

COOLEY LLPPeter J. Willsey (*pro hac vice* pending)Brendan J. Hughes (*pro hac vice* pending)

Email: pwillsey@cooley.com; bhughes@cooley.com

1114 Avenue of the Americas

New York, NY 10036-7798

Telephone: (212) 479-6000; Facsimile: (212) 479-6275

HOLME ROBERTS & OWEN LLPRoger Myers (*pro hac vice*)Robert Stolebarger (*pro hac vice* pending)

Craig Buschmann, #10696

Email: roger.myers@hro.com; robert.stolebarger@hro.com; craig.buschmann@hro.com

299 South Main Street, Suite 1800

Salt Lake City, UT 84111-2263

Telephone: (801) 521-5800; Facsimile: (801) 521-9639

Attorneys for Defendant GOOGLE INC.

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF UTAH, CENTRAL DIVISION

ISYS TECHNOLOGIES, INC., a Nevada
Corporation,

Plaintiff,

v.

GOOGLE INC., a Delaware Corporation;
SAMSUNG ELECTRONICS USA, INC., a
Delaware Corporation; ACER AMERICA CORP.,
a California Corporation; AMAZON.COM, INC.,
a Delaware Corporation; and BEST BUY CO.,
INC., a Minnesota Corporation;

Defendants.

Case No. 2:11-CV-507 CW**OBJECTIONS OF GOOGLE INC. TO
EXHIBITS SUBMITTED IN SUPPORT
OF ISYS' MOTION FOR TRO****Judge Clark Waddoups**

Defendant Google Inc. hereby objects to Exhibits 1-12 submitted as attachments to Plaintiff's Memorandum In Support Of Its Motion For Temporary Restraining Order and Preliminary Injunction dated June 6, 2011. The objections are set forth below.

OBJECTIONS

EXHIBIT 1

OBJECTIONS

1. Hearsay: This is hearsay that is inadmissible under FRE 802.
2. No Sponsor: There is no witness presenting this document and attesting to its authenticity and pertinence. In turn, it is inadmissible under FRE 901.
3. Irrelevant: At the very bottom of page 2 of 6, it shows the symbol/phrase “© 2010 Xi3 Corporation.” Thus Exhibit 1 is owned by a company not a party to these proceedings. In turn, it is inadmissible under FRE 402.

EXHIBIT 2

OBJECTIONS

1. Hearsay: This is hearsay that is inadmissible under FRE 802.
2. No Sponsor: There is no witness presenting this document and attesting to its authenticity and pertinence. In turn, it is inadmissible under FRE 901.
3. Irrelevant: On page 6, the related Terms and Conditions assert that the material is owned by ChromiumPC entity. The Copyright is owned by Chromium PC. Chromium PC apparently has an address at 299 South Main, Salt Lake City, as seen on page 18 of 25. Thus Exhibit 2 is owned by a company not a party to these proceedings. In turn, it is inadmissible under FRE 402.

EXHIBIT 4

OBJECTIONS

1. Hearsay. This is hearsay that is inadmissible under FRE 802.
2. No Sponsor. There is no witness presenting this document and attesting to its authenticity and pertinence. In turn, it is inadmissible under FRE 901.

EXHIBIT 5

OBJECTIONS

1. Hearsay. This is hearsay that is inadmissible under FRE 802.
2. No Sponsor. There is no witness presenting this document and attesting to its authenticity and pertinence. In turn, it is inadmissible under FRE 901.

EXHIBIT 6

OBJECTIONS

1. Hearsay. This is hearsay that is inadmissible under FRE 802.
2. No Sponsor. There is no witness presenting this document and attesting to its authenticity and pertinence. In turn, it is inadmissible under FRE 901.

EXHIBIT 12

OBJECTION

1. Offer of Settlement. This exhibit is inadmissible under FRE 408 to the extent it contains an offer of settlement.

EXHIBIT 13 - Declaration of Jason Sullivan

OBJECTIONS

1. Lack of Authentication. The document is not authenticated. The District of Utah CM/ECF Administrative Procedures Manual (Jan. 19, 2011), available at <http://www.utd.uscourts.gov/documents/utahadminproc.pdf>, prescribes that e-signatures of non-attorneys is sufficient only if (a) the filing attorney certifies that he or she has “the signed original of the document which is available for inspection during normal business hours by the Court or a party to this action” and provides his or her e-signature; (b) a scanned copy of the signature page is submitted with the non-attorney's e-signature; or (c) the scanned copy of the signature page is electronically submitted. *Id.* at 4. Because the declaration is not authenticated in accordance with the Court's rules the declaration is inadmissible under FRE 901.

EXHIBIT 14 - Declaration of Aaron Roswell

OBJECTIONS

1. Lack of Authentication. The document is not authenticated for the same reason that Exhibit 13 is not authenticated. Because the declaration is not authenticated in accordance with the Court's rules the declaration is inadmissible under FRE 901.

EXHIBIT 15 - Declaration of David Politis

OBJECTIONS

1. Lack of Authentication. The document is not authenticated for the same reason that Exhibit 13 is not authenticated. Because the declaration is not authenticated in accordance with the Court's rules the declaration is inadmissible under FRE 901.

Dated this 13th day of June, 2011.

/s/ Craig Buschmann
Roger Myers
Robert Stolebarger
Craig Buschmann
HOLME ROBERTS & OWEN, LLP
299 South Main Street, Suite 1800
Salt Lake City, Utah 84101

Attorneys for Google Inc.

CERTIFICATE OF SERVICE

I hereby certify that on the 13th day of June, 2011, I caused a true and correct copy of the
OBJECTIONS OF GOOGLE INC. TO EXHIBITS SUBMITTED IN SUPPORT OF ISYS'

MOTION FOR TRO to be served as follows:

Todd E. Zenger
Dax D. Anderson
Joshua S. Rupp
KIRTON & McCONKIE
1800 Eagle Gate Tower
60 East South Temple
Salt Lake City, UT 84111

U.S. Mail, postage prepaid
 Hand Delivery
 Facsimile
 Overnight courier
 E-Mail and/or CM/ECF

By: /s/ Sherice L. Atterton