

Exhibit 2

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June 18, 2014

VIA EMAIL

Ms. Kristin Malone
Susman Godfrey LLP
Suite 3800
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Seattle, Washington 98101-3000

Re: Rockstar Consortium, et al. v. Google Inc., Case No. 2:13-cv-893 (E.D. Tex.)

Dear Kristin:

I write in response to your April 30, 2014 letter regarding Google's document production, which sets forth a list of categories of documents sought by Rockstar. The categories in your letter are listed below, with brief responses in italics following each of them. Google has provided these brief responses in an effort to work cooperatively with Rockstar regarding the scope and substance of its broad requests.¹ In particular, many requests seek "all" documents, when "all" documents are not needed, and/or could not reasonably be requested given the burden and breadth of the request. Indeed, it seems that Rockstar has taken various terms that have been mentioned in other Google cases or in public materials, and asked for "all" documents related to these terms

¹ Google's failure to specify an objection to a particular request should not be considered a waiver of that objection. Thus, for example, although Google does not raise a privilege objection in response to each of Plaintiff's 153 document requests, Google does not waive any privilege or work product objections with respect to any of the requested documents.

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without regard to relevance to Rockstar's contentions in this case. Further, as we've previously explained, Rockstar's Infringement Contentions do not sufficiently specify what Rockstar accuses of infringing the asserted claims. Without such specificity—which to date, Rockstar has refused to provide—it is difficult, if not impossible, for Google to identify what documents are “relevant” to the litigation, thereby defeating the purpose of the required disclosures under the Patent Local Rules.

As you can see, there are various categories of documents requested by Rockstar that Google does not understand and/or does not understand the relevance of in the context of this litigation. Given the sheer volume of Rockstar's requests, we think it would be useful for Rockstar to provide a written explanation in response to Google's questions, and then we can schedule a meet and confer to discuss those issues.

Google's Patent Local Rule 3-4(a) Production

Before addressing Rockstar's specific document requests, Google notes that it conducted an extensive document collection in connection with its production pursuant to Patent Local Rule 3-4(a). Google analyzed Rockstar's Infringement Contentions and identified, as best as it could given the lack of specificity, the functionalities it appears are accused of infringement. Google identified the wiki and site repositories in which it stores documents relating to those functionalities, and “scraped” those repositories. Google then produced all non-privileged documents collected. In other words, Google went above and beyond merely producing documents “sufficient to show” the operation of the accused functionalities, as required by the Patent Local Rules. Thus, many of the categories of technical and other documents requested by Rockstar in your letter were already produced pursuant to Patent Local Rule 3-4(a).

Google's Objections to Rockstar's Document Requests

Preliminarily, the definitions set forth in your letter are incredibly broad. In particular, Google objects to the definition of “Google” on this basis. By way of example only, the definition includes subcontractors and any business cooperation involving Google Inc. Google will respond to Rockstar's requests on behalf of Google Inc. only.

Google similarly objects to Rockstar's document requests because they use the term “Accused Instrumentalities,” which is overbroad. These requests would cover aspects of Accused Instrumentalities—one of which is described in Rockstar's Infringement Contentions as simply “Google Ads”—that have nothing to do with the functionalities accused of infringement. As set forth in more detail below, Google will produce (or already has produced) documents relevant to the functionalities accused of infringement, to the extent that Google understands what they are. Of course, our production or agreement to produce documents is not an admission that any claim element in any asserted claim is met in any Google product, nor relevant to how Google's system actually operates.

Further, Google objects to Rockstar's requests to the extent that they ask for “all documents” regarding a particular subject matter. As explained in more detail below, Google will produce documents located after a reasonably diligent search, and expects to meet and confer with

Rockstar regarding custodians and electronic search terms, as contemplated by the ESI agreement being negotiated by the parties.

Google also objects to the extent that many of the 153 separate document requests (some of which have sub-parts) appear to be duplicative of one another. The repetitive nature of Rockstar's requests has made it extremely burdensome for Google to fully respond to Rockstar's requests. Any agreement to provide documents is subject to these and specific objections below.

Rockstar's numbered requests and Google's responses are set forth below:

1. All documents related to the Accused Instrumentalities' ability to provide advertisements based on searches, including documents related to the design, development, testing, and/or modification of this functionality.

Google produced documents responsive to this request as part of its Patent L.R. 3-4(a) production. Additional documents may also be located in Google's searches of custodial data pursuant to the terms of the proposed ESI agreement.

2. All documents related to Google's search algorithm (or any predecessor version of Google's search algorithm such as BackRub) and the components of Google's search algorithm from June 1996 to the present.

This request is vague and ambiguous, and overbroad. It is not clear what Rockstar is referring to when identifying generally "Google's search algorithm." This request goes beyond Rockstar's Infringement Contentions as it does not appear to be tied to the specific functionalities accused of infringement. Further, Google does not understand the relevance of predecessor versions of Google's search algorithm, such as BackRub which pre-dates the patents-in-suit, or versions of Google's search algorithm dating back to June 1996. Please explain the relevance of this broad request.

3. All documents reflecting any decision to implement changes to Google's search algorithm and/or components of Google's search algorithm (or any predecessor version of Google's search algorithm such as BackRub), including any enhanced or additional functionality, from June 1996 to the present.

This request is vague and ambiguous, and overbroad. It is not clear what Rockstar is referring to when identifying generally "Google's search algorithm." This request goes beyond Rockstar's Infringement Contentions as it does not appear to be tied to the specific functionalities accused of infringement. Further, Google does not understand the relevance of predecessor versions of Google's search algorithm, such as BackRub which pre-dates the patents-in-suit, or versions of Google's search algorithm dating back to June 1996. Please explain with more specificity what Rockstar seeks with this request. Google also refers Rockstar to its explanation above concerning Google's Patent L.R. 3-4(a) Production.

4. All documents related to the use of fuzzy logic in Google's search algorithm (or any predecessor version of Google's search algorithm such as BackRub) from June 1996 to the present.

This request is vague and ambiguous, and overbroad. It is not clear what Rockstar is referring to when identifying generally “Google’s search algorithm.” This request goes beyond Rockstar’s Infringement Contentions as it does not appear to be tied to the specific functionalities accused of infringement. Please explain the relevance of all predecessor versions of Google’s search algorithm. It is further unclear what Rockstar is referring to as “the use of fuzzy logic in Google’s search algorithm.” Please clarify.

5. All documents related to the use of user profile data in Google’s search algorithm (or any predecessor version of Google’s search algorithm such as BackRub) from June 1996 to the present.

This request is vague and ambiguous, and overbroad. It is not clear what Rockstar is referring to when identifying generally “Google’s search algorithm.” This request goes beyond Rockstar’s Infringement Contentions as it does not appear to be tied to the specific functionalities accused of infringement. Further, Google does not understand the relevance of predecessor versions of Google’s search algorithm, such as BackRub which pre-dates the patents-in-suit, or versions of Google’s search algorithm dating back to June 1996. It is further unclear what Rockstar is referring to as “user profile data.” To the extent that Google understands this request, Google produced documents responsive to this request pursuant to Patent L.R. 3-4(a). Additional documents may also be located in Google’s searches of custodial data pursuant to the terms of the proposed ESI agreement.

6. All documents related to Google’s algorithm and/or method of matching searches and/or search terms with advertisements served with search results since the introduction of AdWords or any predecessor version of matching search terms with advertising.

This request is vague and ambiguous, and overbroad. It is not clear what Rockstar is referring to when identifying generally “Google’s algorithm.” In any event, Google produced documents responsive to this request pursuant to Patent L.R. 3-4(a). Additional documents may also be located in Google’s searches of custodial data pursuant to the terms of the proposed ESI agreement.

7. All documents reflecting any decision to implement changes to Google’s algorithm and/or method of matching searches and/or search terms with advertisements, including any enhanced or additional functionality, served with search results.

This request is vague and ambiguous, overbroad, and unduly burdensome. It is not clear what Rockstar is referring to when identifying generally “Google’s algorithm.” It is further unclear what Rockstar means by “decision to implement changes,” and “enhanced or additional functionality.” Please explain and we can meet and confer regarding the scope of this request.

8. All documents related to determining “PageRank,” including but not limited to documents related to the use, design, development, testing, and/or modification of any functionality used to determine “PageRank.”

Google does not understand the relevance of PageRank. Please explain and we can meet and confer to get a better understanding of what Rockstar is seeking.

9. All documents related to Google ad selection or ad targeting (including but not limited to Google SmartASS, Smart Ads, or any predecessor or later versions).

This request is overbroad and unduly burdensome. Google ad selection or ad targeting and Smart Ads are complicated systems and there are many details of the systems that can have no possible relevance. In any event, Google produced documents responsive to this request as part of its Patent L.R. 3-4(a) production. Additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

10. All documents related to Google's AdMixer, including but not limited to documents related to the use, design, development, testing, and/or modification of any functionality for the AdMixer.

This request is vague, ambiguous, and overbroad. There are many aspects of Google's Ad Mixer that could have no bearing on the functionalities accused of infringement. We should meet and confer to discuss what documents Rockstar is seeking with this request. To the extent that this request is tied to the accused functionalities, Google believes that it is redundant of prior requests and Google's Patent L.R. 3-4(a) production. Additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

11. All documents related to Google matching searches and/or search terms with advertisements served with search results.

This request appears to be duplicative of No. 6 above. If Rockstar is seeking a different category of documents with this request, please explain.

12. All documents related to the creation and/or implementation of AdWords, AdWords Express, Google Custom Search, and AdSense for Search, including code (including executable or compatible code), product specifications, flowcharts, models, drawings, promotional literature, advertising, engineering design, engineering analysis and testing.

This request is vague and ambiguous with respect to the terms "creation," "implementation," "models," "promotional literature," "advertising," "engineering design," or "engineering analysis and testing." Please explain what types of documents Rockstar is seeking in this request. Further, this request is overbroad to the extent that it is not limited to the accused functionalities. Pursuant to Patent L.R. 3-4(a), Google already produced documents sufficient to show the operation of the accused functionalities in AdWords, AdWords Express, Google Custom Search, and AdSense for Search. Additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

13. All documents related to Google's use of data it collects through Google Plus, Google Play, Doubleclick, Google Display Network, Android, Advertiser IDs for Android (or any predecessor version of Advertiser IDs for Android), or any other system or method in returning search results or advertisements served with search results.

Google does not understand what Rockstar means by “Google’s use of data it collects.” Please explain and we can meet and confer to discuss what types of documents Rockstar is seeking in this request.

14. All documents related to Google’s use of data it collects regarding a user’s (a) prior searches, (b) search results, (c) links a user clicks on, (d) advertisements served with search results, (e) advertisements a user clicks on, or (f) any other data gleaned about a user from its use of Google search or of the advertisements served with search results.

Again, Google does not understand what Rockstar means by “Google’s use of data it collects.” Google also objects to this request to the extent that it seeks protected information about users. In any event, documents responsive to this request were produced in response to Google’s Patent L.R. 3-4(a) production. Additional documents may also be located in Google’s searches of custodial data pursuant to the parties’ meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

15. All documents related to the design and/or development of any Accused Instrumentality, including but not limited to AdWords, AdSense for Search, Google Custom Search, AdWords Express, and Google Search.

This request is vague and ambiguous with respect to the terms “design” and “development,” and incredibly overbroad as it is not limited to the specific functionalities accused of infringement. Please explain and we can meet and confer to discuss what types of documents Rockstar is seeking that would not fall within Patent L.R. 3-4(a).

16. All documents related to any marketing strategies or presentations for any Accused Instrumentality including but not limited to AdWords, AdSense for Search, Google Custom Search, AdWords Express, and Google Search.

This request is vague and ambiguous with respect to the phrase “marketing strategies or presentations.” It is also incredibly overbroad to the extent that it is not limited to the specific functionalities accused of infringement. Google also refers Rockstar to its explanation above concerning Google’s P.L. Rule 3-4(a) production. Additional documents may also be located in Google’s searches of custodial data pursuant to the parties’ meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

17. All documents related to the importance of any Accused Instrumentality to Google and/or to Google’s revenues or profits.

This request is vague and ambiguous with respect to the term “importance.” It is also incredibly overbroad as it is not limited to the specific functionalities accused of infringement. Please explain and we can meet and confer regarding what Rockstar is seeking with this request, as we are not certain that there is an effective way to search for responsive documents.

18. All documents related to how Google uses the data it collects in the request immediately above in serving any advertisement, including but not limited to advertisements with Google’s search results (through AdWords, AdWords Express, Android, youtube.com, or any other product), Google-owned websites (through gmail or any other properties), third-party websites

(through AdSense for Search, AdSense for Content, syndicated search, Google Display Network, Google custom search, Google premium search, Doubleclick, Android, or any other product), Doubleclick, or Android.

Google does not understand this request. Please explain.

19. All documents showing the differences in click-through-rate or any other metric for measuring the success of advertisements between using user-specific and/or location-specific information to return search results or advertisements and not using user-specific and/or location-specific information.

This request is vague and ambiguous with respect to the phrase “differences in click-through-rate or any other metric for measuring the success of advertisements.” Google also refers Rockstar to its explanation above concerning Google’s Patent L.R. 3-4(a) production. Additional documents may also be located in Google’s searches of custodial data pursuant to the parties’ meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

20. All videos or any other documents relating to how the Accused Instrumentalities operate or the importance of the Accused Instrumentalities, including but not any videos by any senior Google executives or Hal Varian.

This request is overbroad to the extent that it is not limited to the accused functionalities. Google produced documents sufficient to show how the accused functionalities operate pursuant to Patent L.R. 3-4(a). As it relates to the “importance” of the Accused Instrumentalities, this request appears to be duplicative of prior requests. If Rockstar disagrees, please explain how it differs. Further, as set forth in Google’s proposed ESI agreement, Google proposes that absent a showing of good cause, video recordings need not be collected and preserved.

21. All documents and/or presentations related to descriptions of how the Accused Instrumentalities work, including but not limited to presentations such as “The Life of a Dollar” or any other presentations that Google uses internally to educate its employees on any aspect of the Accused Instrumentalities.

This request is overbroad to the extent that it is not limited to the accused functionalities. This request again appears to be duplicative of prior requests, as well as Google’s Patent L.R. 3-4(a) production. If Rockstar disagrees, please explain how it differs. Additional documents may also be located in Google’s searches of custodial data pursuant to the parties’ meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

22. All documents or presentations about the Accused Instrumentalities provided to the Board or to any senior management group or Google officer or related to such documents or presentations.

This request is overbroad to the extent that it is not limited to the accused functionalities. It is further vague and ambiguous with respect to “documents . . . provided to,” “senior management group,” “Google officer,” and “or related to such documents or presentations.” This request appears to cover any email or other document sent to any of these individuals relating to any of

the services included in Rockstar's broad list of Accused Instrumentalities. We should meet and confer regarding the scope of this request.

23. All documents related to any holdback studies or A/B testing for searches and/or advertisements.

This request is overbroad as it seeks "all documents" for "any" holdback studies or A/B testing for searching and advertisements. We should meet and confer regarding what Rockstar seeks with this request.

24. All summaries of holdback studies or A/B testing for searches and/or advertisements.

This request is overbroad as it seeks "all summaries" of holdback studies or A/B testing for searches and advertisements. We should meet and confer regarding what Rockstar seeks with this request.

25. All documents related to how Google prices an advertisement to serve with search results, including but not limited to any smart pricing.

This request is vague and ambiguous with respect to the phrases "how Google prices an advertisement," and "smart pricing." It is further overbroad to the extent that it is not limited to the accused functionalities. Please explain and we can meet and confer regarding what Rockstar is actually seeking with this request. To the extent that Rockstar is seeking documents regarding how much an advertiser pays for an ad, responsive documents were included in Google's Patent L.R. 3-4(a) production.

26. All documents related to how Google decides to serve a particular advertisement in AdWords, AdWords Express, AdSense for Search, Google Custom Search, AdSense for Content, Doubleclick, or Google Display Network.

This request is overbroad to the extent that it is not limited to the specific functionalities accused of infringement. Further, Google does not understand the relevance of AdSense for Content, or Google Display Network to Rockstar's infringement claims. These services are not accused of infringement in Rockstar's Infringement Contentions. And, the phrase "serve a particular advertisement in . . . Doubleclick," does not make sense. Google produced documents sufficient to show the operation of the accused functionalities pursuant to Patent L.R. 3-4(a). Additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

27. All documents related to how Google prices an advertisement served through AdSense for Content, Google Display Network, or Doubleclick, including but not limited to any smart pricing.

This request is vague and ambiguous with respect to the phrases "how Google prices an advertisement," and "smart pricing." This request is also irrelevant because AdSense for Content and the Google Display Network are not accused of infringement. Nor does Google understand what Rockstar means by "an advertisement served through . . . Doubleclick." Please

explain what Rockstar seeks in this request, as well as its relevance to Rockstar's claims in this case. Google also refers Rockstar to its explanation above concerning Google's Patent L.R. 3-4(a) production.

28. All documents related to any transfer pricing agreements and/or intellectual property agreements between Google, Inc. and any other Google-affiliated company.

This request is vague and ambiguous with respect to the phrases "transfer pricing agreements" and "intellectual property agreements." It is further overbroad to the extent that it is not limited to agreements or intellectual property relating to the functionalities accused of infringement. And it is overbroad to the extent that it seeks any agreement relating to transfer pricing or any intellectual property between Google and "any other Google-affiliated company." We should meet and confer to discuss what Rockstar is seeking in this request.

29. All documents related to any revenue sharing agreements for advertisements served with search results on third-party sites.

We do not understand the relevance of this request. Please explain.

30. All documents related to how Google serves advertisements and search results on third party sites.

To the extent that this request is limited to the functionalities in the accused Google advertising services which are accused of infringement, Google produced documents sufficient to show how they operate pursuant to Patent L.R. 3-4(a). Additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement. If Rockstar is seeking some other category of documents in this request, we should discuss what that is.

31. All dashboard information for any Accused Instrumentality since January 1, 2007.

This is vague and ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. We should meet and confer regarding the scope of this request.

32. All internal Google wiki information for any Accused Instrumentality since January 1, 2007.

This is vague and ambiguous and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. As explained above, Google produced documents relating to the accused functionalities from its internal wikis in connection with its Patent L.R. 3-4(a) production.

33. All licenses and/or agreements between Google and any third party for providing Google search services to a third party, including but not limited to all licenses and/or agreements between Google and Yahoo!.

This request is overly broad. We do not understand what relevance Google's agreements with these third parties has to the litigation. Please explain.

34. All documents related to or supporting Google's statement that "Ads are matched to search results based on the terms a person uses to search," found at https://support.google.com/adwords/answer/1722047?hl=en&ref_topic=3121771.

Google believes this request is duplicative of prior requests. If it is not, please explain how it differs. In any event, pursuant to Patent L.R. 3-4, Google produced documents sufficient to show the operation of the accused ads functionalities. Additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

35. All documents related to or supporting the following Google statements:

- a. "Use matching options with your keywords to help control which searches can trigger your ad."
- b. "When choosing the appropriate match type for a keyword, we typically recommend starting with broad match to maximize your potential to show your ads on relevant searches."
- c. "Use the search terms report to monitor which keyword variations triggered your ads."

This request does not identify the source of these statements. Please let us know where they are from.

36. All documents related to the "search terms report," including documents related to the use, design, development, testing, and/or modification of the "search terms report."

This is vague and ambiguous, including with respect to the phrase "search terms report." This request is also overbroad to the extent that it is not limited to the functionalities accused of infringement. Please explain the relevance of this request.

37. All documents related to or supporting Google's statement that "AdWords allows you to target customers in the geographic locations you've chosen, so your ads can appear in the areas where you do business."

This request does not identify the source of this statement. Please let us know where it is from. We also do not understand the relevance of this statement to this case. Please explain.

38. All documents related to the Accused Instrumentalities' abilities to determine a user's physical location, including but not limited to IP address and device location.

This request is vague and ambiguous, including with respect to the terms and phrases "Accused Instrumentalities' abilities," and "device location." This request is also overbroad to the extent that it is not limited to the functionalities accused of infringement. As it relates to the accused functionalities, Google produced responsive documents pursuant to Patent L.R. 3-4(a). Additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

39. All documents related to the Accused Instrumentalities' abilities to match advertisements based on a user's IP address, device location, or user-selected location.

This request is vague and ambiguous, including with respect to the terms and phrases "Accused Instrumentalities' abilities," "device location," and "user-selected location." This request is also overbroad to the extent that it is not limited to the functionalities accused of infringement. As it relates to the accused functionalities, Google produced responsive documents pursuant to Patent L.R. 3-4(a). Additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

40. All documents related to the "PREF" cookie, including but not limited to documents related to the use, design, development, testing, and/or modification of the "PREF" cookie.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Google will meet and confer regarding the scope of this request, but does not believe that "all documents related to the 'PREF' cookie" are reasonably calculated to lead to the discovery of admissible evidence.

41. All documents related to the Advertising IDs in Android, including but not limited to documents related to the use, design, development, testing, and/or modification of the Advertising ID and any predecessor or successor versions.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Google also does not understand the relevance of this request. Google will meet and confer regarding the scope of this request, but does not believe that "all documents related to the 'Advertising IDs in Android'" are reasonably calculated to lead to the discovery of admissible evidence.

42. All documents related to conversion cookies "used to help advertisers determine how many times people on their ads end up purchasing their products," including but not limited to documents related to the use, design, development, testing, and/or modification of same.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Google also does not understand the relevance of this request. Google will meet and confer regarding the scope of this request, but does not believe that "all documents related to conversion cookies" are reasonably calculated to lead to the discovery of admissible evidence. Further, please identify the source of the quoted language.

43. All documents related any cookies used in advertising ("advertising cookies"), including but not limited to documents related to the use, design, development, testing, and/or modification of advertising cookies.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. This request also appears to be duplicative of prior requests. Google will meet and confer regarding the scope of this request, but does not believe that "all documents related to any cookies used in advertising" are reasonably calculated to

lead to the discovery of admissible evidence. Google also refers Rockstar to its explanation above concerning Google's Patent L.R. 3-4(a) production.

44. All documents related the Accused Instrumentalities' abilities to collect and use prior purchasing information, including through Google Wallet or otherwise, including but not limited to documents related to the use, design, development, testing, and/or modification of this functionality.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. For example, this request asks for documents related to the "Accused Instrumentalities'" abilities to collect and "use" prior purchasing information, but does not articulate what purported "use" Rockstar is interested in. To the extent that Rockstar is seeking documents relating to the operation of the functionalities accused of infringement, Google refers Rockstar to its explanation above concerning Google's Patent L.R. 3-4(a) production. If Rockstar is seeking something else, please explain its relevance to Rockstar's claims.

45. All documents related to AdWords' "language targeting" feature, including but not limited to documents related to the use, design, development, testing, and/or modification of the "language targeting" feature.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Google does not understand the relevance of AdWords' "language targeting" feature to Rockstar's claims. Please explain.

46. All documents related to "Google Instant predictions" or any functionality in the Accused Instrumentalities to predict searches as a user types, including but not limited to documents related to the use, design, development, testing, and/or modification of the "Instant predictions" or similar functionality.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Google does not understand the relevance of "Google Instant predictions", or "any functionality in the Accused Instrumentalities to predict searches as a user types" to Rockstar's claims. Please explain.

47. All documents related to "Personalized Search," including but not limited to documents related to the use, design, development, testing, and/or modification of "Personalized Search."

This request is vague, ambiguous, and overbroad. Google produced documents responsive to this request in its Patent L.R. 3-4 production. Additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

48. All documents related to "Query Understanding" that "gets to the deeper meaning of the words you type" as described at <http://www.google.com/insidesearch/howsearchworks/algorithms.html>, including but not limited to documents related to the use, design, development, testing, and/or modification of "Query Understanding" functionality.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Please explain the relevance of the requested documents.

49. All documents related to the placement of advertisements alongside, above, or below the search results, including but not limited to code (including executable or compatible code), product specifications, flowcharts, models, drawings, promotional literature, advertising, engineering design, engineering analysis and documents related to the use, design, development, testing, and/or modification of this functionality.

This request is vague, ambiguous, and overbroad. It also appears to be duplicative of prior requests regarding the operation of Google's ads system. Google produced documents responsive to this request in its Patent L.R. 3-4 production. Additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

50. All documents related to Google's algorithms used to look up search terms in Google's index to find appropriate pages, as described at <https://www.google.com/intl/en/insidesearch/howsearchworks/crawling-indexing.html> and <http://www.google.com/insidesearch/howsearchworks/thestory/>.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Please explain the relevance of "Google's algorithms used to look up search terms in Google's index" generally, as opposed to those algorithms related to the functionalities accused of infringement.

51. All documents related to Google's "Search Lab," including but not limited to guidelines, evaluations, analyses, methodologies, summaries, presentations, and reports.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Please explain what you are referring to as "Search Lab" and its relevance to the litigation.

52. All documents related to Google's ability to present advertisements based on (a) recent, previous searches, (b) Google Web History, (c) websites visited that belong to businesses that advertise with Google, (d) non-personally identifying information in a Google account, such as age or gender, (e) previous interaction with Google's advertisements or advertising services, (f) language; and (g) location.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. It also appears to be duplicative of prior requests. Google produced documents responsive to this request in its Patent L.R. 3-4 production. Additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

53. All documents related to the “Knowledge Graph” functionality, including but not limited to documents related to the use, design, development, testing, and/or modification of “Knowledge Graph.”

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Please explain the relevance of “Knowledge Graph.”

54. All documents related to the “Social Search” functionality, including but not limited to documents related to the use, design, development, testing, and/or modification of “Social Search.”

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Please explain the relevance of “Social Search.”

55. All documents related to the “Ads Preferences Manager,” including but not limited to documents related to the use, design, development, testing, and/or modification of the “Ads Preferences Manager.”

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Please explain the relevance of Ads Preferences Manager.

56. All documents related to “AdWords Express” functionality, including but not limited to documents related to the use, design, development, testing, and/or modification of “AdWords Express.”

This request is vague and ambiguous, overbroad and appears to be duplicative of prior requests. Google produced documents responsive to this request as part of its Patent L.R. 3-4 production. Additional documents may also be located in Google’s searches of custodial data pursuant to the parties’ meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

57. All documents related to “YouTube Interest-based Advertising” functionality, including but not limited to documents related to the use, design, development, testing, and/or modification of “YouTube Interest-based Advertising.”

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Please explain the relevance of “YouTube Interest-based Advertising.”

58. All documents related to “AdWords for video” functionality, including but not limited to documents related to the use, design, development, testing, and/or modification of “AdWords for video.”

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Please explain the relevance of “AdWords for video.”

59. All documents related to “pay-per-click,” “cost-per-click,” and “actual cost-per-click” functionality, including but not limited to documents related to the use, design, development, testing, and/or modification of same.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. We should meet and confer regarding the scope of this request. Google also refers Rockstar to its explanation above concerning Google’s Patent L.R. 3-4(a) Production.

60. All documents related to determining “click-through rates,” including but not limited to documents related to the use, design, development, testing, and/or modification of any functionality used to determine “click-through rates.”

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Google produced documents responsive to this request pursuant to Patent L.R. 3-4. Additional documents may also be located in Google’s searches of custodial data pursuant to the parties’ meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

61. All documents related to determining “Ad Rank” or “Ad Position” including but not limited to documents related to the use, design, development, testing, and/or modification of any functionality used to determine “Ad Rank” or “Ad Position.”

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. It also appears to be duplicative of prior requests regarding Google’s ads systems. Google produced documents responsive to this request pursuant to Patent L.R. 3-4. Additional documents may also be located in Google’s searches of custodial data pursuant to the parties’ meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

62. All documents related to determining whether an advertisement gets “top” or “other” placement on an original or subsequent search results page, including but not limited to documents related to the use, design, development, testing, and/or modification of any functionality used to determine whether an advertisement gets “top” or “other” placement on original or subsequent search results pages.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. It also appears to be duplicative of prior requests. Google produced documents responsive to this request pursuant to Patent L.R. 3-4. Additional documents may also be located in Google’s searches of custodial data pursuant to the parties’ meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

63. All documents related to determining “Quality Score” including but not limited to documents related to the use, design, development, testing, and/or modification of any functionality used to determine “Quality Score.”

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. It also appears to be duplicative of prior requests. Google produced documents responsive to this request pursuant to Patent L.R. 3-4. Additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

64. All documents related to ad shards, including but not limited to documents related to the storage, function, use, design, development, testing, and/or modification of any functionality for ad shards.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. It also appears to be duplicative of prior requests. Google produced documents responsive to this request pursuant to Patent L.R. 3-4. Additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

65. All documents related to determining click-through rates or predicted click through rates or quality score 2, including but not limited to how predicted click through rates or quality score 2 is determined or to the use, design, development, testing, and/or modification of any functionality used to determine click-through rates, predicted clickthrough rates or quality score 2.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Google also does not understand what is meant by "quality score 2." It also appears to be duplicative of prior requests. Google produced documents responsive to this request pursuant to Patent L.R. 3-4. Additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

66. All documents related to "display URL" and "destination URL," including but not limited to any documents related to the use, design, development, testing, and/or modification of same.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Please explain what Rockstar is seeking with this request.

67. Any presentations about Google's Ad System, Google Front End, Ads Database, Adwords Front End, or Adwords Back End.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Please explain the relevance of all such presentations to this case.

68. All documents from the analytics and/or strategic insight group(s) regarding performance, improvement, or testing regarding search results and/or advertisements.

This request is vague and ambiguous, including with respect to the terms and phrases “strategic insight group(s),” “performance,” “improvement,” “testing,” and “regarding search results and/or advertisements.” It is also overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Nor does Google understand the relevance of the requested documents. Please explain what Rockstar is seeking with this request, and the relevance of such materials.

69. All documents concerning the marketing, advertising, or promotion of the Accused Instrumentalities to existing or potential advertisers, search partners, licensees, or other third-parties.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. We should meet and confer regarding the scope of what Rockstar seeks in this request.

70. All documents that refer or relate to strategic plans, business plans, business strategies, licensing plans, licensing proposals, licensing forecasts, prospectuses, market surveys, marketing strategies, market analyses, and/or marketing forecasts of customer demand for the Accused Instrumentalities, including both internal documents and any schedules or reports by third-party industry analysts, research firms, trade associations, or similar entities.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Nor does it appear to be limited to documentation created on Google’s behalf. We should meet and confer regarding the scope of what Rockstar seeks in this request.

71. All documents mentioning or concerning any of the Patents-in-Suit or their applications or foreign counterparts – including parents, divisional, continuation, or continuation-in-part applications, whether or not they matured into patents, or any patent or patent application held by or assigned to Rockstar.

This request is overbroad to the extent it is not limited to the Patents-in-Suit. Indeed, it appears to seek information about patents and applications that are not related to the Patents-in-Suit in any way. Responsive documents may be located in Google’s searches of custodial data pursuant to the parties’ meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

72. The file histories and patents for any patent or patent application that describes the Accused Products, including but not limited to any declaration, affidavit, or testimony submitted to the Patent and Trademark Office or any other governmental agency regarding the Accused Instrumentalities.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Moreover, this request is unclear at least because it refers to file histories and patents, but then asks for declarations, affidavits, or testimony for any governmental agency regarding the Accused Instrumentalities. It is not clear if the requested testimony is limited to testimony about particular patents. We should meet and confer regarding the scope of this request.

73. All documents mentioning or related to Nortel, including but not limited to all documents related to the auction for Nortel's intellectual property assets.

This request is vague, ambiguous, and overbroad, including to the extent that it seeks "all documents mentioning or related to Nortel." In addition to other located documents regarding the 2011 Nortel auction of Nortel's intellectual property assets, responsive documents may be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

74. All documents related to Google's bid for Nortel's intellectual property assets, including but not limited to how Google valued Nortel's portfolio, any document related to "Ranger," who Google partnered with in the auction, how much Google was responsible for of the Ranger bid, why Google decided to bid, how it decided on its stalking horse bid number, all bids that it made whether alone or partnered with another person or entity, and how it decided to bid the amounts it did.

This request is vague, ambiguous, and overbroad, including to the extent that it seeks information regarding Google's valuation of Nortel's entire patent portfolio, and not just the Patents-in-Suit. In addition to other located documents, responsive documents, however, may be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

75. All documents related to the winning bidder in the Nortel auction, including but not limited to all documents related to Rockstar as the term relates to the winning bidder in the Nortel auction.

This request is vague, ambiguous, and overbroad, as it seems to seek all documents related to Rockstar, regardless of whether they relate to the issues in this litigation. This request also seeks documents protected by the attorney-client privilege. Responsive documents may be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

76. All documents related to Rockstar Consortium LLC, Rockstar Consortium Inc., Rockstar Bidco, Rockstar Consortium US LP, or NetStar Technologies LLC.

This request is overbroad to the extent that it is not limited to documents related to this litigation. This request also seeks documents protected by the attorney-client privilege. Responsive documents may be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

77. All documents related to any meetings between Google and Nortel in 2010.

This request is overbroad to the extent that it is not limited to any particular subject matter, let alone issues relevant to Rockstar's claims. This request also seeks documents protected by the attorney-client privilege. In addition to other located documents, responsive documents,

however, may be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

78. All documents concerning your knowledge of any of the Patents-in-Suit, including documents indicating when you first became aware of any of the Patents-in-Suit, and all documents concerning your knowledge of any patent or patent application held by or assigned to Rockstar.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the Patents-in-Suit. This request also seeks documents protected by the attorney-client privilege. In addition to other located documents, responsive documents, however, may be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

79. All correspondence and other documents expressing opinions on or concerning the validity, invalidity, infringement, non-infringement, enforceability, non-enforceability, or license (either express or implied) as to any of the Patents-in-Suit or their applications or foreign counterparts – including parents, divisional, continuation, or continuation-in-part applications, whether or not they matured into patents.

This request is overbroad to the extent it is not limited to the Patents-in-Suit. This request also seeks documents protected by the attorney-client privilege. In addition to other located documents, responsive documents, however, may be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

80. All documents concerning the results of any prior art search directed to, or relating to, or containing any of the Patents-in-Suit or their applications or foreign counterparts – including parents, divisional, continuation, or continuation-in-part applications, whether or not they matured into patents, or any patent or patent application held by or assigned to Rockstar.

This request is overbroad to the extent that it is not limited to prior art to the Patents-in-Suit. This request also seeks documents protected by the attorney-client privilege. Google produced prior art to the Patents-in-Suit pursuant to Patent L.R. 3-4. To the extent it becomes aware of any additional prior art, Google will produce it.

81. All documents concerning or relating to any patent, license, royalty, technology transfer, or authorization-to-use agreement that relates to the Accused Instrumentalities, including appraisals or valuations, including those performed for tax purposes.

This request is vague and ambiguous, and overbroad to the extent that it is not limited to the functionalities accused of infringement. This request is also vague and ambiguous to the extent it is directed to any "patent, license, royalty, technology transfer, or authorization-to-use agreement." Google will produce relevant patent license agreements related to the technology in the Patents-in-Suit.

82. All documents related to any third party analysis Google has conducted or authorized regarding the Accused Instrumentalities, including but not limited to any study performed by Houlihan Lokey.

This request is vague and ambiguous. In particular, Google does not understand what is a “third party analysis Google has conducted.” This request is also overbroad to the extent that it is not limited to the functionalities accused of infringement. We should meet and confer regarding the scope of this request.

83. All documents concerning any acquisition Google has made covering any portion of the Accused Instrumentalities, including but not limited to the acquisitions of Doubleclick, youtube, Applied Semantics, or any company related to the provision of search/and advertisements, and including but not limited to any third party analysis of the acquisition such as any study performed by Houlihan Lokey.

This request is overbroad to the extent that it is not limited to acquisitions relating to the functionalities accused of infringement. Google does not understand the relevance of this broad request. Please explain.

84. All license agreements concerning or covering all or any part of the Accused Instrumentalities.

This request appears to be duplicative of prior requests. If it is not, please explain how it differs.

85. All documents concerning your policies or practices concerning patent clearances, right-to-use opinions, or other mechanisms to avoid your infringement of patents, including the Patents-in-Suit and the patents and patent applications held by or assigned to Rockstar.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the Patents-in-Suit. We further do not understand the relevance of all documents concerning Google’s policies and practices concerning “patent clearances, right-to-use opinions, or other mechanisms to avoid your infringement of patents.” Please explain.

86. All documents concerning your contentions on reasonable royalties pursuant to 35 U.S.C. § 284 for any infringement of the Patents-in-Suit.

We do not understand the meaning of “concerning” in this request. This request also appears to seek documents that will be the subject of expert discovery. Nevertheless, Google will produce documents supporting its contentions in this matter, and supplement its production of such documents, in accordance with the Discovery Order, Docket Control Order, Local Rules, and Federal Rules.

87. All documents concerning any analysis, opinion, or inquiry regarding potential infringement of the claims in each of the Patents-in-Suit, or their applications or foreign counterparts—including parents, divisional, continuation, or continuation-in-part applications, whether or not they matured into patents—including, but not limited to any documents concerning or relating to pre-litigation investigations performed by or on behalf of Google, Google’s partners, Google’s licensors, Google’s customers, Google’s resellers, and/or Google’s affiliates, relating to the

potential infringement by any products or systems made, used, offered for sale, and/or sold by Google, Google's partners, Google's licensors, Google's customers, Google's resellers, and/or Google's affiliates and any such investigations performed prior to or in conjunction with the 2011 auction of Nortel's patent assets.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the Patents-in-Suit and appears to ask for documents not within Google's possession, custody, or control. We also do not understand what is meant by terms like "Google's partners, Google's licensors, Google's customers, Google's resellers, and/or Google's affiliates." This request also seeks documents protected by the attorney-client privilege. To the extent that we do understand this request, it appears to be duplicative of prior requests. It also appears to seek documents that are not required to be produced until November 18, 2014. (See Dkt. No. 68.) We should meet and confer regarding the scope of this request.

88. All documents relating to the 2011 auction of Nortel's patent assets, including but not limited to valuations, internal and external communications, non-disclosure agreements, and due diligence prepared or performed by or on behalf of Google, Google's partners, Google's licensors, Google's customers, Google's resellers, and/or Google's affiliates, relating to the potential infringement by any products or systems made, used, offered for sale, and/or sold by Google, Google's partners, Google's licensors, Google's customers, Google's resellers, and/or Google's affiliates.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the Patents-in-Suit and appears to ask for documents not within Google's possession, custody, or control. This request further appears to be duplicative of prior requests. To the extent that you disagree, please explain.

89. All documents relating to any communications concerning any of the Patents-in-Suit, or their applications or foreign counterparts—including parents, divisional, continuation, or continuation-in-part applications, whether or not they matured into patents—including but not limited to communications with Google's employees, managers, sales force, agents, representatives, the press, or any news wire.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the Patents-in-Suit. In addition to other located documents, additional documents may also be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

90. All documents related to any time you have cited or mentioned any of the Patents-in-Suit, or their applications or foreign counterparts—including parents, divisional, continuation, or continuation-in-part applications, whether or not they matured into patents, including but not limited to in any other litigation or in any of your patent filings.

This request is vague, ambiguous, overbroad, and unduly burdensome. This request would require Google to review every statement it has made in any other litigation or any patent filing

to determine if the Patents-in-Suit were cited or mentioned. Moreover, we do not understand the relevance of this request.

91. All documents relating to any communications concerning Rockstar, including but not limited to communications with Google's employees, managers, sales force, agents, representatives, the press, or any news wire.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to communications concerning this litigation. This request further appears to be duplicative of prior requests. If Rockstar disagrees, please explain.

92. All documents concerning any patent or patent application you have in search or advertising.

This request is vague, ambiguous, and overbroad, to the extent that it asks for "all documents concerning any patent or patent application," and in broad subject matters. We suggest the parties meet and confer regarding what Rockstar is looking for.

93. All documents related to and/or produced in any other lawsuit for patent infringement involving the Accused Instrumentalities including but not limited to any expert report, exhibits lists, admitted exhibits, documents produced in the case, interrogatory response, deposition, trial demonstrative, declaration, affidavit, or testimony. Such related litigation includes, but is not limited to:

- a. *I/P Engine, Inc. v. AOL, Inc., et al.*, No. 2:11cv512 (E.D. Va.);
- b. *Function Media, LLC v. Google, Inc.*, No. 07-cv-00279 (E.D. Tex.);
- c. *British Telecommunications PLC v. Google, Inc.*, No. 1:11-cv-01249-UNA (D. Del.);
- d. *Xerox Corp. v. Google, Inc., et al.*, No. 1:10-cv-00136 (D. Del.);
- e. *Personalized User Model v. Google, Inc.*, No. 1:09-cv-525 (D.Del.);
- f. *Microsoft Corp. et al. v. GeoTag Inc.*, No. 1:11-cv-00175 (D.Del.);
- g. Any lawsuit between Google and Overture Services and/or Yahoo! regarding United States Patent No. 6,269,361;
- h. *Bid for Position LLC v. Google, Inc. et al.*, No. 2:07cv00582 (E.D. Va.);
- i. Any lawsuit accusing Google search of infringement in whole or in part; and
- j. Any lawsuit accusing Google AdWords, Adwords for Mobile, or Adsense for Search of infringement in whole or in part.

Google objects to this grossly overly broad and unduly burdensome request for several reasons. This request seeks irrelevant documents. Initially, some of these cases did not relate to the functionalities accused of infringement here, such as Function Media and Xerox, in which AdSense for Content was accused of infringement. This request would also cover documents that do not relate to the operation of Google's accused functionalities or damages issues, such as documents relating to invalidity or other defenses. Further, it is unduly burdensome and a waste of both parties' resources for Google to produce all documents produced in any of these other lawsuits. To the extent there are any documents that are relevant or likely to lead to the discovery of admissible evidence, such productions will almost certainly be duplicative of Google's production in this case. It is additionally unduly burdensome for Google to produce expert reports, discovery responses, transcripts, etc., many of which may require redactions

pursuant to the protective orders in these other cases. Accordingly, we should meet and confer regarding the scope of this request.

94. All documents relating or referring to the indemnification or offer to indemnify, or request for indemnification by any of Google's customers, prospective customers, or third-parties with respect to the Patents-in-Suit.

Google does not understand the relevance of this request. Please explain.

95. All documents relating or referring to the indemnification or offer to indemnify, or request for indemnification by any of Google's customers, prospective customers, or third-parties with respect to the Accused Instrumentalities.

This request is overbroad to the extent that it is not limited to the functionalities accused of infringement or the asserted patents. In any event, Google does not understand the relevance of this request. Please explain.

96. All documents concerning the location of Google's servers and data centers, both in the United States and internationally.

Google does not understand the relevance of this request. Please explain.

97. All documents concerning how Google serves search results to a user within the United States.

This request appears to be duplicative of prior requests. If not, please explain what Rockstar is seeking here.

98. All documents concerning how Google serves search results to a user outside the United States.

Google does not understand the relevance of this request. Please explain.

99. All documents concerning how Google serves advertisements to a user within the United States.

This request appears to be duplicative of prior requests. If not, please explain what Rockstar is seeking here.

100. All documents concerning how Google serves advertisements to a user outside the United States.

Google does not understand the relevance of this request. Please explain.

101. All documents concerning how Google stores information related to the Accused Instrumentalities for users within the United States.

This request appears to be duplicative of prior requests. If not, please explain what Rockstar is seeking here.

102. All documents concerning how Google stores information related to the Accused Instrumentalities for users outside the United States.

Google does not understand the relevance of this request. Please explain.

103. All documents concerning the location of Google's search index or database for users within the United States.

Google does not understand the relevance of this request. Please explain.

104. All documents concerning the location of Google's search index or database for users outside the United States.

Google does not understand the relevance of this request. Please explain.

105. All documents concerning the location of where Google stores AdWords-related information for users within the United States.

Google does not understand the relevance of this request. Please explain. Nor does Google understand the meaning of "AdWords-related information for users."

106. All documents concerning the location of where Google stores AdWords-related information for users outside the United States.

Google does not understand the relevance of this request. Please explain. Nor does Google understand the meaning of "AdWords-related information for users."

107. All documents concerning the location of Google's SmartASS or any other ad selection or ad targeting technology for users within the United States.

Google does not understand the relevance of this request. Please explain.

108. All documents concerning the location of Google's SmartASS or any other ad selection or ad targeting technology for users outside the United States.

Google does not understand the relevance of this request. Please explain.

109. All documents related to the interaction between Google's servers and data centers in the United States and Google's servers and data centers outside the United States, including all documents showing any relationship between any "master" server or database and any subservient or servant servers or databases.

Google does not understand the relevance of this request. Please explain.

110. All documents furnished to or shown to any fact witness contacted, interviewed, or consulted by Google or its agents or attorneys in connection with this litigation.

Google will produce non-privileged, non-work product documents shown to any fact witness contacted, interviewed, or consulted by Google in connection with this litigation.

111. All communications with non-party witnesses.

This request is vague and ambiguous. We do not understand what Rockstar means by a “non-party” witness. Is it potential witnesses? Actual deposition or trial witnesses? Please explain what Rockstar is looking for. Given that it is early in discovery, it is premature to know who all witnesses may be.

112. All documents concerning any analyses or efforts by Google to design around the Patents-in-Suit.

Google will produce non-privileged, non-work product responsive documents that can be located after a reasonably diligent search.

113. All documents referring or relating to statements made by Google, including communications between Google and any prospective customers or business partners, referring or relating to the actual or contemplated capabilities of the Accused Instrumentalities.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. We should meet and confer to discuss the scope of what Rockstar is seeking here.

114. All documents sufficient to identify all current and former customers, clients, licensees, and/or users of the Accused Instrumentalities.

This request is vague and ambiguous, particularly with respect to the terms “customers, clients licensees and/or users.” It is not clear if “customers” refers to any entity with an AdWords account, or if “users” refers to anyone who uses Google Search. This request thus also appears to be incredibly overbroad and unduly burdensome. Moreover, we do not understand the relevance of this request. Please explain what Rockstar is seeking with this request.

115. All documents concerning past sales, research or development, present sales, research, licenses or development, and projected or contemplated future sales, research, license or development of any of the Accused Instrumentalities.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Please explain what Rockstar seeks with this request.

116. All documents sufficient to show all sales, revenue, costs, and profit information for the Accused Instrumentalities, broken down by quarter, including all documents sufficient to explain any acronyms or terminology employed by Google’s accounting system. To the extent possible, this information should be as specific as possible, and at a minimum should be broken down by Accused Instrumentality and by country from which the revenue is received, since July 1, 2000.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement and that it is not limited to U.S. financial data. We should meet and confer regarding Google’s production of financial data in summary form.

117. All documents that relate to the accounting practices used by Google to account for the sales, expenses, and income for the Accused Instrumentalities, since July 1, 2000.

This request is vague, ambiguous, and overbroad. Nor does it appear to seek information relevant to this litigation. Please explain the basis for this request.

118. All documents relating to Google's market share in the Accused Instrumentalities' markets since 1998.

This request is overbroad to the extent that it is not limited to the accused functionalities, and the request pre-dates the issuance of the patents in suit. This request is also vague and ambiguous to the extent it is directed to "market share in the Accused Instrumentalities' markets." We should meet and confer to discuss the scope of what Rockstar is seeking here.

119. All documents relating to Google's policies or practices concerning Google's entry into license, royalty, technology transfer, or authorization-to-use agreements since 1998.

This request is vague, ambiguous, and overbroad, including to the extent that it seeks information dating back to 1998. This request further appears to be duplicative of prior requests. Please explain what Rockstar seeks in this request.

120. All documents evidencing Google's licenses, royalties, technology transfers, or authorization-to-use agreements related to Search.

This request is vague, ambiguous, and overbroad. It also appears to be duplicative of prior requests. Please explain what Rockstar is seeking.

121. All documents evidencing Google's licenses, royalties, technology transfers, or authorization-to-use agreements related to Ads.

This request is vague, ambiguous, and overbroad. It also appears to be duplicative of prior requests. Please explain what Rockstar is seeking.

122. All documents relating to any agreement to enter into a license, royalty, technology transfer, or authorization-to-use agreement that relates to any Accused Instrumentality.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. It also appears to be duplicative of prior requests. Please explain what Rockstar is seeking.

123. All documents that refer or relate to any prior art reference that you believe anticipate or render obvious any of the Patents-in-Suit.

Google produced such documents pursuant to Patent L.R. 3-4. To the extent that Google identifies any additional prior art it will rely on, it will produce it in accordance with applicable rules for supplementation.

124. All documents that refer or relate to any document that Google believes is relevant to the construction or interpretation of any claim of any of the Patents-in-Suit.

Google will produce any non-privileged, non-work product documents it believes are relevant to the construction or interpretation of any claim term in an asserted claim that one or more of the parties identifies as needing to be construed by the Court.

125. All documents that reference Rockstar or any Rockstar employee by name.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to documents that relate to this litigation. This request also appears to be duplicative of prior requests. Google does not know the names of all of Rockstar's employees.

126. All documents that reference Nortel or any Nortel employee by name.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to documents that relate to this litigation. This request also appears to be duplicative of prior requests, such as those relating to the 2011 Nortel patent auction. Further, to the extent that you contend that it is not duplicative because it covers "Nortel employee[s] by name", Google does not know the names of all of Nortel's employees so it does not have the means to conduct such a search.

127. All documents that reference Richard Skillen by name.

Responsive documents may be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

128. All documents that reference Frederick Livermore by name.

Responsive documents may be located in Google's searches of custodial data pursuant to the parties' meet and confer regarding custodians and electronic search terms as contemplated by the proposed ESI agreement.

129. All documents that support your contention in Paragraphs 32 and 33 of your Answer that Google did not wilfully infringe the Patents-in-Suit.

Google will produce documents supporting its contentions in this matter, and supplement its production of such documents, in accordance with the Discovery Order, Docket Control Order, Local Rules, and Federal Rules.

130. All documents that support or relate to your contention in Paragraph 37 of your Answer that Google has not infringed, induced the infringement of, or contributed to the infringement of any of the Patents-in-Suit.

Google will produce documents supporting its contentions in this matter, and supplement its production of such documents, in accordance with the Discovery Order, Docket Control Order, Local Rules, and Federal Rules.

131. All documents that support or relate to your contention in Paragraph 38 of your Answer that the Patents-in-Suit are invalid and unenforceable under 35 U.S.C. § 101.

Google will produce documents supporting its contentions in this matter, and supplement its production of such documents, in accordance with the Discovery Order, Docket Control Order, Local Rules, and Federal Rules.

132. All documents that support or relate to your contention in Paragraph 39 of your Answer that the Patents-in-Suit are invalid and unenforceable under 35 U.S.C. § 102.

Google will produce documents supporting its contentions in this matter, and supplement its production of such documents, in accordance with the Discovery Order, Docket Control Order, Local Rules, and Federal Rules.

133. All documents that support or relate to your contention in Paragraph 40 of your Answer that the Patents-in-Suit are invalid and unenforceable under 35 U.S.C. § 103.

Google will produce documents supporting its contentions in this matter, and supplement its production of such documents, in accordance with the Discovery Order, Docket Control Order, Local Rules, and Federal Rules.

134. All documents that support or relate to your contention in Paragraph 41 of your Answer that the Patents-in-Suit are invalid and unenforceable for failure to satisfy the conditions of 35 U.S.C. § 112.

Google will produce documents supporting its contentions in this matter, and supplement its production of such documents, in accordance with the Discovery Order, Docket Control Order, Local Rules, and Federal Rules.

135. All documents that support or relate to any contention by Google that any of the Patents-in-Suit are invalid, were not legally issued, and/or are not enforceable.

Google will produce documents supporting its contentions in this matter, and supplement its production of such documents, in accordance with the Discovery Order, Docket Control Order, Local Rules, and Federal Rules.

136. All documents that support or relate to your contention in Paragraph 42 of your Answer that Plaintiffs' claims for damages is limited by 35 U.S.C. §§ 286, 287, and/or 288.

Google will produce documents supporting its contentions in this matter, and supplement its production of such documents, in accordance with the Discovery Order, Docket Control Order, Local Rules, and Federal Rules.

137. All documents that support or relate to your contention in Paragraph 43 of your Answer that Plaintiffs' claim of patent infringement is barred by prosecution history disclaimer.

Google will produce documents supporting its contentions in this matter, and supplement its production of such documents, in accordance with the Discovery Order, Docket Control Order, Local Rules, and Federal Rules.

138. All documents that support or relate to your contention in Paragraph 44 of your Answer that Plaintiffs' claims are barred by the doctrines of estoppel, laches, disclaimer, patent misuse, and/or waiver.

Google will produce documents supporting its contentions in this matter, and supplement its production of such documents, in accordance with the Discovery Order, Docket Control Order, Local Rules, and Federal Rules.

139. All documents that support or relate to your contentions in Paragraphs 45 to 231 of Your Answer that the Patents-in-Suit are unenforceable by reason of inequitable conduct.

Google will produce documents supporting its contentions in this matter, and supplement its production of such documents, in accordance with the Discovery Order, Docket Control Order, Local Rules, and Federal Rules.

140. All documents that support or relate to your contention in Paragraph 232 of your Answer that Plaintiffs' claim of patent infringement is barred under the doctrine of unclean hands.

Google will produce documents supporting its contentions in this matter, and supplement its production of such documents, in accordance with the Discovery Order, Docket Control Order, Local Rules, and Federal Rules.

141. All documents that support or relate to any of Google's affirmative defenses.

Google will produce documents supporting its contentions in this matter, and supplement its production of such documents, in accordance with the Discovery Order, Docket Control Order, Local Rules, and Federal Rules.

142. All documents referring or relating to any patents, publications, documents, events, suggestions, arguments or contentions that have been asserted by any person as prior art or as affecting the validity or enforceability of any of the Patents-in-Suit or of any foreign counterparts thereof.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the Patents-in-Suit. Google does not understand what Plaintiff is seeking in this request. Please explain.

143. All documents that refer or relate to whether any invention disclosed in any of the Patents-in-Suit, or any product that embodies or uses such an invention, has been commercially successful.

This request appears to seek documents are not likely to be in Google's possession, custody, or control, and Google does not know how it could conduct a reasonable search for such documents. Please explain what Rockstar is seeking.

144. All documents that refer or relate to whether any invention encompassed in any of the Accused Instrumentalities, or any product that embodies or uses such an invention, has been copied by others.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. Google does not understand what Rockstar is seeking in this request. Please explain.

145. All documents that refer or relate to whether anyone has praised, criticized, or discussed the significance of any invention disclosed in any of the Patents-in-Suit, or any product or instrumentality that embodies or uses any such invention.

This request appears to seek documents are not likely to be in Google's possession, custody, or control, and Google does not know how it could conduct a reasonable search for such documents. Please explain what Rockstar is seeking.

146. All organizational charts for any part of your company engaged in the design, development, or sale of the Accused Instrumentalities.

We do not understand the relevance of this request. Google served Initial Disclosures identifying the persons with knowledge relevant to this case. In any event, Google does not maintain organizational charts in the ordinary course of business.

147. Documents sufficient to show the relationship between the different corporate entities owned or controlled by Google.

This request is vague and ambiguous and does not appear to seek relevant information. Please explain what Rockstar is seeking in this request and its relevance.

148. All documents, including past and present organizational charts, that list or identify the persons who have or had responsibility for the following functions relating to the Accused Instrumentalities:

- (a) conception or implementation;
- (b) marketing;
- (c) advertising;
- (d) sales;
- (e) design;
- (f) engineering;
- (g) research and development;
- (h) patent activities;
- (i) international operations
- (j) licensing of technology; and
- (k) acquisition of technology through third party business entities.

We do not understand the relevance of this request, which appears to be duplicative of prior requests. Google served Initial Disclosures identifying the persons with knowledge relevant to this case. In any event, Google does not maintain organizational charts in the ordinary course of business.

149. All documents (such as purchase price allocations) that describe or discuss the value of patents, intellectual property rights, or technology that you acquired through the purchase, acquisition, or change of control of any third-party business entity, so long as the patent, intellectual property right, or technology relates to the Accused Instrumentalities.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to the functionalities accused of infringement. This request also appears to be duplicative of prior requests. Please explain what Rockstar seeks here.

150. All documents related to any Interrogatory served on you or any response you provide to any Interrogatory.

To the extent any interrogatory served on Google asks Google to identify documents, Google will identify and produce those documents, subject to its general and specific objections. To the extent that Google cites to documents pursuant to Rule 33(d) in response to an interrogatory, it will produce those documents.

151. All documents related to any 30(b)(6) topic.

Google cannot meaningfully respond to this request at this time because Rockstar has not yet served any 30(b)(6) topics on Google.

152. All document retention policies or any other policies concerning the preservation of documents, including email and chat transcripts, issued by or on behalf of Google, Google's partners, Google's licensors, Google's customers, Google's resellers, and/or Google's affiliates in effect from August 1, 2000 to present.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to Google and seeks documents dating back to 2000. This request further appears to seek documents not in Google's possession, custody, or control, such as the document retention policies of "Google's licensors, Google's customers, Google's resellers, and/or Google's affiliates." To the extent that Google maintains written document retention policies pertinent to relevant documents that are not subject to the attorney-client privilege or attorney work product protection, they will be produced.

153. All litigation holds or similar documents concerning the preservation of documents, including email and chat transcripts, issued by or on behalf of Google, Google's partners, Google's licensors, Google's customers, Google's resellers, and/or Google's affiliates in anticipation of litigation with Rockstar or any related or affiliated entity.

This request is vague, ambiguous, and overbroad, including to the extent that it is not limited to Google. Again, this request appears to seek documents not in Google's possession, custody, or control, such as the document retention policies of "Google's licensors, Google's customers, Google's resellers, and/or Google's affiliates." This request also seeks attorney-client privileged and/or work product information.

Very truly yours,

A handwritten signature in blue ink that reads "Andrea Pallios Roberts". The signature is written in a cursive style with a prominent horizontal line above the first few letters.

Andrea Pallios Roberts

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