

Exhibit 3

John Lahad

From: John Lahad
Sent: Thursday, July 03, 2014 9:39 AM
To: 'Lance Yang'; Andrea P Roberts; Justin A. Nelson
Cc: Amanda Bonn; Alexander L. Kaplan; 'jrambin@capshawlaw.com'; 'ederieux@capshawlaw.com'; 'ccapshaw@capshawlaw.com'; 'jw@wsfirm.com'; 'claire@wsfirm.com'; Max L. Tribble; Kristin Malone; Parker Folse; Cyndi Obuz; John Dolan; Shawn Blackburn; QE-Google-Rockstar; 'James Mark Mann'; 'Andy Tindel'; 'Gregory Blake Thompson'; John Lahad; Stacy Schulze; Tammie J. DeNio
Subject: RE: Rockstar v. Google

Lance,
As I've indicated, we disagree, and will ask the Court to strike Google's obviousness combinations.

Thanks,
John

John P. Lahad
Susman Godfrey L.L.P.
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From: Lance Yang [mailto:lanceyang@quinnemanuel.com]
Sent: Wednesday, July 02, 2014 9:20 PM
To: John Lahad; Andrea P Roberts; Justin A. Nelson
Cc: Amanda Bonn; Alexander L. Kaplan; 'jrambin@capshawlaw.com'; 'ederieux@capshawlaw.com'; 'ccapshaw@capshawlaw.com'; 'jw@wsfirm.com'; 'claire@wsfirm.com'; Max L. Tribble; Kristin Malone; Parker Folse; Cyndi Obuz; John Dolan; Shawn Blackburn; QE-Google-Rockstar; 'James Mark Mann'; 'Andy Tindel'; 'Gregory Blake Thompson'
Subject: RE: Rockstar v. Google

John,

As we have indicated, bringing a motion regarding the number of "combinations" currently at play wastes the Court's and the parties' resources. We have already agreed to the limitations on obviousness combinations in the Model Order. Model Order, ¶ 3 ("For purposes of this Final Election of Asserted Prior Art, each obviousness combination counts as a separate prior art reference"). And the reductions in claims and art called for in the Model Order will also assist Rockstar's purported concerns regarding the number combinations. Indeed, twelve of Google's thirty-nine invalidity charts disclosing the basis for its contentions that the asserted claims are anticipated by the prior art related only to claim 1 of the '065 patent. Thus, since Rockstar dropped that claim from its contentions, Google will not rely on those prior art references to show anticipation of any other claim. In other words, by Rockstar reducing the scope of its case by just one claim, that reduced the scope of Google's anticipation case by a third. Similarly, the obviousness combinations corresponding to those anticipatory charts have also dropped as a direct result of Rockstar's claim narrowing, and the same would occur with a further reduction of references called for by the Model Order.

In response to your previous email on this subject, this is not a case where Rockstar would have to “consider every possible combination of the references disclosed.” Google has confirmed several times that it intends to rely on charted obviousness combinations in Exhibits A and B and not uncharted references. Finally, it remains unclear just what relief Rockstar intends to seek in its motion.

Best,
Lance

From: John Lahad [mailto:jlahad@SusmanGodfrey.com]

Sent: Wednesday, July 02, 2014 11:49 AM

To: Andrea P Roberts; Lance Yang; Justin A. Nelson

Cc: Amanda Bonn; Alexander L. Kaplan; 'jrambin@capshawlaw.com'; 'ederieux@capshawlaw.com';

'ccapshaw@capshawlaw.com'; 'jw@wsfirm.com'; 'claire@wsfirm.com'; Max L. Tribble; Kristin Malone; Parker Folse; Cyndi Obuz; John Dolan; Shawn Blackburn; QE-Google-Rockstar; 'James Mark Mann'; 'Andy Tindel'; 'Gregory Blake Thompson'

Subject: RE: Rockstar v. Google

Andrea,

I think my letter was sufficiently clear that agreement on the model order would require Google to narrow the prior art references/combinations. Accordingly, I strongly disagree with your position that Rockstar reneged on anything. Rockstar does not agree to moving the date for 4-2 disclosures and does not agree to an expedited briefing schedule. Note that Rockstar will be seeking relief from the Court regarding Google’s impermissibly high number of obviousness combinations.

Thanks,
John

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From: Andrea P Roberts [mailto:andreaproberts@quinnemanuel.com]

Sent: Wednesday, July 02, 2014 12:14 PM

To: John Lahad; Lance Yang; Justin A. Nelson

Cc: Amanda Bonn; Alexander L. Kaplan; 'jrambin@capshawlaw.com'; 'ederieux@capshawlaw.com';

'ccapshaw@capshawlaw.com'; 'jw@wsfirm.com'; 'claire@wsfirm.com'; Max L. Tribble; Kristin Malone; Parker Folse; Cyndi Obuz; John Dolan; Shawn Blackburn; QE-Google-Rockstar; 'James Mark Mann'; 'Andy Tindel'; 'Gregory Blake Thompson'

Subject: RE: Rockstar v. Google

John,

Rockstar has changed its position relation to the model order. On June 25, you wrote: “this confirms that Plaintiffs Rockstar Consortium US LP and Netstar Technologies LLC would be amenable to jointly moving the Court to issue an Order limiting claim terms and prior art references along the lines disclosed in the Model