EXHIBIT 11

Joshua Sohn

From: David Perlson
Sent: Thursday, September 12, 2013 4:16 PM
To: Monterio, Charles
Cc: Donald C. Schultz (dschultz@cwm-law.com); zz-IPEngine; W. Ryan Snow (wrsnow@cwm-law.com); QE-IP Engine; Stephen E. Noona (senoona@kaufcan.com)
Subject: RE: I/P Engine: Proposed Agreed Order

Charles,

It would appear we disagree as to whether the Court's Order contemplates damages related reports. If I/P Engine feels it can meet its burden on the appropriate ongoing royalty without an additional report, that is I/P Engine's choice. However, Defendants reserve their rights to argue, and intend to argue, that I/P Engine has not and cannot. And even if I/P Engine chooses not serve an opening expert report, Defendants intend to serve a report on damages on the dates for rebuttal reports.

Also, given your position and your previous refusal to make Dr. Becker available for deposition, please confirm you will make Dr. Becker available for deposition as one of the 3 depositions ordered by the Court.

We note your response is silent as to whether you agree that given that I/P Engine has the burden of proof burden to show that the new systems are not colorably different, the opening report would be from I/P Engine and Defendants would rebut that. Please confirm you agree.

Finally, as we noted below, our agreement to extending the Court Ordered dates was part of a proposal that would include withdrawing Plaintiff's motion and an agreement to make clear that defendants have not violated the Court's Order. I/P Engine has rejected that proposal. Therefore, we do not follow your reference that I/P Engine is considering the proposed dates made as part of a proposal from Defendants that Plaintiff has already rejected. Given that I/P Engine has rejected the proposal, those dates are no longer on the table.

In all events, as we have indicated, we would prefer to avoid unnecessary motion practice and remain willing to engage with I/P Engine in good faith to resolve any issues stemming from the Court's Order. We hope that I/P Engine does the same, including withdrawing its baseless motion.

David

From: Monterio, Charles [mailto:MonterioC@dicksteinshapiro.com]
Sent: Wednesday, September 11, 2013 3:44 PM
To: David Perlson
Cc: Donald C. Schultz (dschultz@cwm-law.com); zz-IPEngine; W. Ryan Snow (wrsnow@cwm-law.com); QE-IP Engine; Stephen E. Noona (senoona@kaufcan.com)
Subject: RE: I/P Engine: Proposed Agreed Order

David,

I/P Engine disagrees that its Motion to Show Cause is without merit. Based on Defendants' position, I/P Engine will proceed with its pending Motion.

Additionally, I/P Engine disagrees that the Court's Order contemplates damages-related expert reports. That issue has already been briefed fully and the damages experts have already opined as to the impact Google's alleged non-infringing alternative has on the ongoing royalty rate analysis. There is no basis or new fact present that requires new damages-related expert opinions. Nor has Google articulated one. The only inquiry made by

the Court's Order is whether Google's alleged non-infringing alternative is more than colorably different from the adjudicated infringing system – which is not a damages issue. Hence, only the technical experts have reason to provide additional opinions.

With respect to your revised schedule, I/P Engine is considering your proposed dates.

Charles
(202) 420-5167

From: David Perlson [mailto:davidperlson@quinnemanuel.com]
Sent: Tuesday, September 10, 2013 7:17 PM
To: Monterio, Charles
Cc: Donald C. Schultz (dschultz@cwm-law.com); zz-IPEngine; W. Ryan Snow (wrsnow@cwm-law.com); QE-IP Engine; Stephen E. Noona (senoona@kaufcan.com)
Subject: RE: I/P Engine: Proposed Agreed Order

Charles: We receive your proposal as a compromise to resolve and moot Plaintiff's pending motion and respond without prejudice to the Defendants' rights. As we have stated in the past and explained to the Court, Plaintiff's motion is entirely without merit and should be withdrawn with prejudice. There should be no need for Defendants to agree to anything further to have Plaintiff withdraw its frivolous motion. Also, as an update, we are on track to produce non-privileged custodial email identified from our reasonable search as detailed in our Response to Plaintiff's motion by September 13, as we committed to do.

In any event, we do not wish the burden the Court with unnecessary motion practice. And as we indicated before, we have no objection to reasonable extensions of the Court Ordered dates to resolve Plaintiff's motion so long as it's clear that defendants have not violated the Court's Order. Here is our proposal—which contemplates I/P Engine withdrawing its motion and a clear statement that defendants have not violated the Court's Order, uses the actual language from the Court's Order, and adjusts some of the later dates due to the holidays:

Expert Witness Reports Due by Plaintiff	October 25, 2013
Expert Rebuttal Reports Due by Defendants	November 22, 2013
The parties shall file opening briefs and any supporting evidence, not to exceed fifteen (15) pages, addressing whether New AdWords is not more than a colorable variation of the adjudicated product.	December 13, 2013
The parties may file responsive briefs, not to exceed ten (10) pages.	January 6, 2014
The parties shall meet [and confer] to negotiate an appropriate ongoing royalty rate, using 20.9% of U.S. AdWords revenues as the appropriate royalty base.	January 10, 2014
If the parties are unable to come to an agreement, the parties shall schedule a settlement conference with the United States Magistrate Judge assigned to this case	January 31, 2014

Evidentiary hearing.	The Court, if necessary, may schedule an evidentiary hearing in which the parties may present appropriate evidence and offer arguments in support.

Obviously, we would incorporate all of this into and enter an agreed order and notify the Court of the withdrawal of the motion.

We note your proposed Agreed Order provides dates that the "the parties shall serve Technical Expert Witness Reports" and "the parties shall serve Technical Expert Rebuttal Reports." This is not what the Court's Order says. Further, the Court made clear, as the law provides, that it is Plaintiff's burden to show that the new systems are not colorably different. Given that I/P Engine has the burden of proof, the opening report would be from I/P Engine and Defendants would rebut that. And while Plaintiff limits the reports to "technical issues," the Court did not so limit the reports. Rather, right before the Court provides its schedule, the Order made clear that the question of what the ongoing royalty damages was not resolved in the Order. Of course, that the Court ordered the parties to meet and confer regarding an appropriate ongoing royalty rate shows this as well.

To the extent that Plaintiff believes that either (1) Defendants must provide an opening report on issues for which it does not bear the burden of proof, or (2) that damages reports are not contemplated by the Court's Order, please promptly explain the basis for this view.

Additionally, we do not agree to the discovery (interrogatory and additional deposition time) beyond that ordered by the Court.

Please let us know if you would like to discuss further.

David

From: Monterio, Charles [mailto:MonterioC@dicksteinshapiro.com]
Sent: Tuesday, September 10, 2013 1:00 PM
To: QE-IP Engine; Stephen E. Noona (senoona@kaufcan.com)
Cc: Donald C. Schultz (dschultz@cwm-law.com); zz-IPEngine; W. Ryan Snow (wrsnow@cwm-law.com)
Subject: I/P Engine: Proposed Agreed Order

Meg,

In an effort to resolve I/P Engine's Motion to Show Cause, I/P Engine proposes the attached Agreed Order. Please let us know if Defendants are agreeable by COB ET Wednesday, September 11.

Charles J. Monterio, Jr.
Associate
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