

# EXHIBIT A.2

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

BEDROCK COMPUTER  
TECHNOLOGIES LLC,

Plaintiff,

v.

SOFTLAYER TECHNOLOGIES, INC.,  
CITIWARE TECHNOLOGY SOLUTIONS,  
LLC, GOOGLE INC., YAHOO! INC.,  
MYSPACE INC., AMAZON.COM INC.,  
PAYPAL INC., MATCH.COM, LLC, AOL  
LLC, and CME GROUP INC.,

Defendants.

CASE NO. 6:09-CV-00269

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**DEFENDANT GOOGLE INC.’S FIRST SET OF INTERROGATORIES TO PLAINTIFF  
BEDROCK COMPUTER TECHNOLOGIES LLC**

Pursuant to Rule 33 of the Federal Rules of Civil Procedure, Defendant Google, Inc. (“Google”) hereby requests that Plaintiff Bedrock Computer Technologies LLC (“Bedrock”) answer the following interrogatories separately, fully, and under oath within thirty (30) days of service. Plaintiff is subject to a duty to supplement all responses to these interrogatories in accordance with Federal Rule of Civil Procedure 26(e).

**DEFINITIONS**

1. “Document” shall have the broadest meaning ascribed to it by Federal Rule of Civil Procedure 34 and Federal Rule of Evidence 1001.
2. “Any” shall be understood to include and encompass “all.”
3. The singular shall always include the plural and the present tense shall also include the past tense.

4. “And” as well as “or” shall be construed disjunctively or conjunctively as necessary to bring within the scope of the request all documents or things that might otherwise be construed to be outside its scope.

5. “Person” and “persons” mean both natural persons and legal entities, including, without limitation, corporations, companies, firms, partnerships, joint ventures, proprietorships, associations, and governmental bodies or agencies. Unless noted otherwise, references to any person, entity or party herein include its, his or her agents, attorneys, employees, employers, officers, directors, or others acting on behalf of said person, entity, or party.

6. “Evidence” or any variant thereof, including but not limited to “evidencing,” when used in connection with any document, shall be understood to apply if the document directly or indirectly mentions, discusses, constitutes, concerns, supports, contradicts, relates to, refers to, or in any other way deals with the subject matter described in the request in which the term appears.

7. “Relate” or “refer” or any variants thereof, when used in connection with any document, shall be understood to apply if the document directly or indirectly evidences, mentions, discusses, constitutes, concerns, supports, contradicts, refers to, or in any other way deals with the subject matter described in the request in which the term appears.

8. “Communication” means any contact, oral or documentary, formal or informal, at any place or under any circumstances whatsoever whereby information of any nature is transmitted or transferred, including, without limitation, a single person seeing or hearing any information by any means.

9. “Google” means Google Inc. and its directors, officers, parents, subsidiaries, predecessors, successors, assigns, agents, servants, employees, investigators, attorneys, and all other persons and entities representing it or acting on its behalf.

10. “Bedrock” means Bedrock Computer Technologies LLC and its directors, officers, parents, subsidiaries, predecessors, successors, assigns, agents, servants, employees, investigators, attorneys, and all other persons and entities representing it or acting on its behalf.

11. “Infringe” or any variant thereof refers to any infringement whether direct, contributory, or by inducement.

12. “‘120 Patent” means U.S. Patent No. 5,893,120.

13. “Google Accused Product” means each and every Google product, structure, method, or process alleged by Plaintiff in this action to be infringing or causing infringement of any claims of the ‘120 Patent.

14. “File History” means all communications, documents, and things relating to the prosecution of the ‘120 Patent.

15. “Complaint” refers to the complaint filed by Bedrock against Google in this action and any amendments to that complaint.

16. “Prior Art” means any document, action, or information that actually or potentially satisfies any of the prior art provisions of 35 U.S.C. § 100, et seq., e.g. §§ 102, 103.

17. “Persons with knowledge” means any persons (1) who observed or witnessed the event or communication in question; (2) who participated in the event in question; or (3) who discussed the event or communication in question with a person meeting the description in (1) or (2) herein.

## INSTRUCTIONS

1. To “identify” a person means to state the person’s name and last known residential and business addresses and telephone numbers and to provide the facts or documents about which you believe that person has knowledge.

2. To “identify” an event, discussion, inquiry or request means to state the date that any of the foregoing occurred, the individuals involved, the location where the event, discussion, inquiry or request occurred, and the outcome thereof.

3. To “identify” a document means to:

a. refer to the document’s identification or exhibit number if the document has been previously produced or used in discovery or attach a true copy of the document to the interrogatory answers and state the document’s title and date, or if unknown, the approximate date of creation;

b. provide the identity of each person who signed or participated in the preparation of the document;

c. provide the identity of each person who is an addressee, including those to whom copies were to be sent, or who received a copy of the document;

d. provide a summary of the subject matter of the document;

e. provide the present location of the document and the identity of the custodian of the original and each copy thereof; and

f. if the document no longer exists, give the date on which it was destroyed, the identity of the person who destroyed it, and the person under whose authority it was destroyed.

4. To “identify” a product, system, method, apparatus, device, prototype, service or other object of manufacture means to state: (1) the model, part number, serial number,

or other method of identification; (2) its trade name, including but not limited to other names or methods of identification associated with the product or the trade name of the item in which the product, device, or object of manufacture is incorporated; and (3) the date and place of manufacture; and the name of the manufacturer.

5. In answering the following interrogatories, you are required to provide all information that is available to you or within your control, including information in the possession of your attorneys, investigators, employees, agents, representatives, and guardians or any other person acting on your behalf, and not merely information from your own personal knowledge.

6. If you cannot answer any interrogatory in full, answer to the extent you are able to do so, state the reason for your inability to answer further, and state the knowledge or information available to you concerning the unanswered portion.

7. If you object to any of the interrogatories, you must state the grounds for any objection(s). If you object to only part of an interrogatory, you must state the objection and the grounds for any objection(s) and respond to the remainder of the interrogatory.

8. Each answer should be preceded by a reiteration of the full interrogatory to which it responds.

9. For each interrogatory, identify all persons who provided information or otherwise assisted in preparing your response.

## INTERROGATORIES

1. For each claim of the '120 Patent, describe the circumstances surrounding the invention of the claim, including the circumstances leading to the alleged invention of each such claim, the precise date of conception, the date of actual and constructive reduction to practice, the persons involved in the conception and reduction to practice, the steps constituting diligence from conception to actual or constructive reduction to practice, and identify all documents, things, and persons that corroborate such conception, diligence, and reduction to practice for each claim.

2. Identify every instance in which Bedrock, Richard Nemes, or David Garrod has contacted any third party regarding the '120 Patent, including the name and address of each third party and the circumstances surrounding the contact. If the contact included an offer to license or sell the '120 Patent identify the date of the offer to license or sell, the terms of the proposed license or sale, the amounts to be paid under the proposed license or sale.

3. For each claim of the '120 Patent, describe all investigations made by or on behalf of Bedrock, Richard Nemes, or David Garrod prior to the filing of the Complaint regarding whether any claim of the '120 Patent is infringed by any Google product or service, including identifying the persons involved in the investigations, the persons to whom reports were made, the persons involved in the approval of the filing of the Complaint, the date of the investigation, the Google products and services that were the subject of the investigation, the public information considered in the investigation, any other items or information considered in the investigation, when and where such information and items were obtained, the conclusions reached in the investigations, all documents referring to or describing such investigations, and the date on which Bedrock, Nemes, or Garrod first became aware that any of Google's accused products or services might infringe the '120 Patent.

4. For each claim of the '120 Patent, state all facts that form the basis of Bedrock's allegation that Google induces or contributes to the infringement of others, including identifying each person or entity Bedrock believes to be a direct infringer, what actions by such direct infringers Bedrock believes constitute infringement, and what actions undertaken by Google Bedrock believes induce or contribute to the infringing actions of such direct infringers.

5. For each claim of the '120 Patent Bedrock contends Google infringes, state all facts that form the basis of Bedrock's allegation that Google makes, uses, sells, or offers to sell infringing products or services, and which theory of direct infringement those facts support (e.g. make, use, sell, or offer to sell).

6. If Bedrock contends that it is entitled to any monetary recovery as a result of alleged infringement of the '120 Patent by Google, state whether it contends that it is entitled to lost profits or a reasonable royalty, and state all facts and reasons upon which it relies in support of its contention. In the case of lost profits damages, identify each of Bedrock's products that allegedly falls within the scope of any '120 Patent claim and the total annual sales from that product's introduction to the present. In the case of reasonable royalty damages, state what Bedrock asserts to be a reasonable royalty to be paid by Google under 35 U.S.C. § 284, including the complete factual bases on which Bedrock bases its calculation of such royalty rate.

DATED: December 17, 2009

QUINN EMANUEL URQUHART OLIVER &  
HEDGES, LLP

By /s/ Todd M. Briggs

Todd M. Briggs  
Attorney for Defendant,  
GOOGLE INC.

**CERTIFICATE OF SERVICE**

I hereby certify that counsel of record who are deemed to have consented to electronic service are being served with a true and correct copy of the foregoing document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on December 17, 2009.

By: /s/ Todd M. Briggs

Todd M. Briggs