

EXHIBIT I

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

I/P ENGINE, INC.,)	
)	
Plaintiff,)	
v.)	Civ. Action No. 2:11-cv-512
)	
AOL, INC. et al.,)	
)	
Defendants.)	
)	

**PLAINTIFF I/P ENGINE, INC.’S PRELIMINARY DISCLOSURE OF
ASSERTED CLAIMS AND PRE-DISCOVERY INFRINGEMENT CONTENTIONS
AS TO AOL, INC.’S ADVERTISING.COM SPONSORED LISTINGS**

Plaintiff I/P Engine, Inc. (“I/P Engine”) hereby makes the following Disclosure of Asserted Claims and Pre-Discovery Infringement Contentions for U.S. Patent Nos. 6,314,420 (“the ‘420 patent”) and 6,775,664 (“the ‘664 patent”).

A. Identification of Asserted Claims and Infringing Products

Defendant AOL, Inc.’s (“AOL”) products, methods and systems promoted under the name of AOL’s Advertising.com Sponsored Listings (“AOL Sponsored Listings”) are accused of infringing at least the following claims:

- claims 10, 14, 15, 25, 27 and 28 of the ‘420 patent; and
- claims 1, 5, 6, 21, 22, 26, 28 and 38 of the ‘664 patent.

Each asserted claim of the ‘420 and ‘664 patents is reproduced in the attached claim charts. The left column of the claim charts includes the language of each claim; each limitation of each claim is listed separately. The right column of the claim charts includes the features of AOL Sponsored Listings that I/P Engine contends infringe each corresponding limitation in the claim based on evidence currently available to I/P Engine. Based on the attached claim charts, AOL is liable for direct infringement of the ‘420 and ‘664 patents.

These claim charts can be, and will be, supplemented and/or amended based upon discovery, additional evidence, further investigation, and/or the claim construction by the Court.

B. Identification of Infringing Structure, Acts, and/or Materials

As demonstrated by the attached claim charts and as described in AOL's marketing materials and other publicly available sources, each limitation of each claim of the '420 and '664 patents asserted against AOL is literally present in AOL Sponsored Listings. If AOL contends that any limitation of any of the asserted claims is not literally present in AOL Sponsored Listings, any such limitation of the asserted claims is present under the doctrine of equivalents because the difference(s), if any, between AOL Sponsored Listings, and what is literally claimed in the asserted claims is(are) insubstantial. I/P Engine will provide contentions under the doctrine of equivalents if, after, and when AOL identifies which elements it contends are not present in AOL Sponsored Listings.

C. Identification of Priority Date

Each of the asserted claims of the '420 and '664 patents is entitled to a priority date at least as early as the effective date of the '420 patent, i.e., December 3, 1998 (based on the filing date of the patent application, U.S. Patent Application No. 09/204,149, that issued as the '420 patent). Additionally, each of the asserted claims of the '420 and '664 patents may be entitled to an earlier effective date based on, without limitation, the filing of earlier related patent applications.

D. Indirect Infringement Disclosures

As demonstrated by the attached claim charts, the use of AOL Sponsored Listings directly infringes the asserted claims of the '420 and '664 patents and establishes the prerequisite act of direct infringement. AOL has also had knowledge of the '420 and '664 patents at least as early as the filing date of this lawsuit, September 15, 2011 (D.I. 001).

AOL, via its marketing materials and other publicly available sources, provides, sells, offers for sale, and/or promotes the infringing products, methods and systems of AOL Sponsored Listings to its Publishers, advertisers and/or end users that use the infringing AOL Sponsored Listings. Based on these marketing materials and uses, AOL intends for its Publishers, advertisers and/or end users to use AOL Sponsored Listings in an infringing manner. Thus, AOL intends to cause infringement of the '420 and '664 patents.

By making, using, providing, selling, and/or promoting its infringing AOL Sponsored Listings, and by continuing to provide, sell, offer for sale, and/or promote its infringing AOL Sponsored Listings, with the intention of causing at least some Publishers, advertisers and/or end users to use AOL Sponsored Listings in an infringing manner, AOL actively and knowingly aids and abets infringement of the '420 and '664 patents and is liable under induced infringement.

In addition, AOL Sponsored Listings is a material part of the claimed invention of the '420 and '664 patents. AOL Sponsored Listings is especially made or especially adapted for use with only infringing search engine systems and/or search systems. Furthermore, AOL Sponsored Listings is not a staple article. AOL Sponsored Listings is not a commodity of commerce and can only be used with infringing search engine systems and/or search systems. AOL Sponsored Listings is also not suitable for substantial non-infringing uses. Therefore, AOL is liable as a contributory infringer.

These contentions are preliminary, are based on known publicly available information, and are subject to change based on the Court's claim construction. I/P Engine reserves the right to amend and/or supplement these infringement contentions if and when further information regarding AOL Sponsored Listings becomes available and/or for other good cause.

Dated: November 11, 2011

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CLAIM CHART FOR INFRINGEMENT OF U.S. PATENT NO. 6,314,420

AOL Sponsored Listings

CLAIM 10	AOL SPONSORED LISTINGS
<p>a. A search engine system comprising:</p>	<p>The preamble is typically not a limitation and thus no comparison needs to be made between the accused system, AOL Sponsored Listings, and the preamble. <i>See, e.g., Symantec Corp. v. Computer Associate Intern., Inc.</i>, 522 F.3d 1279, 1288 (Fed. Cir. 2008)(“Absent clear reliance on the preamble in the prosecution history, or in situations where it is necessary to provide antecedent basis for the body of the claim, the preamble generally is not limiting.”)(quotation omitted). However, AOL Sponsored Listings includes a search engine system.</p> <p>AOL Sponsored Listings includes a search engine system that searches for information (e.g., advertisements) relevant to a search query. For example, when a user enters a search query into the search bar on AOL’s website and selects the “search” button, the user is presented a list of information, e.g., advertisements. <i>See</i> IPE0000337-IPE0000339. Upon information and belief, AOL Sponsored Listings also uses its search engine system to display advertisements on the websites of its Publishers, i.e., websites in the “Sponsored Listings Network.” IPE0000351; <i>see also</i> IPE0000342-IPE0000344 (listing publishers such as ESPN, Us Weekly, and FOX News, so that an advertiser can select placements for their advertisements).</p>
<p>b. a system for scanning a network to make a demand search for informons relevant to a query from an individual user;</p>	<p>AOL Sponsored Listings includes a system for scanning a network to make a demand search for information relevant to a query from a user. For example, search bars on sites affiliated with AOL Sponsored Listings, such as the AOL website (www.AOL.com) and websites in the “Sponsored Listings Network,” allow a user to enter a search term to run a demand search. <i>See</i> section a. In response to the query, the system conducts a demand search for information. <i>See</i> IPE0000337-IPE0000339. Upon information and belief, the information is stored on a distributed database across several locations on a network(s).</p>

CLAIM 10	AOL SPONSORED LISTINGS
<p>c. a content-based filter system for receiving the informons from the scanning system and for filtering the informons on the basis of applicable content profile data for relevance to the query; and</p>	<p>AOL Sponsored Listings includes a system for receiving the information from the scanning system and for filtering the information on the basis of applicable content profile data for relevance to the query. For example, AOL's website is included in AOL's Sponsored Listings Network, which was formerly known as Quigo Technologies, Inc. IPE0000340. Upon information and belief, the Quigo system is at least partially incorporated into AOL's website and AOL Sponsored Listings. The Quigo system filters on the basis of content profile data. IPE0000349 ("Impression volume is determined by a combination of factors including . . . contextual relevancy To increase your exposure, you now have several options: Make sure the topics you bid on are relevant to your landing page(s). Choose as many topics as you can that are relevant to your ads.").</p>
<p>d. a feedback system for receiving collaborative feedback data from system users relative to informons considered by such users;</p>	<p>AOL Sponsored Listings includes a system that receives feedback data from system users, the feedback data being related to the website information returned as results and considered by users. For example, the Quigo system receives feedback (in the form of clickthrough data) about information, e.g., advertisements, considered by the other users. IPE0000349 ("your click-through rate will begin to more heavily influence the number of impressions your ads receive. Impression volume is determined by a combination of factors including bid price, contextual relevancy and click-through rate."). Advertisers "[t]est and refine [their] creative messaging to improve click-through rates. Ads with high click-through rates will gain more exposure at their existing bid price!" <i>Id.</i> Additionally, a FAQ published in relation to AOL's acquired Quigo system states: "Do I need to be the highest bidder? No! You should bid what you are willing to pay per click for each placement. While being the highest bidder does increase the chances that your ad will be shown, we also take into account how well your ad performs when deciding which ad to display on a particular site page." IPE0000346.</p>

CLAIM 10	AOL SPONSORED LISTINGS
e. the filter system combining pertaining feedback data from the feedback system with the content profile data in filtering each informon for relevance to the query.	AOL Sponsored Listings includes a system that combines pertaining feedback data with content data in filtering information for relevance to the query. The filters advertisements to determine their relevancy to a query by combining content data (“contextual relevancy”) and feedback data from the feedback system (“click-through rate”). IPE0000349.

CLAIM 14	AOL SPONSORED LISTINGS
The system of claim 10 wherein the collaborative feedback data comprises passive feedback data.	AOL Sponsored Listings collects and uses feedback data in the form of CTR. <i>See</i> claim 10 section d. The CTR recorded by AOL Sponsored Listings is passive feedback data.

CLAIM 15	AOL SPONSORED LISTINGS
The system of claim 14 wherein the passive feedback data is obtained by passively monitoring the actual response to a proposed informon.	AOL Sponsored Listings passively monitors a user’s behavior related to proposed advertisements. AOL Sponsored Listings records the clickthrough rates of each respective advertisement. <i>See</i> claim 10 section d.

CLAIM 25	AOL SPONSORED LISTINGS
a. A method for operating a search engine system comprising:	The preamble is typically not a limitation and thus no comparison needs to be made between the accused system, AOL Sponsored Listings, and the preamble. <i>See, e.g., Symantec Corp. v. Computer Associate Intern., Inc.</i> , 522 F.3d 1279, 1288 (Fed. Cir. 2008)(“Absent clear reliance on the preamble in the prosecution history, or in situations where it is necessary to provide antecedent basis for the body of the claim, the preamble generally is not limiting.”)(quotation omitted). However, AOL Sponsored Listings includes a method for operating a search

CLAIM 25	AOL SPONSORED LISTINGS
	<p>engine system.</p> <p>AOL Sponsored Listings includes a search engine system that searches for information (e.g., advertisements) relevant to a search query. For example, when a user enters a search query into the search bar on AOL’s website and selects the “search” button, the user is presented a list of information, e.g., advertisements. <i>See</i> IPE0000337-IPE0000339. Upon information and belief, AOL Sponsored Listings also uses its search engine system to display advertisements on the websites of its Publishers, i.e., websites in the “Sponsored Listings Network.” IPE0000351; <i>see also</i> IPE0000342-IPE0000344 (listing publishers such as ESPN, Us Weekly, and FOX News, so that an advertiser can select placements for their advertisements).</p>
<p>b. scanning a network to make a demand search for informons relevant to a query from an individual user;</p>	<p>AOL Sponsored Listings scans a network to make a demand search for information (e.g., advertisements) relevant to a query from a user. For example, search bars on sites affiliated with AOL Sponsored Listings, such as the AOL website (www.AOL.com) and websites in the “Sponsored Listings Network,” allow a user to enter a search term to run a demand search. <i>See</i> section a. In response to the query, the system conducts a demand search for information. <i>See</i> IPE0000337-IPE0000339. Upon information and belief, the information is stored on a distributed database across several locations on a network(s).</p>
<p>c. receiving the informons in a content-based filter system from the scanning system and filtering the informons on the basis of applicable content profile data for relevance to the query;</p>	<p>AOL Sponsored Listings receives information from the scanning system and filters the information on the basis of applicable content profile data for relevance to the query. For example, AOL’s website is included in AOL’s Sponsored Listings Network, which was formerly known as Quigo. IPE0000340. Upon information and belief, the Quigo system is at least partially incorporated into AOL’s website and AOL Sponsored Listings. The Quigo system filters on the basis of content profile data. IPE0000349 (“Impression volume is determined by a combination of factors including . . . contextual relevancy To increase your exposure, you now have several options: Make sure the topics you bid on are relevant to your landing page(s). Choose as many topics as you can that are relevant to your ads.”).</p>

CLAIM 25	AOL SPONSORED LISTINGS
<p>d. receiving collaborative feedback data from system users relative to informons considered by such users; and</p>	<p>AOL Sponsored Listings also receives feedback data from system users, the feedback data being related to the website information returned as results and considered by users. For example, the Quigo system receives feedback (in the form of clickthrough data) about information, e.g., advertisements, considered by the other users. IPE0000349 (“your click-through rate will begin to more heavily influence the number of impressions your ads receive. Impression volume is determined by a combination of factors including bid price, contextual relevancy and click-through rate.”). Advertisers “[t]est and refine [their] creative messaging to improve click-through rates. Ads with high click-through rates will gain more exposure at their existing bid price!” <i>Id.</i> Additionally, a FAQ published in relation to AOL’s acquired Quigo system states: “Do I need to be the highest bidder? No! You should bid what you are willing to pay per click for each placement. While being the highest bidder does increase the chances that your ad will be shown, we also take into account how well your ad performs when deciding which ad to display on a particular site page.” IPE0000346.</p>
<p>e. combining pertaining feedback data with the content profile data in filtering each informon for relevance to the query.</p>	<p>AOL Sponsored Listings combines pertaining feedback data with content data in filtering information for relevance to the query. The Quigo system filters advertisements to determine their relevancy to a query by combining content data (“contextual relevancy”) and feedback data from the feedback system (“click-through rate”). IPE0000349.</p>

CLAIM 27	AOL SPONSORED LISTINGS
<p>The method of claim 25 wherein the collaborative feedback data provides passive feedback data.</p>	<p>AOL Sponsored Listings collects and uses feedback data in the form of CTR. <i>See</i> claim 25 section d. The CTR recorded by AOL Sponsored Listings is passive feedback data.</p>

CLAIM 28	AOL SPONSORED LISTINGS
The method of claim 27 wherein the passive feedback data is obtained by passively monitoring the actual response to a proposed informon.	AOL Sponsored Listings passively monitors a user's behavior related to proposed advertisements. AOL Sponsored Listings records the clickthrough rates of each respective advertisement. <i>See</i> claim 25 section d.

CLAIM CHART FOR INFRINGEMENT OF U.S. PATENT NO. 6,775,664

AOL Sponsored Listings

CLAIM 1	AOL SPONSORED LISTINGS
<p>a. A search system comprising:</p>	<p>The preamble is typically not a limitation and thus no comparison needs to be made between the accused system, AOL Sponsored Listings, and the preamble. <i>See, e.g., Symantec Corp. v. Computer Associate Intern., Inc.</i>, 522 F.3d 1279, 1288 (Fed. Cir. 2008)(“Absent clear reliance on the preamble in the prosecution history, or in situations where it is necessary to provide antecedent basis for the body of the claim, the preamble generally is not limiting.”)(quotation omitted). However, AOL Sponsored Listings includes a search system.</p> <p>AOL Sponsored Listings includes a system that searches for information (e.g., advertisements) relevant to a search query. For example, when a user enters a search query into the search bar on AOL’s website and selects the “search” button, the user is presented a list of information, e.g., advertisements. <i>See</i> IPE0000337-IPE0000339. Upon information and belief, AOL Sponsored Listings also uses its search engine system to display advertisements on the websites of its Publishers, i.e., websites in the “Sponsored Listings Network.” IPE0000351; <i>see also</i> IPE0000342-IPE0000344 (listing publishers such as ESPN, Us Weekly, and FOX News, so that an advertiser can select placements for their advertisements).</p>
<p>b. a scanning system for searching for information relevant to a query associated with a first user in a plurality of users;</p>	<p>AOL Sponsored Listings includes a system for searching for information relevant to a query from a user. For example, search bars on sites affiliated with AOL Sponsored Listings, such as the AOL website (www.AOL.com) and websites in the “Sponsored Listings Network,” allow a user to enter a search term to run a demand search. <i>See</i> section a. In response to the query, the system conducts a search for information. <i>See</i> IPE0000337-IPE0000339. AOL Sponsored Listings searches for the information, in part, on the basis of content data (e.g., ad text, keyword, and landing page attributes) for relevance to the query. Upon information and belief, the Quigo system is incorporated into AOL Sponsored Listings. The Quigo system filters on the basis of content profile data.</p>

CLAIM 1	AOL SPONSORED LISTINGS
	IPE0000349 (“Impression volume is determined by a combination of factors including . . . contextual relevancy To increase your exposure, you now have several options: Make sure the topics you bid on are relevant to your landing page(s). Choose as many topics as you can that are relevant to your ads.”).
c. a feedback system for receiving information found to be relevant to the query by other users; and	AOL Sponsored Listings includes a system for receiving information found to be relevant to the query by users of the system. For example, the Quigo system receives feedback (in the form of clickthrough data) about information, e.g., advertisements, considered by the other users. IPE0000349 (“your click-through rate will begin to more heavily influence the number of impressions your ads receive. Impression volume is determined by a combination of factors including bid price, contextual relevancy and click-through rate.”). Advertisers “[t]est and refine [their] creative messaging to improve click-through rates. Ads with high click-through rates will gain more exposure at their existing bid price!” <i>Id.</i> Additionally, a FAQ published in relation to AOL’s acquired Quigo system states: “Do I need to be the highest bidder? No! You should bid what you are willing to pay per click for each placement. While being the highest bidder does increase the chances that your ad will be shown, we also take into account how well your ad performs when deciding which ad to display on a particular site page.” IPE0000346.
d. content-based filter system for combining the information from the feedback system with the information from the scanning system and for filtering the combined information for relevance to at least one of the query and the first user.	AOL Sponsored Listings includes a system for combining information from the feedback system with information from the scanning system to filter information for relevance to the query. The Quigo system filters advertisements to determine their relevancy to a query by combining content data (“contextual relevancy”) and feedback data from the feedback system (“click-through rate”). IPE0000349.

CLAIM 5	AOL SPONSORED LISTINGS
The search system of claim 1 wherein the filtered information is an advertisement.	AOL Sponsored Listings filters advertisements. <i>See</i> claim 1 sections a-d.

CLAIM 6	AOL SPONSORED LISTINGS
The search system of claim 1 further comprising an information delivery system for delivering the filtered information to the first user.	AOL Sponsored Listings delivers information to a user in the form of links to websites with short descriptions. <i>See</i> IPE0000337-IPE0000339 (displaying an example search for “grill”).

CLAIM 21	AOL SPONSORED LISTINGS
The search system of claim 1 wherein the content-based filter system filters by extracting features from the information.	AOL Sponsored Listings extracts features (e.g., text) from an advertisement to perform content-based filtering. IPE0000349.

CLAIM 22	AOL SPONSORED LISTINGS
The search system of claim 21 wherein the extracted features comprise content data indicative of the relevance to the at least one of the query and the user.	In AOL Sponsored Listings, the extracted features described in claim 21 are content data that is used to indicate the relevance of an item to the user’s query. <i>See</i> claim 1 section b.

CLAIM 26	AOL SPONSORED LISTINGS
<p>a. A method for obtaining information relevant to a first user comprising:</p>	<p>The preamble is typically not a limitation and thus no comparison needs to be made between the accused system, AOL Sponsored Listings, and the preamble. <i>See, e.g., Symantec Corp. v. Computer Associate Intern., Inc.</i>, 522 F.3d 1279, 1288 (Fed. Cir. 2008)(“Absent clear reliance on the preamble in the prosecution history, or in situations where it is necessary to provide antecedent basis for the body of the claim, the preamble generally is not limiting.”)(quotation omitted). However, AOL Sponsored Listings includes a method for obtaining information relevant to a first user.</p> <p>AOL Sponsored Listings includes a method for obtaining information relevant to a user. For example, when a user enters a search query into the search bar on AOL’s website and selects the “search” button, the user is presented a list of information, e.g., advertisements. <i>See</i> IPE0000337-IPE0000339. Upon information and belief, AOL Sponsored Listings also uses its search engine system to display advertisements on the websites of its Publishers, i.e., websites in the “Sponsored Listings Network.” IPE0000351; <i>see also</i> IPE0000342-IPE0000344 (listing publishers such as ESPN, Us Weekly, and FOX News, so that an advertiser can select placements for their advertisements).</p>
<p>b. searching for information relevant to a query associated with a first user in a plurality of users;</p>	<p>AOL Sponsored Listings searches for information relevant to a query associated with a user. For example, search bars on sites affiliated with AOL Sponsored Listings, such as the AOL website (www.AOL.com) and websites in the “Sponsored Listings Network,” allow a user to enter a search term to run a demand search. <i>See</i> section a. In response to the query, the system conducts a search for information. <i>See</i> IPE0000337-IPE0000339. AOL Sponsored Listings searches for the information, in part, on the basis of content data (e.g., ad text, keyword, and landing page attributes) for relevance to the query. Upon information and belief, the Quigo system is incorporated into AOL Sponsored Listings. The Quigo system filters on the basis of content profile data. IPE0000349 (“Impression volume is determined by a combination of factors including . . . contextual relevancy To increase your exposure, you now</p>

CLAIM 26	AOL SPONSORED LISTINGS
	have several options: Make sure the topics you bid on are relevant to your landing page(s). Choose as many topics as you can that are relevant to your ads.”).
c. receiving information found to be relevant to the query by other users;	AOL Sponsored Listings receives information found to be relevant to the query by users of the system. For example, the Quigo system receives feedback (in the form of clickthrough data) about information, e.g., advertisements, considered by the other users. IPE0000349 (“your click-through rate will begin to more heavily influence the number of impressions your ads receive. Impression volume is determined by a combination of factors including bid price, contextual relevancy and click-through rate.”). Advertisers “[t]est and refine [their] creative messaging to improve click-through rates. Ads with high click-through rates will gain more exposure at their existing bid price!” <i>Id.</i> Additionally, a FAQ published in relation to AOL’s acquired Quigo system states: “Do I need to be the highest bidder? No! You should bid what you are willing to pay per click for each placement. While being the highest bidder does increase the chances that your ad will be shown, we also take into account how well your ad performs when deciding which ad to display on a particular site page.” IPE0000346.
d. combining the information found to be relevant to the query by other users with the searched information; and	AOL Sponsored Listings combines information found to be relevant to the query with the searched information. The Quigo system filters advertisements to determine their relevancy to a query by combining content data (“contextual relevancy”) and feedback data from the feedback system (“click-through rate”). IPE0000349.
e. content-based filtering the combined information for relevance to at least one of the query and the first user.	Upon information and belief, the information combined in section d is filtered for relevance to the user’s query, and is displayed along with other query results. <i>See</i> IPE0000349 (describing that the number of impressions – the number of times an ad is displayed to a user – is based on the combination of contextual relevancy and click-through rate); <i>see also</i> IPE0000337-IPE0000339 (showing an example search for the term “grill”); IPE0000347-IPE0000348.

CLAIM 28	AOL SPONSORED LISTINGS
28. The method of claim 26 further comprising the step of delivering the filtered information to the first user.	AOL Sponsored Listings delivers filtered information to a user in the form of links to websites with short descriptions. <i>See</i> IPE0000337-IPE0000339 (displaying an example search for the term “grill”).

CLAIM 38	AOL SPONSORED LISTINGS
38. The method of claim 26 wherein the searching step comprises scanning a network in response to a demand search for the information relevant to the query associated with the first user.	AOL Sponsored Listings scans a network in response to a demand search for information relevant to a query from a user. For example, search bars on sites affiliated with AOL Sponsored Listings, such as the AOL website (www.AOL.com) and websites in the “Sponsored Listings Network,” allow a user to enter a search term to run a demand search. <i>See</i> section a. In response to the query, the system conducts a demand search for information. <i>See</i> IPE0000337-IPE0000339. Upon information and belief, the information is stored on a distributed database across several locations on a network(s).

CERTIFICATE OF SERVICE

I hereby certify that on this 11th day of November, 2011, the foregoing Plaintiff I/P Engine, Inc.'s Preliminary Disclosure of Asserted Claims and Pre-Discovery Infringement Contentions as to AOL, Inc.'s Advertising.com Sponsored Listings, was served via email, on the following:

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