

# EXHIBIT Q

# DICKSTEINSHAPIRO<sub>LLP</sub>

1825 Eye Street NW | Washington, DC 20006-5403  
TEL (202) 420-2200 | FAX (202) 420-2201 | dicksteinshapiro.com

March 5, 2012

## Via E-mail

Margaret P. Kammerud, Esq.  
Quinn Emanuel Urquhart & Sullivan, LLP  
50 California Street, 22nd Floor  
San Francisco, CA 94111

Re: Google's March 1, 2012 Letter

Dear Meg:

I/P Engine writes to correct characterizations included in your letter to Ken Brothers of March 2, 2012, which was received at 7:20 p.m. EST.

With respect to I/P Engine's infringement contentions, you stated "[w]e asked that you point out where in the contentions you think you have pointed to collaborative filtering." In response to that question, you stated that we refused to answer and also refused to substantively engage with you as to any issue related to I/P Engine's infringement contentions. That is not accurate. We discussed this issue at length and explained that I/P Engine stands on its current infringement contentions. As we explained, I/P Engine believes that its contentions are sufficient. We further noted that discovery is continuing; I/P Engine continues to receive and analyze the ongoing production of documents by Defendants. I/P Engine reiterated its position that, when any party is aware of additional facts relating to their claims or defenses, the party should seasonably supplement its discovery responses. I/P Engine reiterated its request that Google explain its non-infringement contentions by supplemental interrogatory response. Google acknowledged that request but offered no further response. Thus, contrary to your characterizations, I/P Engine did not refuse to engage.

Additionally, you stated that "Plaintiff agreed that collaborative filtering is required by the claims." I/P Engine did not agree to such a statement; indeed, your statement is a mischaracterization and overgeneralization of "the claims." During the call, I/P Engine elected to stand on its current infringement contentions, repeatedly referred you to the language of the contentions, declined to further characterize the claims of the patents-in-suit beyond its statements within its infringement contentions, and declined to engage in arguments over claim construction.

I/P Engine also did not refuse to supplement any of its contentions on Google Search and/or IAC's Ask Sponsored Listings. Consistent with I/P Engine's position that supplementation was

**DICKSTEINSHAPIRO**LLP

Margaret P. Kammerud, Esq.

March 5, 2012

Page 2

appropriate when a party had new facts to disclose, I/P Engine reserves its right to supplement its infringement contentions as to Google Search and IAC's Ask Sponsored Listings. With respect to Google Search, the parties previously have engaged in discussions regarding the functionality of Google Search, and we have requested that Google amend its interrogatory responses regarding Google Search. Once Google does so, I/P Engine may supplement its response. With respect to IAC's Ask Sponsored Listings, most of those technical documents were only recently produced, and we continue to review them for the purposes of supplementing the infringement contentions. As for now, Google Search and IAC's Ask Sponsored Listings remain accused products.

As to your threat to move to compel further infringement contentions, we do not understand the basis for such a motion. The supplementation of infringement contentions was done not in response to an interrogatory, but pursuant to an agreement that also obligated Defendants to supplement their invalidity contentions on March 2, 2012. We have had no meet and confer regarding any infringement contention interrogatory.

To the extent Defendants intend to move to compel based upon their agreement, Defendants have breached the parties' agreement by failing to supplement their invalidity contentions. I/P Engine agreed to supplement its infringement contentions in exchange for Defendants agreement to supplement their invalidity contentions. Defendants failure to abide by their agreement precludes them from claiming that the infringement contentions are inadequate.<sup>1</sup>

Regarding your reference to Rule 11, I/P Engine's contentions have been pled in detail and are fully supported by Google's own documents and statements.

Regarding support for I/P Engine's proposed search terms (e.g., "relevance"), we refer you to our January 24, 2012 letter. In that letter, when I/P Engine proposed the search terms, we explained why I/P Engine believes each term is relevant to the present litigation and cited a sample Google document where needed. If Google requires any further explanation, please let know.

---

<sup>1</sup> We understand from your letter that defendants are standing on their previously identified art; however, defendants were nonetheless obligated by their agreement to supplement their invalidity contentions on March 2 to more fully explain why they believe the prior art reads on each of the asserted claims. I/P Engine is relying upon defendants' representation that they are not aware of additional relevant prior art related to the asserted claims.

**DICKSTEINSHAPIRO**LLP

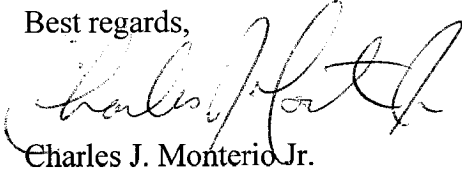
Margaret P. Kammerud, Esq.

March 5, 2012

Page 3

We remain willing to discuss these issues.

Best regards,



Charles J. Monterio Jr.

(202) 420-5167

MonterioC@dicksteinshapiro.com

CJM/

cc: Stephen E. Noona  
David Bilsker  
Kenneth W. Brothers  
Jeffrey K. Sherwood  
DeAnna Allen