litigation as described above and in my Curriculum Vitae. I am being compensated at \$450.00 per hour. My compensation is not dependent on the results of the surveys or my opinions.

SUMMARY OF OPINION

This research reported here has three parts. The first two surveys are drawn from a single sample frame (i.e., an internet panel). The first survey assesses consumers' perceptions of generic sponsored links across three internet search engine platforms (i.e., Google, Yahoo, Ask.com) and consumers' perceived likelihood of being able to buy a generic "searched for" product or service from the sponsored link firm. The second survey assesses consumers' perceptions of their likelihood of being able to buy a specific product (i.e., iPad) from three hypothetical sponsored links: "Apple.com," "Bob's Electronic Mart," and "iPadd \$89.34 On Sale." The third survey is drawn from the same internet panel and assesses consumers' perceptions of their likely ability to buy the products or services from actual sponsored links on the Google search results page for two particular products and services, here Trek bicycles or Southwest Airlines tickets.

The survey results revealed that high percentages of respondents believe they could buy the "searched for" product or service from generic sponsored links. The data also revealed that a very high percentage of consumers exposed to a "realistic" hypothetical sponsored link (Apple.com) and actual sponsored links (Smartfares.com/Southwest, BikesDirect.com) found on the Google search results page for Southwest Airlines and Trek bicycles believed they could buy the product from the sponsored link firms. Also, between 40% and 48% of respondents believe they could definitely or probably buy an iPad from less specific hypothetical sponsored links (i.e., "Bob's Electronic Mart" and "iPadd \$89.34 On Sale"). Thus, in my opinion, the three

surveys described above provide strong objective evidence of initial interest confusion among consumers in connection with search results pages that contain sponsored links for companies that do not sell the “searched for” company or trademark holder’s product or service.

Additionally, significant percentages of respondents (42% - 71%), when asked about hypothetical sponsored links, believe the sponsored links that are found on internet search results pages are either “sponsored by,” “related to,” or “affiliated with” the company or trademark holder’s products or services. Also, when shown actual sponsored links on search results pages for specific “searched for” brands (e.g., Southwest Airlines, Trek bicycles), the percent of respondents who believe the sponsored links are “sponsored by,” “associated with,” or “affiliated with” the trademark holder ranged from about two-thirds for the a less well-known brand (i.e., Trek bicycles) to about one-third for the more well-known brand (i.e., Southwest Airlines). These perceived relationships, i.e., that the sponsored links are sponsored by, associated or related to, or affiliated with the “searched for” company or trademark, provide a strong rationale for consumers’ belief that they are likely to be able to buy the desired product or service from the sponsored link when they undertake a search for a company or trademark and see the sponsored link on the resulting search results page.

The consistency of findings across different types of trademarks (generic, hypothetical, and actual) and across multiple types of product categories (electronics, bicycles, and airline tickets) indicates that consumers’ beliefs about their ability to buy the “searched for” goods and services from the sponsored links is common regardless of the trademarks searched for. Similarly, the consistency of these findings shows that consumers believe the sponsored links are sponsored by, associated with, or affiliated

with the “searched for” company or trademark holder, regardless of the particular “searched for” trademark. In my opinion, this is because Google has created an expectation that consumers will be able to buy the company’s products or services from the sponsored link firm by the inclusion of the sponsored link on the “searched for” company or trademark results page.

EMPIRICAL RESEARCH

Overall Methodology. The principle objective of the surveys was to assess consumers’ understanding of the relationship between “searched for” internet search results and “sponsored links” found on those search results pages. The data were collected using the Zoomerang.com internet survey platform, with the sample drawn from an internet panel of individuals who have agreed to provide demographic information so the sample selected can reflect the conditions specified by the researcher. The individuals also agree to participate in surveys on a periodic basis. Online surveys using internet panels is a well-accepted approach in the field of conducting advertising and consumer surveys².

The universe for the first survey (Survey 1) were individuals 21 and older who used either Google, Yahoo or Ask.com search engines and were familiar with sponsored links that are found on the search results pages. Following Zoomerang.com’s standard practice, panel members were sent an email message inviting them to participate in an online survey. There was no mention of the topic of the survey in the invitation email. A total of 200 completed questionnaires each from respondents who used each of the three search engines (i.e., Google, Yahoo, or Ask) are included in the analysis below.

² According to Cambiar (May, 2006) 66% of marketing research firms used pre-recruited panels for about one-third of their research.

The universe for the second survey (Survey 2) were individuals 21 and older who used the Google search engine and used, or would consider using an internet search engine either for making an airline reservation (on Southwest Airlines) or would consider using an internet search engine for information about a new bicycle (Trek) and were familiar with sponsored links that are found on the search results pages for the trademark holders (e.g., Southwest Airlines and Trek Bicycles). As in Survey 1, following Zoomerang.com's standard practice, panel members were sent an email message inviting them to participate in an online survey. There was no mention of the topic of the survey in the invitation email. A total of 200 completed questionnaires each from respondents who used the Google search engine for either a Southwest Airlines reservation or for information about a Trek bicycle they might consider purchasing are included in the analysis below.³

Since the respondents in all surveys use Google and use or would consider using Google for information in general and relative to the products and services that are the subject of Survey 2, i.e., airline travel, Trek bicycles, the respondents are in the target market for the trademarked goods and services and, therefore, in the universe that is appropriate for this research.

Methodology – Survey 1. Respondents who qualified for the Survey 1, i.e., used internet search engines and used one of the three search engines (Google, Yahoo, Ask.com) were first asked how frequently, if at all, they used company names or

³ To obtain 200 completed surveys from Trek respondents required a sample of 2084 compared to 252 respondents to complete the Southwest airlines part Survey 2. This suggests that identifying the perceived relationship between "searched for" trademarks and sponsored links is likely to be exponentially more difficult and time consuming with less well known brands.

trademarks as search terms (Q3)⁴ or generic product or service terms when doing an internet search (Q5). They were then asked whether they were familiar with “sponsored links” that appear on some search results pages (Q6) and specifically Google (Yahoo/Ask) search pages (Q7)⁵. They were then asked whether they thought the “sponsored links” on the search results page were sponsored by the “searched for” company or trademark holder (Q8), were related to that particular company or trademark holder (Q9), or affiliated with that particular company or trademark holder (Q10). Respondents were then asked whether they thought they could buy the “searched for” company or trademark holder’s goods or services through the sponsored link (Q11). Respondents were then asked whether they thought they could buy an Apple iPad from an Apple.com sponsored link (Q14), a “Bob’s Electronic Mart” sponsored link (Q15), or from a sponsored link that said “iPadd \$89.34 On Sale” (Q16). Finally, respondents were asked three demographic questions (gender, age, education). [Questionnaires for Survey 1 are attached as Exhibit B]⁶.

Findings – Survey 1. As noted in Table 1, the majority of consumers (59% - 72%) use a company name or trademark as a search term when using the Google, Yahoo, or Ask search engines, while even higher percentages (77% - 83%) use generic product or service terms when doing an internet search [Survey 1 results are attached as Exhibit C].⁷

⁴ Respondents were directed to “Don’t know/Not sure” if they were unsure of an answer. They were also directed not to guess.

⁵ The question numbers related to the Google section of the survey. Comparable questions were asked for the Yahoo.com and Ask.com search engines. No respondent was asked about more than one search engine.

⁶ The Survey 1 questionnaires are labeled Survey-x, and include: screener, Ask.com, Yahoo.com, and Google.com.

⁷ The Survey 1 results are labeled: Ask Landing Survey, Yahoo Landing Survey, and Google Landing Survey.

Table 1
Frequency Use Company Name/Trademark
or Generic Term for Internet Search

Q2 Frequency Use Company Name or Trademark for Search	Google	Yahoo	Ask.com
Always	2 (1%)	12 (6%)	13 (6%)
Often	41 (20%)	53 (26%)	77 (38%)
Sometimes	78 (39%)	81 (40%)	67 (33%)
Seldom	56 (28%)	40 (20%)	29 (14%)
Never	20 (10%)	13 (6%)	13 (6%)
Don't know/Not sure	4 (2%)	2 (1%)	2 (1%)
n	201 ⁸	201	201
Q3 Frequency Use Generic Term for Internet Search			
Always	7 (3%)	15 (7%)	12 (6%)
Often	87 (43%)	81 (40%)	100 (50%)
Sometimes	80 (40%)	75 (37%)	67 (33%)
Seldom	15 (7%)	22 (11%)	17 (8%)
Never	8 (4%)	7 (3%)	4 (2%)
Don't know/Not sure	4 (2%)	1	1
N	201	201	201

As noted in Table 2, most respondents were familiar with sponsored links in general and with those found on Google and Yahoo search results pages. On the other hand, while a similar percentage of respondents in the Ask.com sample are familiar with sponsored links in general, significantly fewer are familiar with those found on Ask.com search results pages.

⁸ The standard error for a sample is calculated with the formula $e^2 = z^2 (pq)/n$. Thus, for "sometimes" use company name or trademark for Google searches (39%), the standard error is +/- 6.8%.

Table 2
Familiarity with Sponsored Links

Q4 Familiar with Sponsored Links in General	Google	Yahoo	Ask.com
Yes	164 (82%)	179 (89%)	186 (93%)
No	18 (9%)	7 (3%)	4 (2%)
Not sure	19 (9%)	15 (7%)	11 (5%)
n	201	201	201
Q5 Familiar with Specific Sponsored Links			
Yes	141 (86%)	130 (73%)	109 (59%)
No	8 (5%)	15 (8%)	28 (15%)
Not sure	15 (9%)	34 (19%)	49 (26%)
n*	164	179	186

*Limited to those who said "Yes" to Q4.

Perception of Sponsored Links. As noted in Table 3, over half of the Yahoo and Ask.com respondents (53% - 55%) expect that the sponsored link on the two firms' search results pages is "sponsored" by the company or trademark holder that the respondent had searched on (Q6), while 42% of Google search respondents believe the sponsored link is sponsored by the company or trademark holder. Also, two-thirds of respondents believe that the sponsored link is "related to" the "searched for" company

Table 3
Perceptions of Sponsored Links

Q6 Expect Sponsored Link "Sponsored" by Company or Trademark Holder	Google	Yahoo	Ask.com
Yes	59 (42%)	72 (55%)	58 (53%)
No	44 (31%)	27 (21%)	25 (23%)
Not sure	38 (27%)	31 (24%)	26 (24%)
N*	141	130	109
Q7 Expect Sponsored Link to be Related to Company or Trademark Holder			
Yes	92 (65%)	86 (66%)	77 (71%)
No	23 (16%)	26 (20%)	17 (16%)
Not sure	26 (18%)	18 (14%)	15 (14%)
N*	141	130	109

Q8 Expect Sponsored Link to be Affiliated with Company or Trademark Holder			
Yes	68 (48%)	72 (55%)	61 (56%)
No	45 (32%)	38 (29%)	29 (27%)
Not sure	28 (20%)	20 (15%)	19 (17%)
N*	141	130	109

*Limited to those who said "Yes" in Q5.

or trademark holder (Q7), while about half believe that the sponsored link is "affiliated" with the company or trademark holder (Q8).

Likelihood of Buying From Sponsored Links -- Generic. As noted in Table 4, the majority of respondents using each of the three search engines, believe they "definitely or probably" could buy the "searched for" product or service from the sponsored link marketer, with slightly more than half of the Google and Yahoo respondents holding that belief, while almost two-thirds of the Ask.com sample believed they could buy the "searched for" product or service through the sponsored link.

Table 4
Likelihood Could Buy Company's Products
From Sponsored Link

Q9 Think you could buy "search for" company's product or service through sponsored link?	Google	Yahoo	Ask.com
Definitely could buy	16 (11%)	24 (18%)	28 (26%)
Probably could buy	59 (42%) [53%]*	48 (37%) [55%]	43 (39%) [65%]
Might or Might not be able to buy	49 (35%)	43 (33%)	31 (28%)
Probably could not buy	4 (3%)	4 (3%)	3 (3%)
Definitely could not buy	1 (1%)	3 (2%)	1 (1%)
Don't know	12 (9%)	8 (6%)	3 (3%)
n**	141	130	109

* Combines "Definitely could buy" and "Probably could buy" percentages

** Limited to those who said "Yes" in Q5.

Likelihood of Purchasing from Sponsored Link -- iPad. Respondents were asked if they were familiar with the iPad. Those who answered affirmatively (between 83% and 90% across the three search engine cells) were first asked whether they thought they could buy an iPad from an “Apple.com” sponsored link. As noted in Table 5, over 80% of the respondents in each search engine cell believed they either “definitely or probably” could buy an iPad through the Apple.com sponsored link.

Table 5
Could Buy iPad from Apple.com Sponsored Link

Q12 Think you could buy iPad from Apple.com sponsored link?	Google	Yahoo	Ask.com
Definitely could buy	59 (47%)	56 (49%)	41 (46%)
Probably could buy	45 (36%) [83%]*	37 (32%) [81%]	36 (40%) [86%]
Might or Might not be able to buy	19 (15%)	14 (12%)	9 (10%)
Probably could not buy	1 (1%)	4 (4%)	3 (3%)
Definitely could not buy		1 (1%)	
Don't know	2 (2%)	2 (2%)	1 (1%)
n**	126	114	90

* Combines “Definitely could buy” and “Probably could buy” percentages

** Limited to those who said “Yes” to Q5 and are familiar with iPad (Q10)

However, when asked whether they thought they could buy an iPad from a sponsored link called “Bob’s Electronic Mart,” as noted in Table 6, a majority or near majority of

Table 6
Could Buy iPad from “Bob’s Electronic Mart” Sponsored Link

Q13 Think you could buy iPad from “Bob’s Electronic Mart” sponsored link?	Google	Yahoo	Ask.com
Definitely could buy	12 (10%)	24 (21%)	17 (19%)
Probably could buy	48 (38%) [48%]*	51 (45%) [66%]	34 (38%) [57%]
Might or Might not be able to buy	53 (42%)	28 (25%)	25 (28%)
Probably could not buy	4 (3%)	4 (4%)	12 (13%)
Definitely could not buy	4 (3%)	3 (3%)	2 (2%)
Don't know	5 (4%)	4 (4%)	
n**	126	114	90

* Combines “Definitely could buy” and “Probably could buy” percentages

** Limited to those who said “Yes” to Q5 and are familiar with iPad (Q10) respondents (48% - 66%) in each search engine cell believe they either “definitely or probably” could buy the product through the “Bob’s Electronic Mart” sponsored link. Similar results, although with somewhat lower percentages (40% - 59%), were also found when respondents were asked whether they could buy an iPad from a sponsored link called “iPadd \$89.34 On Sale” (Table 7).

Table 7
Could Buy iPad from “iPadd \$89.34 On Sale” Sponsored Link

Q14 Think you could buy iPad from “iPadd \$89.34 On Sale” sponsored link?	Google	Yahoo	Ask.com
Definitely could buy	29 (23%)	31 (27%)	35 (39%)
Probably could buy	22 (17%) [40%]*	25 (22%) [49%]	18 (20%) [59%]
Might or Might not be able to buy	30 (24%)	15 (13%)	12 (13%)
Probably could not buy	16 (13%)	15 (13%)	10 (11%)
Definitely could not buy	25 (20%) [33%]	24 (21%) [34%]	14 (16%) [27%]
Don’t know	4 (3%)	4 (4%)	1 (1%)
n**	126	114	90

* Combines “Definitely could buy” and “Probably could buy” percentages

** Limited to those who said “Yes” to Q5 and are familiar with iPad (Q10)

Conclusions – Survey 1. The data from Survey 1 show that consumers using the internet to search for products and services are familiar with sponsored links, including those found on each of the three search engines (i.e., Google, Yahoo, Ask.com). Moreover, a majority of respondents across the three search engines believe that the sponsored link firm is “sponsored by” the “searched for” company or trademark holder (42% - 55%), is “related to” the “searched for” company or trademark holder firm (65% - 71%), or “affiliated with” the “searched for” company or trademark holder firm (48% - 56%). These results clearly reveal that respondents see a close connection between the sponsored links and the organic link firms, i.e., the “searched for” firms, on each of the search engines.

More importantly, a majority of respondents believe they can buy the “searched for” trademarked product or service from the sponsored link, with the percentage of respondents holding such a belief between 53% and 65% across the three search engine platforms. This was found to be the case both when asked about generic sponsored links (see Q9), and when asked about a specific brand name product (i.e., iPad). Thus, these results confirm the perception of a relationship between the sponsored link firms and the “searched for” firm on each of the search engines and the willingness of consumers to consider the sponsored links as a way to buy the company or trademark holder’s products or services.

Methodology – Survey 2. Survey two includes two samples drawn from the same internet panel as Survey 1. Respondents in both samples of the survey were screened to confirm that they used Google for internet searches. One sample (Southwest sample) was then asked whether they used internet search engines when making airline reservations. A total of 115 respondents qualified for the Southwest sample as having used the internet search engines when making airline reservations.

The other sample (Trek sample) was asked whether they: had a bicycle, had used or would consider using an internet search engine for information about bicycles they might consider buying, and would consider buying a Trek bicycle if they were in the market for a new bicycle. A total of 200 respondents qualified for the Trek sample, as using internet search engines for information about bicycles and would consider purchasing a Trek bicycle. [Questionnaire for Southwest Airlines and Trek Bicycles attached as Exhibit D]⁹

⁹ The Southwest Questionnaire is labeled FPX-1; The Trek questionnaire is labeled FPX-2. The results are similarly labeled.

After being qualified, respondents in each sample were shown an internet search results page for the respective companies, i.e., the search pages they would see if they had searched on Southwest Airlines or Trek Bicycles. Both search results pages contained sponsored links. Respondents were asked to note a particular sponsored link on the search results page (“Smartfares.com/Southwest;” “BikesDirect.com”). Respondents in the Southwest sample were then asked (Q8) “How likely is that you would be able to buy a ticket for a Southwest Airlines flight if you click on the Smartfares.com/Southwest sponsored link?” Respondents in the Trek sample were first asked (Q11) “How likely is it that you would click on the BikesDirect.com link if you were interested in buying a Trek bicycle.” They were then asked (Q12) a question comparable to Q8 in the Southwest sample, i.e., “How likely is it that you would be able to buy a Trek bicycle from BikesDirect.com if you clicked on the ‘BikesDirect.com’ sponsored link?”

Respondents in both samples were then asked whether the sponsored link firm on the search results page was: associated with Southwest Airlines/Trek, “sponsored by” Southwest Airlines/Trek, or affiliated with Southwest Airlines/Trek.

Findings – Survey 2. As noted in Table 8, 62% of respondents in the Trek sample are likely to click on the BikesDirect.com link if they were interested in buying a Trek bicycle.¹⁰ [Results from Survey 2 for Southwest Airlines and Trek Bicycles attached as Exhibit E].

¹⁰ There was no comparable question in the Southwest sample.

Table 8
Likelihood of Clicking of Sponsored Link (Trek Sample)

Definitely would click	53 (26%)
Probably would click	96 (48%) [74%]*
Might or might not click	29 (14%)
Probably would not click	16 (8%)
Definitely would not click	5 (2%)
Don't know whether would click	1
N	200

*Combines “Definitely would click” and “Probably would click” percentages

Likelihood Could Buy from Sponsored Link. Respondents in both samples were asked how likely is it that they would be able to buy a ticket (Southwest sample) or bicycle (Trek sample) if they clicked on the sponsored link. As noted in Table 9, 60% of the Southwest sample and 67% of the Trek sample believe they “definitely” or “probably” could buy the ticket/bike from the sponsored link.

Table 9
Likelihood Could Buy from Sponsored Link

	Southwest (Q8)	Trek (Q12)
Definitely could buy	31 (27%)	44 (22%)
Probably could buy	38 (33%) [60%]*	102 (51%) [73%]
Might or might not be able to buy	25 (22%)	40 (20%)
Probably could not buy	8 (7%)	8 (4%)
Definitely could not buy	7 (6%)	2 (1%)
Don't know whether could buy	6 (5%)	4 (2%)
N	115	200

* Combines “Definitely could buy” and “Probably could buy” percentages

Perception of Sponsored Links. Respondents were then asked whether, based on what is said or suggested on the internet search results page, whether the sponsored link (i.e., smartfares.com/Southwest; BikesDirect.com) were: associated with the airline/Trek, “sponsored” by the airline/Trek, or affiliated with the airline/Trek. As noted

Table 10
Perceptions of Sponsored Links

Sponsored Link Associated with Airline/Trek?	Southwest	Trek
Yes	42 (37%)	138 (69%)
No	41 (36%)	33 (16%)
Not sure	34 (30%)	29 (14%)
N	115	200
Sponsored Link “Sponsored by” Airline/Trek?		
Yes	41 (36%)	123 (62%)
No	38 (33%)	35 (18%)
Not sure	36 (31%)	42 (21%)
N	115	200
Sponsored Link Affiliated with Airline/Trek?		
Yes	47 (41%)	129 (64%)
No	40 (35%)	35 (18%)
Not sure	29 (25%)	36 (18%)
N	115	200

in Table 10, approximately one-third of the Southwest sample respondents believe “smartfares.com/Southwest” is associated with Southwest Airlines, “sponsored by” Southwest Airlines, and affiliated with the airline. On the other hand, with Trek, a less well known brand than Southwest Airlines, approximately two-thirds of respondents (62% - 69%) believe “BikesDirect.com” is associated with Trek bicycles, “sponsored by” Trek bicycles, or affiliated with the Trek Bicycle Company.

Conclusion – Survey 2. The results of Survey 2, like those of Survey 1, show that respondents see a strong relationship between a “searched for” company or trademark and the sponsored links found of the resulting Google search results page. Moreover, as was the case with the generic and hypothetical internet searches in Survey 1, a significant majority of respondents (60% - 73%) who use the Google search engine to find specific company websites, here Southwest Airlines and Trek bicycles, believe they

“definitely” or “probably” could buy the product or service (bicycle/airline ticket) from the sponsored link.

OVERALL ANALYSIS

This research had three goals. First, to assess consumers’ perceptions of generic sponsored links across three internet search engine platforms (i.e., Google, Yahoo, Ask.com) and their likelihood of being able to buy a “searched for” product or service from the sponsored link firm. Second, to assess consumers’ perceptions of their likelihood of being able to buy a specific product (i.e., iPad) from three hypothetical sponsored links: Apple.com, “Bob’s Electronic Mart,” and “iPadd \$89.34 On Sale. Third, to assess the perceptions of consumers’ in the target market for particular products and services, here Trek bicycles or Southwest Airlines tickets, about their likely ability to buy the products or services from actual sponsored links on the Google search results page for the respective companies. Table 11 is a summary of the results of the three elements of the research. As noted in the Table, very high percentages of respondents

Table 11
Likelihood of Buying from Sponsored Link

“Definitely” / “Probably” Could Buy	
Generic Sponsored Link (Table 4) ¹¹	53%*
Hypothetical Sponsored Link	
Apple.com (Table 5)	83%
Bob’s Electronic Mart (Table 6)	48%
iPadd \$89.34 On Sale (Table 7)	40%
Specific Sponsored Link	
Smartfares.com/Southwest (Southwest Airlines) (Table 8)	60%
BikesDirect.com (Trek Bicycles) (Table 9)	73%

*Combines “Definitely could buy” and “Probably could buy” percentages

believe they could buy the “searched for” product or service from a sponsored link from a “realistic” hypothetical sponsored link, i.e., 83% from Apple.com for the iPad and 60%-

¹¹ Generic and hypothetical sponsored link results for Google. For Yahoo and Ask.com results, see Table 4

73% from an actual sponsored link (Smartfares.com/Southwest; BikesDirect.com) found on the Google search results page for Southwest Airlines and Trek bicycles. Also, between 40% and 48% of respondents believe they could definitely or probably buy an iPad from less specific hypothetical sponsored links (i.e., “Bob’s Electronic Mart” and “iPadd \$89.34 On Sale”). Thus, there is strong objective evidence of initial interest confusion among consumers in connection with search results pages that contain sponsored links for companies that do not sell the “searched for” trademarked product or service.

Table 12 is a summary of the perceived relationship between the sponsored link and the “searched for” trademark company. As noted in Table 12, significant

Table 12
Summary – Perceived Relationships to Sponsored Links

	Generic Sponsored Link			Specific Sponsored Links	
	Google	Yahoo	Ask.com	Smartfares.com/ Southwest	BikesDirect. Com
Sponsored by company*					
Yes	42%	55%	53%	36%	62%
No	31%	21%	23%	33%	18%
Associated with/related to company¹²					
Yes	65%	66%	71%	37%	69%
No	16%	20%	16%	36%	16%
Affiliated with company					
Yes	48%	55%	56%	41%	64%
No	32%	29%	27%	35%	18%

*“Don’t know” responses not included in Table

percentages of respondents (42% - 71%), when asked about hypothetical sponsored links, believe the sponsored links that are found on internet search results pages are either “sponsored by,” “related to,” or “affiliated with” the company or trademark holder’s

¹² In Survey 1, term used was “related to.” In Survey 2, term used was “associated with.”

products or services. On the other hand, when shown sponsored links on search results pages for specific “searched for” brands (e.g., Southwest Airlines, Trek bicycles), the percent of respondents who believe the sponsored links are “sponsored by,” “associated with,” or “affiliated with” the trademark holder ranged from about one third for the well-known brand (i.e., Southwest Airlines) to about two-thirds for the less well-known brand (i.e., Trek Bicycles).

These perceived relationships, i.e., that the sponsored links are sponsored by, associated or related to, or affiliated with the “searched for” company or trademark, provide a strong rationale for consumers’ belief that they are likely to be able to buy the desired product or service from the sponsored link when they undertake a search for a company or trademark and see the sponsored link on the resulting search results page.

CONCLUSION

The consistency of findings across different types of trademarks (generic, hypothetical, and actual) and across multiple types of product categories (electronics, bicycles, and airline tickets) shows that consumers’ beliefs about their ability to buy the “searched for” goods and services from the sponsored links is common regardless of the trademarks searched for. Similarly, the consistency of these findings reveals that consumers believe the sponsored links are sponsored by, associated with, or affiliated with the “searched for” company or trademark holder, regardless of the particular “searched for” trademark. In my opinion, this is because Google has created an expectation that consumers will be able to buy the company’s products or services from the sponsored link firm by the inclusion of the sponsored link on the “searched for” company or trademark results page.


Submitted by:

These perceived relationships, i.e., that the sponsored links are sponsored by, associated or related to, or affiliated with the "searched for" company or trademark, provide a strong rationale for consumers' belief that they are likely to be able to buy the desired product or service from the sponsored link when they undertake a search for a company or trademark and see the sponsored link on the resulting search results page.

CONCLUSION

The consistency of findings across different types of trademarks (generic, hypothetical, and actual) and across multiple types of product categories (electronics, bicycles, and airline tickets) shows that consumers' beliefs about their ability to buy the "searched for" goods and services from the sponsored links is common regardless of the trademarks searched for. Similarly, the consistency of these findings reveals that consumers believe the sponsored links are sponsored by, associated with, or affiliated with the "searched for" company or trademark holder, regardless of the particular "searched for" trademark. In my opinion, this is because Google has created an expectation that consumers will be able to buy the company's products or services from the sponsored link firm by the inclusion of the sponsored link on the "searched for" company or trademark results page.

Submitted by:


Thomas J. Maronick, DBA, JD
Professor/Consultant

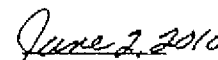

Date

EXHIBIT “A”

**CURRICULUM VITAE
THOMAS JOSEPH MARONICK**

PERSONAL INFORMATION

5911 Charlesmead Avenue
Baltimore, Maryland 21212
(410) 435-8387
FAX (410) 532-2904
e-mail maronick@verizon.net

Towson University
Towson, Maryland 21252
(410) 704-4077
FAX (410) 704-3772
e-mail tmaronick@towson.edu

EDUCATION

Juris Doctor

University of Baltimore School of Law, Baltimore, Maryland 1980
-Emphasis on Corporate/Business and Consumer Law
-Admitted to the Bar, State of Maryland

Doctor of Business Administration

University of Kentucky, Lexington, Kentucky 1974
-Major in Marketing; Minor in Management and Org. Behavior
-Dissertation: "A Multivariate Analysis of Organizational Climate
in the Channel of Distribution"

Master of Science in Business Administration 1966

University of Denver, Denver, Colorado
-Major in Marketing

ACADEMIC APPOINTMENTS

Professor of Marketing

Towson University, Towson, Maryland, 1987-- Present
-Responsible for teaching courses in Marketing Management,
Marketing Strategy, Marketing Research, Marketing Seminar, Ethics/Public Policy

Associate Professor of Marketing

University of Baltimore, 1974 to 1983 (on Leave 1980 -- 83)
-Responsible for teaching undergraduate and graduate courses
in Marketing, Marketing Management, Marketing Research,
Consumer Behavior, Business Policy & Strategy, Small Business Strategy

NON-ACADEMIC EMPLOYMENT

Director--Office of Impact Evaluation, Federal Trade Commission 1980 -- 1997

Bureau of Consumer Protection, 1980 -- 87 [Full-time]; 1987 -- 97 [Part-time]
-Served as the FTC's in-house expert on marketing and survey matters.
-Responsible for design and implementation of over 300 marketing and consumer surveys
undertaken by Commission as part of policy-making and litigation activities.
-Provided expert advice/testimony to staff on marketing & consumer behavior issues

Marketing Consultant, 1997 -- present

-Provide expert advice/guidance on marketing strategy and consumer research issues as part
of litigation support teams for plaintiff and defendant clients
-Serve as testifying expert witness in consumer-related litigation, class-action certification,
deceptive advertising, Lanham Act issues cases, consumer survey research
-Have undertaken over 30 survey research projects for clients in litigation-related
matters, including advertising and trademark/trade-dress issues

FIELDS OF SPECIAL INTEREST

Marketing Mgt./Strategic Planning
Marketing/Advertising Research
Expert Witness/Lanham Act Matters

Consumer Protection/Public Policy
Executive Development
Class Action Litigation

EXPERT WITNESS/LITIGATION SUPPORT

AREAS: Class Action Litigation
Marketing/Marketing Practices
Advertising/Deceptive Advertising
Trademark/Trade Dress/Consumer Confusion
Consumer Behavior
Survey Research/Advertising Research/Copy Testing

MATTERS: Advertising: Rent-to-Own
Made-in-USA
Automobile claims

Retailing: Pricing
Advertising
Warranties

Telecommunications:
Advertising/Deception
Marketing/Promotional Materials
Target Markets

Software/Internet:
Internet ISP Software Claims
Internet Domain Name Issues

Package Goods:
Deceptive Claims in Advertising
Deceptive Labeling

Direct Marketing:
Advertising/Promotion
Target Markets
Door-to-Door Selling

Trademark/Trade Dress:
Consumer Confusion
Search Criteria

WEBSITE: adexpert.net

PAPERS AND PUBLICATIONS

(since 1990)

"Current Role of Research at the Federal Trade Commission" in Patrick Murphy and William Wilkie (eds) Marketing and Advertising Regulation: The Federal Trade Commission in the 1990's. The University of Notre Dame Press, 1990.

"Research in the FTC's Eye Care Rulemaking: Implications for Public Policy and Marketing." (with R. Stiff and S. Gleason), Advances in Marketing and Public Policy Vol. 2, 1991.

"Copy-Tests in FTC Deception Cases: Guidelines for Researchers" Journal of Advertising Research, Vol. 31 (6), (December) 1991.

"Satisfaction and Other Issues in Hearing Aid Purchases by Elderly Consumers: A Quality of Life Issue" Proceeding, Quality-of-Life/Marketing Conference, Academy of Marketing Sciences, November, 1992.

"The Role of Copy Test Research in FTC Decision Making" Proceedings, Association for Public Policy in Marketing, June, 1994.

"An Empirical Investigation of Consumer Perceptions of 'Made in USA' Claims" International Marketing Review, Vol. 12 (3) 1995.

AAdvertising Research Issues From FTC v. Stouffer Foods Corp.@ (With J. Craig Andrews) Journal of Public Policy & Marketing, Vol. 14 (Nov.) 1995.

"Consumer Perceptions of Alternative Country-of-Origin Claims: An Empirical Analysis" Proceedings, Southern Marketing Association, Atlanta (Nov.) 1997.

AThe Role of Qualifying Language on Consumer Perceptions of Environmental Claims" (with J. Craig Andrews) Journal of Consumer Affairs, Vol. 33 (2) (Nov.) 1999.

"A Review of Direct-to-Consumer (DTC) Advertising and Sales of Prescription Drugs: Does DTC Advertising Increase Sales and Market Share?@" (with Riva Kahn) Journal of Pharmaceutical Marketing & Management, Vol. 13 (4) (Nov.) 2001.

"Extended Warranties: Consumer Misperceptions of Retailer Claims" Proceedings, European Institute of Retailing and Services Studies, Prague, Czech Republic (July, 2004)

"Celebrity v. Company President as Endorsers of High Risk Products for Elderly Consumers@" Journal of Promotion Management Vol. 11, (4), (Nov.) 2005.

"Impact of a Festival Market on Downtown Shopping Behavior" Proceedings, AMS/Korean AMS CPM Conference, Seoul, Korea (July, 2006)

"Consumer Perceptions of Extended Warranties" Journal of Retail and Consumer Services, Vol. 14 (2) (May) 2007.

"Specialty Retail Center's Impact on Downtown Shopping, Dining, and Entertainment: A Longitudinal Analysis" International Journal of Retail and Distribution Management, Vol. 35 (7) (November) 2007.

"The Role of the Internet in Survey Research: Guidelines for Researchers and Experts" Proceedings, Global Business and Technology Association Conference, Madrid, Spain (July, 2008).

"Country of Origin – Does It Matter Anymore?" Proceedings, Academy of Marketing Science 2009 World Marketing Congress, Oslo, Norway (July, 2009)

"The Role of the Internet in Survey Research: Guidelines for Researchers and Experts" Journal of Global Business and Technology, Vol. 5 (1), Spring, 2009.

Resume 9-09

TESTIMONY SUMMARY – 2006-2010
Thomas J. Maronick, DBA, JD

1. **Alan Rosenberg v. U-Haul**
Santa Cruz (CA) Superior Court
March, 2006 (trial testimony)
--For Defendant
(Fulbright & Jaworski, Los Angeles)

2. **FTC v. Stefanchik**
U.S. District Court
Western District of Washington at Seattle
December, 2006 (deposition)
--For Defendant
(Williams, Kastner & Gibbs. Seattle)

3. **Williamson et. al., v. KB Home, et al.**
American Arbitration Association
Dallas, Texas
January, 2007 (Arbitration Hearing)
--For Defendant
(Sussman Godfrey, Houston)

4. **Holland v. Maple Chase/Kidde**
U.S. District Court for Northern Alabama
Birmingham, AL
February, 2007 (deposition)
--For Plaintiff
(Lanny S. Vines & Associates, Birmingham)

5. **Carmen Migliaccio, et al v. Midland National Life Insurance Co**
U.S. District Court – Central District of California
Towson, Maryland
July, 2007 (deposition)
--For Plaintiff
(Lerach Coughlin LLP , San Diego
and Bonnett Fairbourn PC, Phoenix)

6. **Trafficschool.com Inc. v. Edriver, Inc et al.**
U.S. District Court – Central District of California
Los Angeles, CA
July, 2007 (deposition)
--For Plaintiff
(Lewis Brisbois Bisgaard & Smith, Los Angeles)

7. **Hadis Nafar, et al v. Hollywood Tanning Systems, Inc.**
U.S. District Court – District of New Jersey
Philadelphia, PA
January, 2008 (deposition)
-- For Defendant
(Blank Rome, Philadelphia)
8. **Brink's Home Security, Inc. v. Apx Alarm Solutions**
U.S. District Court – Southern District of Texas
Houston, TX
January, 2008 (deposition)
-- For Defendant
(McGinnis, Lockridge & Kilgore, Houston)
9. **David Craig, et al. v. Maurice Tunstall, et al**
Circuit Court of Mobile County Alabama
Mobile, Alabama
August, 2008 (deposition)
--For Plaintiff
(Taylor-Martino-Kuykendall, Mobile, AL)
10. **Primepoint LLC v. Primepay, Inc.**
U.S. District Court – District of New Jersey
Philadelphia, PA
December, 2008 (deposition)
Newark, NJ
February, 2009 (trial)
--For Defendant
(Young & Thompson, Alexandria, VA)
11. **In re Expedia Hotel Taxes and Fees Litigation**
Superior Court of Washington (King County)
Washington, DC
April, 2009 (deposition)
--For Plaintiff
(Hagans Berman, Seattle, WA)
12. **Farberware Licensing Company LLC v. Meyer Marketing Co. LTD**
U.S. District Court – Southern District of New York
May, 2009 (deposition) -- Washington, DC
August, 2009 (trial) – New York
--For Plaintiff
(Bushell, Sovak, Ozer & Gulmi, New York)

13. **Pennington Seed v. Scotts Miracle Grow, Inc.**
U.S. District Court – Southern District of Georgia
Atlanta, GA
May, 2009 (hearing)
-- For Plaintiff
(Winston & Strawn, Chicago)
14. **Alcel, Inc v. Performance Review Institute, Inc.**
U.S. District Court – Eastern District of Virginia
Washington, DC
October, 2009 (deposition)
--For Plaintiff
(Dunlap, Grubb & Weaver, Leesburg, VA)
15. **State of Iowa v. Adaptive Marketing, LLC**
District Court for Polk County Iowa
Washington, DC
October, 2009 (deposition)
Des Moines, Iowa
November, 2009 (trial)
--For Defendants
(Greenberg Traurig, New York)
16. **Waterbury Hospital, et al v. U.S. Foodservice, Inc**
U.S. District Court – District of Connecticut
New York
January, 2010 (deposition)
-- For Plaintiff
(Hunton & Williams, Washington, DC)
17. **Christopher Kremmell v. North American Company for
Life and Health Insurance**
U.S. District Court – Central District of California
Baltimore Maryland
April, 2010 (deposition)
--For Plaintiff
(Law Office of Larry A. Sackey, Los Angeles)
18. **POM Wonderful LLC v. Organic Juice, Inc**
U.S. District Court – Southern District of New York
New York, NY
May, 2010 (deposition)
--For Defendants
(Dewey & LeBoeuf, New York)

19. **Ryan Goldstein v. The Home Depot USA, Inc.**
U.S. District Court – Northern Georgia
Washington, DC
May, 2010 (deposition)
--For Plaintiffs
(Robbins, Geller, Rudman & Dowd, Boca Raton, FL)

EXHIBIT "B"

Ask Landing Survey

Created: May 21 2010, 4:18 PM
Last Modified: May 23 2010, 3:04 PM
Design Theme: Basic Blue
Language: English
Button Options: Labels
Disable Browser "Back" Button: False

Search Survey-x

Page 1 - Question 1 - Open Ended - One Line

[Mandatory]

Please enter the code that you received in your invitation. This will ensure payment of your incentive

Page 2 - Heading

Next are some questions about internet search engines. If you are not sure of an answer, indicate "Don't know/Not sure."
Please DO NOT GUESS

Page 3 - Question 2 - Choice - One Answer (Bullets)

[Mandatory]

How frequently, if at all, do you use a company's name or trademark (e.g., "Nike" or "McDonald's" or "Big Mac") as a search term?

- Always
- Often
- Sometimes
- Seldom
- Never
- Don't know/Not sure

Page 4 - Question 3 - Choice - One Answer (Bullets)

[Mandatory]

How frequently, if at all, do you use a generic product or service term (e.g., "running shoes" or "burgers") when doing an internet search?

- Always
- Often
- Sometimes
- Seldom
- Never
- Don't know/Not sure

Page 5 - Question 4 - Choice - One Answer (Bullets)

[Mandatory]

Are you familiar with "sponsored links" that appear on some search results pages? They are often at the top or side of the search results page.

- Yes
- No [Skip to 16]
- Not sure [Skip to 16]

Are you familiar with Ask.com sponsored links?

- Yes
- No [Skip to 16]
- Not sure [Skip to 16]

When you search using a specific company name or trademark, do you expect the Ask.com sponsored links to be "sponsored" by that particular company or trademark holder?

- Yes
- No
- Don't know/Not sure

When you search using a specific company name or trademark, do you expect the Ask.com sponsored links to be related to that particular company or trademark holder in some way?

- Yes
- No
- Don't know/Not sure

When you search using a specific company name or trademark, do you expect the Ask.com sponsored links to be affiliated with that particular company or trademark holder?

- Yes
- No
- Don't know/Not sure

If you were to click on the sponsored link that came up after a search for a company or trademark, do you think that you could buy the "searched for" company or trademark holder's goods or services through that link?

- Definitely could buy company's goods/services
- Probably could buy company's goods/services
- Might or might not be able to buy company's goods/service
- Probably could not buy company's goods/services
- Definitely could not buy company's goods/services
- Don't know whether could or could not buy company's goods/services

Let's take an example. Are you familiar with the "iPad"?

- Yes
- No [Skip to 16]
- Not sure [Skip to 16]

Who makes the "iPad"? [PLEASE SPECIFY]

Assume you saw "Apple.com" as a sponsored link from a search for "iPad." Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

- Definitely could buy it
- Probably could buy it
- Might or might not be able to buy it
- Probably could not buy it
- Definitely could not buy it
- Don't know/Not sure

Assume you saw "Bob's Electronic Mart" as a sponsored link from a search for "iPad." Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

- Definitely could buy it
- Probably could buy it
- Might or might not be able to buy it
- Probably could not buy it
- Definitely could not buy it
- Don't know/Not sure

Assume you saw "IPadd \$89.34 On Sale" as a sponsored link from a search for "iPad" and you were interested in purchasing an iPad. Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

- Definitely could buy it
- Probably could buy it
- Might or might not be able to buy it
- Probably could not buy it
- Definitely could not buy it
- Don't know/Not sure

Gender

- Male
- Female

Age?

- Under 21
- 21 - 25
- 26 - 30
- 31 - 40

- 41 - 50
- 51 - 60
- Over 60

Page 18 - Question 17 - Choice - One Answer (Bullets)

[Mandatory]

Highest level of education achieved?

- High school or less
- Some college or technical school
- 2-Year college graduate
- 4-year college graduate
- Graduate school/degree

Thank You Page

Redirect: <<http://www.testspin.com/endpages/success.php>>

Screen Out Page

Redirect: <<http://www.testspin.com/endpages/disqualify.php>>

Over Quota Page

Redirect: <<http://www.testspin.com/endpages/quotafull.php>>

Survey Closed Page

The survey is now closed. Thank you for considering it.

Google landing survey (1)

Created: May 21 2010, 4:33 PM
Last Modified: May 23 2010, 12:12 PM
Design Theme: Basic Blue
Language: English
Button Options: Labels
Disable Browser "Back" Button: False

Search Survey-x

Page 1 - Question 1 - Open Ended - One Line

[Mandatory]

Please enter the code that you received in your invitation. This will ensure payment of your incentive

Page 2 - Heading

Next are some questions about internet search engines. If you are not sure of an answer, indicate "Don't know/Not sure."
Please DO NOT GUESS

Page 3 - Question 2 - Choice - One Answer (Bullets)

[Mandatory]

How frequently, if at all, do you use a company's name or trademark (e.g., "Nike" or "McDonald's" or "Big Mac") as a search term?

- Always
- Often
- Sometimes
- Seldom
- Never
- Don't know/Not sure

Page 4 - Question 3 - Choice - One Answer (Bullets)

[Mandatory]

How frequently, if at all, do you use a generic product or service term (e.g., "running shoes" or "burgers") when doing an internet search?

- Always
- Often
- Sometimes
- Seldom
- Never
- Don't know/Not sure

Page 5 - Question 4 - Choice - One Answer (Bullets)

[Mandatory]

Are you familiar with "sponsored links" that appear on some search results pages? They are often at the top or side of the search results page.

- Yes
- No [Skip to 16]
- Not sure [Skip to 16]

Page 6 - Question 5 - Choice - One Answer (Bullets)

[Mandatory]

Are you familiar with Google.com sponsored links?

- Yes
- No [Skip to 16]
- Not sure [Skip to 16]

Page 7 - Question 6 - Choice - One Answer (Bullets)

[Mandatory]

When you search using a specific company name or trademark, do you expect the Google.com sponsored links to be "sponsored" by that particular company or trademark holder?

- Yes
- No
- Don't know/Not sure

Page 8 - Question 7 - Choice - One Answer (Bullets)

[Mandatory]

When you search using a specific company name or trademark, do you expect the Google.com sponsored links to be related to that particular company or trademark holder in some way?

- Yes
- No
- Don't know/Not sure

Page 9 - Question 8 - Choice - One Answer (Bullets)

[Mandatory]

When you search using a specific company name or trademark, do you expect the Google.com sponsored links to be affiliated with that particular company or trademark holder?

- Yes
- No
- Don't know/Not sure

Page 10 - Question 9 - Choice - One Answer (Bullets)

[Mandatory]

If you were to click on the sponsored link that came up after a search for a company or trademark, do you think you could buy the "searched for" company or trademark holder's goods or services through that link?

- Definitely could buy company's goods/services
- Probably could buy company's goods/services
- Might or might not be able to buy company's goods/service
- Probably could not buy company's goods/services
- Definitely could not buy company's goods/services
- Don't know whether could or could not buy company's goods/services

Page 11 - Question 10 - Choice - One Answer (Bullets)

[Mandatory]

Let's take an example. Are you familiar with the "iPad"?

- Yes
- No [Skip to 16]
- Not sure [Skip to 16]

Who makes the "iPad"? [PLEASE SPECIFY]

Assume you saw "Apple.com" as a sponsored link from a search for "iPad." Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

- Definitely could buy it
- Probably could buy it
- Might or might not be able to buy it
- Probably could not buy it
- Definitely could not buy it
- Don't know/Not sure

Assume you saw "Bob's Electronic Mart" as a sponsored link from a search for "iPad." Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

- Definitely could buy it
- Probably could buy it
- Might or might not be able to buy it
- Probably could not buy it
- Definitely could not buy it
- Don't know/Not sure

Assume you saw "IPadd \$89.34 On Sale" as a sponsored link from a search for "iPad" and you were interested in purchasing an iPad. Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

- Definitely could buy it
- Probably could buy it
- Might or might not be able to buy it
- Probably could not buy it
- Definitely could not buy it
- Don't know/Not sure

Gender

- Male
- Female

Age?

- Under 21
- 21 - 25
- 26 - 30
- 31 - 40

- 41 - 50
- 51 - 60
- Over 60

Page 18 - Question 17 - Choice - One Answer (Bullets)

[Mandatory]

Highest level of education achieved?

- High school or less
- Some college or technical school
- 2-Year college graduate
- 4-year college graduate
- Graduate school/degree

Thank You Page

Redirect: <<http://www.testspin.com/endpages/success.php>>

Screen Out Page

Redirect: <<http://www.testspin.com/endpages/disqualify.php>>

Over Quota Page

Redirect: <<http://www.testspin.com/endpages/quotafull.php>>

Survey Closed Page

The survey is now closed. Thank you for considering it.

Search Survey Entry Point

Created: May 21 2010, 3:35 PM
Last Modified: May 23 2010, 3:01 PM
Design Theme: Basic Blue
Language: English
Button Options: Labels
Disable Browser "Back" Button: True

Search Survey-x

Page 1 - Question 1 - Choice - One Answer (Bullets)

[Mandatory]

Do you use internet search engines?

- Yes
- No [Screen Out]

Page 2 - Question 2 - Choice - Multiple Answers (Bullets)

[Mandatory]

Which of the following search engines, if any, do you use? [CHECK ALL THAT APPLY]

- Ask.com [Skip to 3]
- Yahoo.com [Skip to 4]
- Google.com [Skip to 5]
- AOL.com [Screen Out]
- CNN.com [Screen Out]
- YouTube.com [Screen Out]
- Other, please specify

Page 3 - Heading

Do not click the submit button

Please click the link directly below to continue in the survey.
<http://www.zoomerang.com/Survey/WEB22APHES6B6Z>

Unconditional Screen Out

Page 4 - Heading

Do not click the submit button

Please click the link directly below to continue in the survey.
<http://www.zoomerang.com/Survey/WEB22APHET6B7M>

Unconditional Screen Out

Page 5 - Heading

Do not click the submit button

Please click the link directly below to continue in the survey.
<http://www.zoomerang.com/Survey/WEB22APHFF6BKT>

Unconditional Screen Out

Page 8 - Heading

Placeholder

Thank You Page

Thank you for participating in this study.

Screen Out Page

One or more of your answers disqualifies you from this survey.

Over Quota Page

The quota of respondents based on one or more of your answers is filled.

Survey Closed Page

The survey is now closed. Thank you for considering it.

Yahoo landing survey

Created: May 21 2010, 4:21 PM
Last Modified: May 23 2010, 11:56 AM
Design Theme: Basic Blue
Language: English
Button Options: Labels
Disable Browser "Back" Button: False

Search Survey-x

Page 1 - Question 1 - Open Ended - One Line

[Mandatory]

Please enter the code that you received in your invitation. This will ensure payment of your incentive

Page 2 - Heading

Next are some questions about internet search engines. If you are not sure of an answer, indicate "Don't know/Not sure."
Please DO NOT GUESS

Page 3 - Question 2 - Choice - One Answer (Bullets)

[Mandatory]

How frequently, if at all, do you use a company's name or trademark (e.g., "Nike" or "McDonald's" or "Big Mac") as a search term?

- Always
- Often
- Sometimes
- Seldom
- Never
- Don't know/Not sure

Page 4 - Question 3 - Choice - One Answer (Bullets)

[Mandatory]

How frequently, if at all, do you use a generic product or service term (e.g., "running shoes" or "burgers") when doing an Internet search?

- Always
- Often
- Sometimes
- Seldom
- Never
- Don't know/Not sure

Page 5 - Question 4 - Choice - One Answer (Bullets)

[Mandatory]

Are you familiar with "sponsored links" that appear on some search results pages? They are often at the top or side of the search results page.

- Yes
- No [Skip to 16]
- Not sure [Skip to 16]

Are you familiar with Yahoo.com sponsored links?

- Yes
- No [Skip to 16]
- Not sure [Skip to 16]

When you search using a specific company name or trademark, do you expect the Yahoo.com sponsored links to be "sponsored" by that particular company or trademark holder?

- Yes
- No
- Don't know/Not sure

When you search using a specific company name or trademark, do you expect the Yahoo.com sponsored links to be related to that particular company or trademark holder in some way?

- Yes
- No
- Don't know/Not sure

When you search using a specific company name or trademark, do you expect the Yahoo.com sponsored links to be affiliated with that particular company or trademark holder?

- Yes
- No
- Don't know/Not sure

If you were to click on the sponsored link that came up after a search for a company or trademark, do you think that you could buy the "searched for" company or trademark holder's goods or services through that link?

- Definitely could buy company's goods/services
- Probably could buy company's goods/services
- Might or might not be able to buy company's goods/service
- Probably could not buy company's goods/services
- Definitely could not buy company's goods/services
- Don't know whether could or could not buy company's goods/services

Let's take an example. Are you familiar with the "iPad"?

- Yes
- No [Skip to 16]
- Not sure [Skip to 16]

Who makes the "iPad"? [PLEASE SPECIFY]

Assume you saw "Apple.com" as a sponsored link from a search for "iPad." Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

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- Might or might not be able to buy it
- Probably could not buy it
- Definitely could not buy it
- Don't know/Not sure

Assume you saw "Bob's Electronic Mart" as a sponsored link from a search for "iPad." Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

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- Might or might not be able to buy it
- Probably could not buy it
- Definitely could not buy it
- Don't know/Not sure

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- Probably could not buy it
- Definitely could not buy it
- Don't know/Not sure

Gender

- Male
- Female

Age?

- Under 21
- 21 - 25
- 26 - 30
- 31 - 40

- 41 - 50
- 51 - 60
- Over 60

Page 18 - Question 17 - Choice - One Answer (Bullets)

[Mandatory]

Highest level of education achieved?

- High school or less
- Some college or technical school
- 2-Year college graduate
- 4-year college graduate
- Graduate school/degree

Thank You Page

Redirect: <<http://www.testspin.com/endpages/success.php>>

Screen Out Page

Redirect: <<http://www.testspin.com/endpages/disqualify.php>>

Over Quota Page

Redirect: <<http://www.testspin.com/endpages/quotafull.php>>

Survey Closed Page

The survey is now closed. Thank you for considering it.

EXHIBIT “C”

Search Survey Entry Point Results Overview



Date: 6/2/2010 1:21 PM PST
 Responses: Completes | Partial | Screen Outs | Over Quota
 Filter: No filter applied

1. Do you use Internet search engines?

Yes		990	98%
No		17	2%
Total		1007	100%

2. Which of the following search engines, if any, do you use? [CHECK ALL THAT APPLY]

Ask.com		257	26%
Yahoo.com		549	55%
Google.com		871	88%
AOL.com		142	14%
CNN.com		76	8%
YouTube.com		235	24%
Other, please specify		154	16%

Do not click the submit button. Please click the link directly below to continue in the survey.
<http://www.zoomerang.com/Survey/WEB22APHES6B6Z>

Do not click the submit button. Please click the link directly below to continue in the survey.
<http://www.zoomerang.com/Survey/WEB22APHET6B7M>

Do not click the submit button. Please click the link directly below to continue in the survey.
<http://www.zoomerang.com/Survey/WEB22APHFF6BKT>

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Ask Landing Survey Results Overview



Date: 6/2/2010 1:18 PM PST
Responses: Completes
Filter: No filter applied

Next are some questions about internet search engines. If you are not sure of an answer, indicate "Don't know/Not sure." Please DO NOT GUESS

2. How frequently, if at all, do you use a company's name or trademark (e.g., "Nike" or "McDonald's" or "Big Mac") as a search term?


Always		13	6%
Often		77	38%
Sometimes		67	33%
Seldom		29	14%
Never		13	6%
Don't know/Not sure		2	1%
Total		201	100%

3. How frequently, if at all, do you use a generic product or service term (e.g., "running shoes" or "burgers") when doing an internet search?




Always		12	6%
Often		100	50%
Sometimes		67	33%
Seldom		17	8%
Never		4	2%
Don't know/Not sure		1	0%
Total		201	100%

4. Are you familiar with "sponsored links" that appear on some search results pages? They are often at the top or side of the search results page.




Yes		186	93%
No		4	2%

Not sure		11	5%
Total		201	100%




5. Are you familiar with Ask.com sponsored links?

Yes		109	59%
No		28	15%
Not sure		49	26%
Total		186	100%




6. When you search using a specific company name or trademark, do you expect the Ask.com sponsored links to be "sponsored" by that particular company or trademark holder?

Yes		58	53%
No		25	23%
Don't know/Not sure		26	24%
Total		109	100%

7. When you search using a specific company name or trademark, do you expect the Ask.com sponsored links to be related to that particular company or trademark holder in some way?

Yes		77	71%
No		17	16%
Don't know/Not sure		15	14%
Total		109	100%

8. When you search using a specific company name or trademark, do you expect the Ask.com sponsored links to be affiliated with that particular company or trademark holder?

Yes		61	56%
No		29	27%
Don't know/Not sure		19	17%
Total		109	100%

9. If you were to click on the sponsored link that came up after a search for a company or trademark, do you think that you could buy the "searched for" company or trademark holder's goods or services through that link?



Definitely could buy company's goods/services		28	26%
Probably could buy company's goods/services		43	39%
Might or might not be able to buy company's goods/service		31	28%
Probably could not buy company's goods/services		3	3%
Definitely could not buy company's goods/services		1	1%
Don't know whether could or could not buy company's goods/services		3	3%
Total		109	100%

10. Let's take an example. Are you familiar with the "iPad"?






Yes		90	83%
No		18	17%
Not sure		1	1%
Total		109	100%

12. Assume you saw "Apple.com" as a sponsored link from a search for "iPad." Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?







Definitely could buy it		41	46%
Probably could buy it		36	40%
Might or might not be able to buy it		9	10%
Probably could not buy it		3	3%

Definitely could not buy it		0	0%
Don't know/Not sure		1	1%
Total		90	100%

13. Assume you saw "Bob's Electronic Mart" as a sponsored link from a search for "iPad." Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

Definitely could buy it		17	19%
Probably could buy it		34	38%
Might or might not be able to buy it		25	28%
Probably could not buy it		12	13%
Definitely could not buy it		2	2%
Don't know/Not sure		0	0%
Total		90	100%

14. Assume you saw "iPadd \$89.34 On Sale" as a sponsored link from a search for "iPad" and you were interested in purchasing an iPad. Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

Definitely could buy it		35	39%
Probably could buy it		18	20%
Might or might not be able to buy it		12	13%
Probably could not buy it		10	11%
Definitely could not buy it		14	16%
Don't know/Not sure		1	1%
Total		90	100%

15. Gender

Male	[REDACTED]	71	35%
Female	[REDACTED]	130	65%
Total		201	100%

16. Age?

Under 21	[REDACTED]	0	0%
21 - 25	[REDACTED]	6	3%
26 - 30	[REDACTED]	27	13%
31 - 40	[REDACTED]	45	22%
41 - 50	[REDACTED]	81	40%
51 - 60	[REDACTED]	42	21%
Over 60	[REDACTED]	0	0%
Total		201	100%

17. Highest level of education achieved?

High school or less	[REDACTED]	26	13%
Some college or technical school	[REDACTED]	57	28%
2-Year college graduate	[REDACTED]	26	13%
4-year college graduate	[REDACTED]	54	27%
Graduate school/degree	[REDACTED]	38	19%
Total		201	100%

Google landing survey Results Overview



Date: 6/2/2010 1:19 PM PST
 Responses: Completes
 Filter: No filter applied

Next are some questions about Internet search engines. If you are not sure of an answer, indicate "Don't know/Not sure." Please DO NOT GUESS

2. How frequently, if at all, do you use a company's name or trademark (e.g., "Nike" or "McDonald's" or "Big Mac") as a search term?

Always		2	1%
Often		41	20%
Sometimes		78	39%
Seldom		56	28%
Never		20	10%
Don't know/Not sure		4	2%
Total		201	100%

3. How frequently, if at all, do you use a generic product or service term (e.g., "running shoes" or "burgers") when doing an internet search?

Always		7	3%
Often		87	43%
Sometimes		80	40%
Seldom		15	7%
Never		8	4%
Don't know/Not sure		4	2%
Total		201	100%

4. Are you familiar with "sponsored links" that appear on some search results pages? They are often at the top or side of the search results page.

Yes		164	82%
No		18	9%

Not sure	[REDACTED]	19	9%
Total		201	100%

5. Are you familiar with Google.com sponsored links?

Yes	[REDACTED]	141	86%
No	[REDACTED]	8	5%
Not sure	[REDACTED]	15	9%
Total		164	100%

6. When you search using a specific company name or trademark, do you expect the Google.com sponsored links to be "sponsored" by that particular company or trademark holder?

Yes	[REDACTED]	59	42%
No	[REDACTED]	44	31%
Don't know/Not sure	[REDACTED]	38	27%
Total		141	100%

7. When you search using a specific company name or trademark, do you expect the Google.com sponsored links to be related to that particular company or trademark holder in some way?

Yes	[REDACTED]	92	65%
No	[REDACTED]	23	16%
Don't know/Not sure	[REDACTED]	26	18%
Total		141	100%

8. When you search using a specific company name or trademark, do you expect the Google.com sponsored links to be affiliated with that particular company or trademark holder?

Yes	[REDACTED]	68	48%
No	[REDACTED]	45	32%
Don't know/Not sure	[REDACTED]	28	20%
Total		141	100%

9. If you were to click on the sponsored link that came up after a search for a company or trademark, do you think you could buy the "searched for" company or trademark holder's goods or services through that link?

Definitely could buy company's goods/services		16	11%
Probably could buy company's goods/services		59	42%
Might or might not be able to buy company's goods/service		49	35%
Probably could not buy company's goods/services		4	3%
Definitely could not buy company's goods/services		1	1%
Don't know whether could or could not buy company's goods/services		12	9%
Total		141	100%

10. Let's take an example. Are you familiar with the "iPad"?

Yes		126	89%
No		11	8%
Not sure		4	3%
Total		141	100%

12. Assume you saw "Apple.com" as a sponsored link from a search for "iPad." Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

Definitely could buy it		59	47%
Probably could buy it		45	36%
Might or might not be able to buy it		19	15%
Probably could not buy it		1	1%

Definitely could not buy it		0	0%
Don't know/Not sure		2	2%
Total		126	100%

13. Assume you saw "Bob's Electronic Mart" as a sponsored link from a search for "iPad." Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

Definitely could buy it		12	10%
Probably could buy it		48	38%
Might or might not be able to buy it		53	42%
Probably could not buy it		4	3%
Definitely could not buy it		4	3%
Don't know/Not sure		5	4%
Total		126	100%

14. Assume you saw "iPadd \$89.34 On Sale" as a sponsored link from a search for "iPad" and you were interested in purchasing an iPad. Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

Definitely could buy it		29	23%
Probably could buy it		22	17%
Might or might not be able to buy it		30	24%
Probably could not buy it		16	13%
Definitely could not buy it		25	20%
Don't know/Not sure		4	3%
Total		126	100%

15. Gender

Male	[REDACTED]	62	31%
Female	[REDACTED]	139	69%
Total		201	100%

16. Age?

Under 21	[REDACTED]	3	1%
21 - 25	[REDACTED]	12	6%
26 - 30	[REDACTED]	24	12%
31 - 40	[REDACTED]	53	26%
41 - 50	[REDACTED]	84	42%
51 - 60	[REDACTED]	25	12%
Over 60	[REDACTED]	0	0%
Total		201	100%

17. Highest level of education achieved?

High school or less	[REDACTED]	33	16%
Some college or technical school	[REDACTED]	53	26%
2-Year college graduate	[REDACTED]	21	10%
4-year college graduate	[REDACTED]	66	33%
Graduate school/degree	[REDACTED]	28	14%
Total		201	100%

Yahoo landing survey Results Overview



Date: 6/2/2010 1:20 PM PST
 Responses: Completes
 Filter: No filter applied

Next are some questions about Internet search engines. If you are not sure of an answer, indicate "Don't know/Not sure." Please DO NOT GUESS

2. How frequently, if at all, do you use a company's name or trademark (e.g., "Nike" or "McDonald's" or "Big Mac") as a search term?

Always		12	6%
Often		53	26%
Sometimes		81	40%
Seldom		40	20%
Never		13	6%
Don't know/Not sure		2	1%
Total		201	100%

3. How frequently, if at all, do you use a generic product or service term (e.g., "running shoes" or "burgers") when doing an Internet search?

Always		15	7%
Often		81	40%
Sometimes		75	37%
Seldom		22	11%
Never		7	3%
Don't know/Not sure		1	0%
Total		201	100%

4. Are you familiar with "sponsored links" that appear on some search results pages? They are often at the top or side of the search results page.

Yes		179	89%
No		7	3%

Not sure	[REDACTED]	15	7%
Total		201	100%

5. Are you familiar with Yahoo.com sponsored links?

Yes	[REDACTED]	130	73%
No	[REDACTED]	15	8%
Not sure	[REDACTED]	34	19%
Total		179	100%

6. When you search using a specific company name or trademark, do you expect the Yahoo.com sponsored links to be "sponsored" by that particular company or trademark holder?

Yes	[REDACTED]	72	55%
No	[REDACTED]	27	21%
Don't know/Not sure	[REDACTED]	31	24%
Total		130	100%

7. When you search using a specific company name or trademark, do you expect the Yahoo.com sponsored links to be related to that particular company or trademark holder in some way?

Yes	[REDACTED]	86	66%
No	[REDACTED]	26	20%
Don't know/Not sure	[REDACTED]	18	14%
Total		130	100%

8. When you search using a specific company name or trademark, do you expect the Yahoo.com sponsored links to be affiliated with that particular company or trademark holder?

Yes	[REDACTED]	72	55%
No	[REDACTED]	38	29%
Don't know/Not sure	[REDACTED]	20	15%
Total		130	100%

9. If you were to click on the sponsored link that came up after a search for a company or trademark, do you think that you could buy the "searched for" company or trademark holder's goods or services through that link?



Definitely could buy company's goods/services		24	18%
Probably could buy company's goods/services		48	37%
Might or might not be able to buy company's goods/service		43	33%
Probably could not buy company's goods/services		4	3%
Definitely could not buy company's goods/services		3	2%
Don't know whether could or could not buy company's goods/services		8	6%
Total		130	100%

10. Let's take an example. Are you familiar with the "iPad"?







Yes		114	88%
No		14	11%
Not sure		2	2%
Total		130	100%

12. Assume you saw "Apple.com" as a sponsored link from a search for "iPad." Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?







Definitely could buy it		56	49%
Probably could buy it		37	32%
Might or might not be able to buy it		14	12%
Probably could not buy it		4	4%

Definitely could not buy it		1	1%
Don't know/Not sure		2	2%
Total		114	100%

13. Assume you saw "Bob's Electronic Mart" as a sponsored link from a search for "iPad." Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

Definitely could buy it		24	21%
Probably could buy it		51	45%
Might or might not be able to buy it		28	25%
Probably could not buy it		4	4%
Definitely could not buy it		3	3%
Don't know/Not sure		4	4%
Total		114	100%

14. Assume you saw "IPadd \$89.34 On Sale" as a sponsored link from a search for "iPad" and you were interested in purchasing an iPad. Do you think that you would be able to buy an iPad from that sponsored link, if you were to click on it?

Definitely could buy it		31	27%
Probably could buy it		25	22%
Might or might not be able to buy it		15	13%
Probably could not buy it		15	13%
Definitely could not buy it		24	21%
Don't know/Not sure		4	4%
Total		114	100%

15. Gender

Male		75	37%
Female		126	63%
Total		201	100%

16. Age?

Under 21		2	1%
21 - 25		6	3%
26 - 30		33	16%
31 - 40		62	31%
41 - 50		67	33%
51 - 60		31	15%
Over 60		0	0%
Total		201	100%

17. Highest level of education achieved?

High school or less		27	13%
Some college or technical school		43	21%
2-Year college graduate		24	12%
4-year college graduate		82	41%
Graduate school/degree		25	12%
Total		201	100%

EXHIBIT “D”

FPX-1

- 1 Do you use internet search engines?
- Yes
 - No
 - Don't know

SUBMIT

Survey Page 1

FPX-1

- 2 Which of the following internet search engines, if any, do you use? (CHECK ALL THAT APPLY)
- Google
 - Yahoo
 - AOL
 - ASK.Com
 - CNN
 - YouTube
 - Other, please specify

SUBMIT

Survey Page 2

FPX-1

Below are some questions about internet search engines. If you are not sure of an answer, indicate "Don't know/Not sure." Please DO NOT GUESS.

SUBMIT

Survey Page 3

FPX-1

- 3 Do you ever use internet search engines when making airline reservations?
- Yes
 - No
 - Don't know

SUBMIT

Survey Page 4

FPX-1

- 4 Have you ever flown on Southwest Airlines?
- Yes
 - No
 - Can't recall



Survey Page 5

FPX-1

5 Would you consider flying Southwest Airlines?

- Yes
- No
- Don't know/not sure



Survey Page 6

FPX-1

Below is the search page results from a Google to search for "Southwest Airlines."

Google Search Page - Southwest Airlines

Web Images Videos Maps News Shopping Gmail more » Book history | Search settings | Sign in

Google

Web Results 1 - 10 of about 4,000,000 for southwest airlines. (0.14 seconds)

<p>Southwest Official Site www.southwest.com/flights Get live flights from Southwest! Learn about great special offers. Event Now Get Great Deals Emailed to Your About Email Alerts Book a Flight</p> <p>Southwest Airlines Book Flights, Airline Tickets, Airfare Official Southwest Airlines website, the only place to find Southwest Airlines fare online. Book lowest airfare deals, view flight schedules, get flight ... <input type="button" value="Show stock info for SWA"/> <input type="button" value="Search by Flight"/> <input type="button" value="Check-in Online"/> <input type="button" value="All Offers"/> <input type="button" value="Special Offers"/> www.southwest.com - Cached - SiteMap</p> <p>Southwest Airlines - Check-in Online and Print Boarding Passes 2010 Southwest Airlines Co. All Rights Reserved. Use of the Southwest website and our Company Information constitutes acceptance of our Terms and ... www.southwest.com/flight/help/checkedinBoardPasses.html - Cached - SiteMap</p> <p><input type="button" value="Show more results from www.southwest.com"/></p> <p>Special Offers - Exclusive Savings & Packages - Southwest Airlines Go to the Southwest Airlines Homepage ... 2010 Southwest Airlines Co. All Rights Reserved. Use of the Southwest website and our Company Information ... travel.southwest.com/specialoffers/topOffers.html - Cached - SiteMap</p> <p>News results for southwest airlines</p> <p> US Airways, Delta object to DOT airport consolidation - 21 months ago Were a blind auction to be held, it presumably would include Southwest Airlines, which earlier objected to DOT that it was not one of four low-cost</p>	<p>Sponsored Link</p> <p>Southwest Airline Flights Starting at \$49! Airfare Rates Just Dropped! www.LowFares.com/CheapFlights</p> <p>Cheapest Airfare Flights Get Up to 85% Off Roundtrip Airfare. Book with SmartFares® & Save Today! SmartFares.com/Southwest</p> <p>See your local term...</p>
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6 Do you see the 'Sponsored Links' on the Google search page?

- Yes
- No
- Not sure

7 Do you see the 'SmartFares.com/Southwest' link among the 'Sponsored Links'?

- Yes
- No
- Not sure



Survey Page 7

FPX-1

- 8 How likely is it that you would be able to buy a ticket for a Southwest Airlines flight if you click on the 'Smartfares.com/Southwest' sponsored link?
- Definitely could buy a Southwest Airlines ticket from Smartfares.com
 - Probably could buy a Southwest Airlines ticket from Smartfares.com
 - Might or might not be able to buy a Southwest Airlines ticket from Smartfares.com
 - Probably could not buy a Southwest Airlines ticket from Smartfares.com
 - Definitely could not buy a Southwest Airlines ticket from Smartfares.com
 - Don't know whether could or could not buy a Southwest Airlines ticket from Smartfares.com

SUBMIT

Survey Page 8

FPX-1

- 9 Based on what is said or suggested on the internet search engine page, is 'Smartfares.com/Southwest' associated with Southwest Airlines?
- Yes
 - No
 - Don't know/Not sure

SUBMIT

Survey Page 9

FPX-1

- 10 Based on what is said or suggested on the internet search engine page, is 'Smartfares.com/Southwest' sponsored by Southwest Airlines?
- Yes
 - No
 - Don't know/Not sure

SUBMIT

Survey Page 10

FPX-1

- 11 Based on what is said or suggested on the internet search engine page, is 'Smartfares.com/Southwest' affiliated with Southwest Airlines?
- Yes
 - No
 - Don't know/Not sure

SUBMIT

Survey Page 11

FPX-1

12 Gender?

- Male
- Female

SUBMIT →

Survey Page 12

FPX-1

13 Age?

- Under 21
- 21-25
- 26-30
- 31-40
- 41-50
- 51-60
- Over 60

SUBMIT →

Survey Page 13

FPX-1

14 Highest level of education achieved?

- High school or less
- Some college or technical school
- 2-Year college graduate
- 4-Year college graduate
- Graduate school/degree

SUBMIT →

Survey Page 14

FPX-2

- 1 Do you own a bicycle?
- Yes
 - No



Survey Page 1

FPX-2

- 2 How often do you ride your bicycle?
- Always
 - Often
 - Occasionally
 - Seldom
 - Never
 - Other, please specify



Survey Page 2

FPX-2

Below are some questions about internet search engines and bicycles. If you are not sure of an answer, indicate "Don't know/Not sure." Please DO NOT GUESS



Survey Page 3

FPX-2

- 3 Do you use internet search engines?
- Yes
 - No
 - Don't know



Survey Page 4

FPX-2

- 4 Which of the following internet search engines, if any, do you use? [CHECK ALL THAT APPLY]
- Google
 - Yahoo
 - AOL
 - ASK.Com
 - CNN
 - YouTube
 - Other, please specify

SUBMIT

Survey Page 5

FPX-2

- 6 Have you ever used an internet search engine to find information about bicycles you might consider buying?
- Yes
 - No
 - Don't know/Can't recall

SUBMIT

Survey Page 6

FPX-2

- 6 Would you consider using an internet search engine to find out information about bicycles you might consider buying?
- Yes
 - No
 - Don't know/Not sure

SUBMIT

Survey Page 7

FPX-2

- 7 Have you ever heard of Trek bicycles?
- Yes
 - No
 - Can't recall

SUBMIT

Survey Page 8

FPX-2

- 8 Would you consider buying a Trek bicycle if you were in the market for a new bicycle?
- Yes
 - No
 - Don't know/Not sure

SUBMIT

Survey Page 9

FPX-2

Below is the search page results from a Google to search for "Trek" bicycles.

[Question Title]



TREK

Search

About 61,808,858 results (0.18 seconds)

Advertised search

- Everything
- News
- More
- Any time
- Latest
- Past 2 days
- More search tools

Trek Bicycle Corporation

Official site featuring a complete bike catalog, online accessories store, training and maintenance tips, cycling travel information, and dealer directory
www.trekbikes.com/ - Cached - Similar

- Road - Trek World Racing - In Pursuit | Trek
 - Liteam - Bikes
 - Mountain Hardtail - Ride
 - Mountain Full-Suspension - Bike Path
- More results from trekbikes.com »

Speed Concept | Trek Bikes

Learn why the Trek Fuel EX is right for you, its groundbreaking ... Trek Travel vacations combine the virtues of traveling by bike with the art of being ...
Road - Bikes - Mountain Full-Suspension - Mountain Hardtail
www.trekbikes.com/speed/ - Cached - Similar

Star Trek - Official Site

Currently Notating Enterprise, the latest in the Star Trek series. Includes news, interviews, cast biographies, episode guides.
www.startrek.com/ - Cached - Similar

Trek

www.trek.com is a private domain.
www.trek.com/ - Cached - Similar

Trek - Wikipedia, the free encyclopedia

The word trek has entered the English language as one of few words derived from Afrikaans. It means a long, hard journey, and is derived from the Dutch ...
on.wikipedia.org/wiki/Trek - Cached - Similar

Vintage Trek Bikes: Information on Steel Road Bicycles made by the

This site's purpose is to gather and disseminate information, for fellow bicycle enthusiasts, about steel-framed road bikes made by the Trek Bicycle ...
www.setags-trek.com/ - Cached - Similar

Sponsored links

Race Pace Bicycles

Buy in store or on-line today. Then go ride your bicycle!
www.RacePaceBicycles.com Maryland

Bikes Up To 60% Off List

Use Bicycles. Park Factory Internet Buy Direct. Save Big. Free Shipping.
www.BikesDirect.com

See your ad here »

9 Do you see the 'Sponsored Links' on the Google search page?

- Yes
- No
- Not sure

10 Do you see the 'Bikes Up to 60% Off List' from www.BikesDirect.com among the 'Sponsored Links'?

- Yes
- No
- Not sure

SUBMIT

Survey Page 10

FPX-2

11 How likely is it that you would click on the BikesDirect.com link if you were interested in buying a Trek bicycle?

- Definitely would click on BikesDirect.com
- Probably would click on BikesDirect.com
- Might or might not click on BikesDirect.com
- Probably would not click on BikesDirect.com
- Definitely would not click on BikesDirect.com
- Don't know whether would or would not click on BikesDirect.com

SUBMIT

Survey Page 11

FPX-2

- 12 How likely is it that you would be able to buy a Trek bicycle from BikesDirect.com if you clicked on the 'BikesDirect.com' sponsored link?
- 1 Definitely could buy a Trek bicycle from BikesDirect.com
 - 2 Probably could buy a Trek bicycle from BikesDirect.com
 - 3 Might or might not be able to buy a Trek bicycle from BikesDirect.com
 - 4 Probably could not buy a Trek bicycle from BikesDirect.com
 - 5 Definitely could not buy a Trek bicycle from BikesDirect.com
 - 6 Don't know whether could or could not buy a Trek bicycle from BikesDirect.com

SUBMIT →

Survey Page 12

FPX-2

- 13 Based on what is said or suggested on the internet search engine page, is 'BikesDirect.com' associated with Trek Bicycles?
- 1 Yes
 - 2 No
 - 3 Don't know/Not sure

SUBMIT →

Survey Page 13

FPX-2

- 14 Based on what is said or suggested on the internet search engine page, is 'BikesDirect.com' sponsored by Trek Bicycles?
- 1 Yes
 - 2 No
 - 3 Don't know/Not sure

SUBMIT →

Survey Page 14

FPX-2

- 15 Based on what is said or suggested on the internet search engine page, is 'BikesDirect.com' affiliated with Trek Bicycles?
- 1 Yes
 - 2 No
 - 3 Don't know/Not sure

SUBMIT →

Survey Page 15

FPX-2

- 16 Gender?
- 1 Male
 - 2 Female

SUBMIT →

Survey Page 16

FPX-2

17 Age?

- Under 21
- 21-25
- 26-30
- 31-40
- 41-60
- 61-80
- Over 80

SUBMIT

Survey Page 17

FPX-2

18 Highest level of education achieved?

- High school or less
- Some college or technical school
- 2-Year college graduate
- 4-Year college graduate
- Graduate school/degree

SUBMIT

Survey Page 18

EXHIBIT "E"

FPX-1
Results Overview



Date: 6/2/2010 1:17 PM PST
Responses: Completes
Filter: No filter applied

1. Do you use Internet search engines?

Yes	[REDACTED]	203	100%
No		0	0%
Don't know		0	0%
Total		203	100%

2. Which of the following Internet search engines, if any, do you use? [CHECK ALL THAT APPLY]

Google	[REDACTED]	198	98%
Yahoo	[REDACTED]	114	56%
AOL	[REDACTED]	39	19%
ASK.Com	[REDACTED]	50	25%
CNN	[REDACTED]	22	11%
YouTube	[REDACTED]	55	27%
Other, please specify	[REDACTED]	34	17%

Below are some questions about internet search engines. If you are not sure of an answer, indicate "Don't know/Not sure." Please DO NOT GUESS

3. Do you ever use internet search engines when making airline reservations?

Yes	[REDACTED]	116	57%
No	[REDACTED]	87	43%
Don't know		0	0%
Total		203	100%

4. Have you ever flown on Southwest Airlines?

Yes	[REDACTED]	86	74%
-----	------------	----	-----

No	[REDACTED]	25	22%
Can't recall	[REDACTED]	5	4%
Total		116	100%

5. Would you consider flying Southwest Airlines?

Yes	[REDACTED]	30	100%
No		0	0%
Don't know/Not sure		0	0%
Total		30	100%

Below is the search page results from a Google to search for "Southwest Airlines."

Image - Google Search Page -- Southwest Airllnes

6. Do you see the "Sponsored Links" on the Google search page?

Yes	[REDACTED]	116	100%
No		0	0%
Not sure		0	0%
Total		116	100%

7. Do you see the "Smartfares.com/Southwest" link among the "Sponsored Links"

Yes	[REDACTED]	105	91%
No	[REDACTED]	11	9%
Not sure		0	0%
Total		116	100%

8. How likely is It that you would be able to buy a ticket for a Southwest Airlines flight if you click on the "Smartfares.com/Southwest" sponsored link?

Definitely could buy a Southwest Airlines ticket from Smartfares.com	[REDACTED]	31	27%
--	------------	----	-----

Probably could buy a Southwest Airlines ticket from Smartfares.com		38	33%
Might or might not be able to buy a Southwest Airlines ticket from Smartfares.com		26	22%
Probably could not buy a Southwest Airlines ticket from Smartfares.com		8	7%
Definitely could not buy a Southwest Airlines ticket from Smartfares.com		7	6%
Don't know whether could or could not buy a Southwest Airlines ticket from Smartfares.com		6	5%
Total		116	100%

9. Based on what is said or suggested on the Internet search engine page, is "Smartfares.com/Southwest" associated with Southwest Airlines?

Yes		42	36%
No		41	35%
Don't know/Not sure		35	30%

10. Based on what is said or suggested on the Internet search engine page, is "Smartfares.com/Southwest" sponsored by Southwest Airlines?

Yes		41	35%
No		38	33%
Don't know/Not sure		37	32%

11. Based on what is said or suggested on the internet search engine page, is "Smartfares.com/Southwest" affiliated with Southwest Airlines?

Yes		47	41%
-----	--	----	-----

No	[REDACTED]	40	34%
Don't know/Not sure	[REDACTED]	30	26%

12. Gender?

Male	[REDACTED]	49	42%
Female	[REDACTED]	67	58%
Total		116	100%

13. Age?

Under 21	[REDACTED]	1	1%
21-25	[REDACTED]	8	7%
26-30	[REDACTED]	18	16%
31-40	[REDACTED]	44	38%
41-50	[REDACTED]	32	28%
51-60	[REDACTED]	13	11%
Over 60	[REDACTED]	0	0%
Total		116	100%

14. Highest level of education achieved?

High school or less	[REDACTED]	20	10%
Some college or technical school	[REDACTED]	49	24%
2-Year college graduate	[REDACTED]	24	12%
4-Year college graduate	[REDACTED]	82	40%
Graduate school/degree	[REDACTED]	28	14%
Total		203	100%

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FPX-2
Results Overview



Date: 6/2/2010 1:16 PM PST
 Responses: Completes
 Filter: No filter applied

1. Do you own a bicycle?

Yes	[REDACTED]	200	100%
No		0	0%
Total		200	100%

2. How often do you ride your bicycle?

Always	[REDACTED]	52	26%
Often	[REDACTED]	97	48%
Occasionally	[REDACTED]	37	18%
Seldom	[REDACTED]	13	6%
Never		0	0%
Other, please specify		1	0%
Total		200	100%

Below are some questions about Internet search engines and bicycles. If you are not sure of an answer, indicate "Don't know/Not sure." Please DO NOT GUESS

3. Do you use internet search engines?

Yes	[REDACTED]	200	100%
No		0	0%
Don't know		0	0%
Total		200	100%

4. Which of the following Internet search engines, if any, do you use? [CHECK ALL THAT APPLY]

Google	[REDACTED]	190	95%
Yahoo		0	0%

AOL		0	0%
ASK.Com		0	0%
CNN		0	0%
YouTube		0	0%
Other, please specify	[REDACTED]	23	12%

5. Have you ever used an Internet search engine to find information about bicycles you might consider buying?

Yes	[REDACTED]	167	84%
No	[REDACTED]	29	14%
Don't know/Can't recall	[REDACTED]	4	2%
Total		200	100%

6. Would you consider using an internet search engine to find out information about bicycles you might consider buying?

Yes	[REDACTED]	33	100%
No		0	0%
Don't know/Not sure		0	0%
Total		33	100%

7. Have you ever heard of Trek bicycles?

Yes	[REDACTED]	200	100%
No		0	0%
Can't recall		0	0%
Total		200	100%

8. Would you consider buying a Trek bicycle if you were in the market for a new bicycle?

Yes	[REDACTED]	200	100%
No		0	0%
Don't know/Not sure		0	0%

Total	200	100%
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Below is the search page results from a Google to search for "Trek" bicycles.

Image - [Question Title]

9. Do you see the "Sponsored Links" on the Google search page?

Yes	[REDACTED]	200	100%
No		0	0%
Not sure		0	0%
Total		200	100%

10. Do you see the "Bikes Up to 60% Off List" from www.BikesDirect.com among the "Sponsored Links"?







Yes	[REDACTED]	199	100%
No		1	0%
Not sure		0	0%
Total		200	100%

11. How likely is it that you would click on the BikesDirect.com link if you were interested in buying a Trek bicycle?

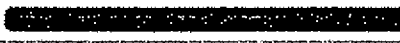


Definitely would click on BikesDirect.com	[REDACTED]	53	26%
Probably would click on BikesDirect.com	[REDACTED]	96	48%
Might or might not click on BikesDirect.com	[REDACTED]	29	14%
Probably would not click on BikesDirect.com	[REDACTED]	16	8%
Definitely would not click on BikesDirect.com	[REDACTED]	5	2%

Don't know whether would or would not click on BikesDirect.com		1	0%
Total		200	100%

12. How likely is it that you would be able to buy a Trek bicycle from BikesDirect.com if you clicked on the "BikesDirect.com" sponsored link?

Definitely could buy a Trek bicycle from BikesDirect.com		44	22%
Probably could buy a Trek bicycle from BikesDirect.com		102	51%
Might or might not be able to buy a Trek bicycle from BikesDirect.com		40	20%
Probably could not buy a Trek bicycle from BikesDirect.com		8	4%
Definitely could not buy a Trek bicycle from BikesDirect.com		2	1%
Don't know whether could or could not buy a Trek bicycle from BikesDirect.com		4	2%
Total		200	100%

13. Based on what is said or suggested on the internet search engine page, is "BikesDirect.com" associated with Trek Bicycles?

Yes		138	69%
No		33	16%
Don't know/Not sure		29	14%
Total		200	100%

14. Based on what is said or suggested on the Internet search engine page, is "BikesDirect.com" sponsored by Trek Bicycles?

Yes	[REDACTED]	123	62%
No	[REDACTED]	35	18%
Don't know/Not sure	[REDACTED]	42	21%
Total		200	100%

15. Based on what is said or suggested on the Internet search engine page, is "BikesDirect.com affiliated with Trek Bicycles?

Yes	[REDACTED]	129	64%
No	[REDACTED]	35	18%
Don't know/Not sure	[REDACTED]	36	18%
Total		200	100%

16. Gender?





Male	[REDACTED]	125	62%
Female	[REDACTED]	75	38%
Total		200	100%

17. Age?

Under 21	[REDACTED]	0	0%
21-25	[REDACTED]	8	4%
26-30	[REDACTED]	65	32%
31-40	[REDACTED]	79	40%
41-50	[REDACTED]	30	15%
51-60	[REDACTED]	18	9%
Over 60	[REDACTED]	0	0%
Total		200	100%

18. Highest level of education achieved?

High school or less	[REDACTED]	9	4%
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Some college or technical school		13	6%
2-Year college graduate		15	8%
4-Year college graduate		133	66%
Graduate school/degree		30	15%
Total		200	100%

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