

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
(Alexandria Division)

ROSETTA STONE LTD.

Plaintiff,

v.

GOOGLE INC.

Defendant.

CIVIL ACTION NO. 1:09cv736
(GBL / TCB)

DECLARATION OF BILL LLOYD

I, William ("Bill") Lloyd, hereby declare:

1. I am currently employed as Team Lead—Legal Advertising Support by Google Inc. ("Google"). I make this declaration in support of Google's Motion for Summary Judgment in the matter captioned *Rosetta Stone Ltd. v. Google Inc.*, Civil Action No. 1:09-cv-736 (E.D. Va.). I am over the age of eighteen. I know the facts stated herein of my own personal knowledge. If called to testify as a witness, I could and would do so competently and under oath.

2. As part of my duties as Team Lead, I am familiar with, and assist in the enforcement of, Google's trademark and counterfeit policies.

Google's Trademark Policies

[REDACTED]

4. Attached to this declaration as Exhibit 2 is a true and correct copy of a Google document entitled "AdWords Trademark Policy Update" prepared in the normal course of business and describing a change to Google's trademark policy that took place in 2009. I understand this document was produced in this litigation and is bates labeled GOOG-RS-0193011.

5. Attached to this declaration as Exhibit 3 is a true and correct copy of a document discussing Google's trademark complaint policy. I understand this document was produced in this litigation bearing the bates label GOOG-RS-0272789-91

[REDACTED]

7. Attached to this declaration as Exhibit 5 is a true and correct copy of a printout of Google's AdWords and AdSense Trademark Policy, dated Jan. 20, 2010, which I understand was produced in this litigation and bates labeled GOOG-RS-0272789 to GOOG-RS-0272791.

Google's Counterfeiting Policies

8. Attached hereto as Exhibit 6 is a document with the bates range GOOG-RS-0272789 to GOOG-RS-0272791, which describes Google's current counterfeiting policy as explained on Google's website.

9. Since June 2009, my team has had responsibility for responding to complaints of advertisements for counterfeit goods. Such ads require a significant amount of attention from Google employees. [REDACTED]

[REDACTED]

[REDACTED]

15. Attached to this declaration as Exhibit 12 is a true and correct copy of a printout the webpage entitled "Google AdWords: Keyword Tool," describing Google's keyword tool, dated Jan. 20, 2010 and bates labeled GOOG-RS-0272796.

I declare under penalty of perjury that the foregoing is true and correct. Executed on March 26, 2010 at Mountain View, California.

Bill Lloyd

Bill Lloyd