

EXHIBIT C

Joshua Sohn

From: Monterio, Charles [MonterioC@dicksteinshapiro.com]
Sent: Tuesday, April 10, 2012 5:20 PM
To: Joshua Sohn; David Perlson
Cc: 'Noona, Stephen E.'; Emily O'Brien; zz-IPEngine; Antonio Sistos
Subject: RE: any word?

Josh,

We note agreement on the construction for “relevance to a query.” It appears the parties agree to disagree regarding “[informons/information] relevant to a query” and the ordering issues. We view each ordering issue as a separate term as each involves a separate analysis.

Defendants’ list of terms based on your email appears to be different than David’s list provided yesterday, separate and apart from the list provided by I/P Engine which the parties agreed captured the remaining terms in dispute. Please provide Defendants’ rationale for the additional claim terms/larger phrases mentioned in your email. Your email mentions larger phrases containing “scanning” and “combining.” These phrases were not on David’s list of proposed terms for construction sent yesterday (appearing below in this email chain). The terms cannot be within David’s #2 below, because as you have said they are different terms. In any case, they are not listed. As of yesterday, we have been operating under the assumption that David’s list included all of the terms Defendants maintained are in dispute.

Charles

From: Joshua Sohn [mailto:Joshuasohn@quinnemanuel.com]
Sent: Tuesday, April 10, 2012 7:13 PM
To: Monterio, Charles; David Perlson
Cc: 'Noona, Stephen E.'; Emily O'Brien; zz-IPEngine; Antonio Sistos
Subject: RE: any word?

Charles,

Defendants do not presently contend that all limitations must be performed in the recited order. Rather, Defendants contend as follows:

- (1) For '420 claim 25, the steps of “receiving the informons in a content-based filter system . . . and filtering the informons on the basis of applicable content profile data” and “receiving collaborative feedback data” must both occur before the step of “combining pertaining feedback data with the content profile data.” Also, the “scanning a network” step must occur before the “receiving the informons” step.
- (2) For '664 claim 26, the “combining” step must occur before the “filtering the combined information” step. Also, the “receiving information found to be relevant to the query by other users” step must occur before the “combining” step. Also, the “searching for information” step must occur before the “combining” step.

We are seeking Plaintiff’s agreement on the order of steps limitations recited in (1) and (2) above. If Plaintiff agrees, then the parties’ dispute over the order of steps limitations would be resolved.

Regarding your latest communication on the construction of “relevance to a query,” Defendants are not suggesting that something needs to be expressed in a particular way, but merely that the need has to be expressed in the query in some way. That being said, we believe that is true in the language that Plaintiff proposes as well. If Plaintiff agrees,

Defendants will accept Plaintiff's proposal for "relevance to a query" as "how well an informon satisfies the individual user's information need in the query."

Regarding "[informons/information] relevant to a query," we continue to believe that Defendants' construction is appropriate as stated in Defendants' prior correspondence. Simply removing this term from the list of terms to be construed would not resolve the parties' apparent dispute over its meaning, and thus we don't think removing this term would be productive.

Finally, your letter of April 9 could be read to suggest that you believe Defendants have somehow abandoned their indefiniteness position on certain terms. To be clear, Defendants continue to believe that the terms from Defendants' original Term Group # 2 and #6 (the larger phrases containing "scanning" and "combining") are indefinite. That Defendants agreed, at Plaintiff's request, to offer constructions for the different terms "combining," "scanning a network," and "a scanning system" does not change this.

Best,

Josh

Joshua Sohn
Associate,
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From: Monterio, Charles [mailto:MonterioC@dicksteinshapiro.com]
Sent: Tuesday, April 10, 2012 1:54 PM
To: David Perlson
Cc: 'Noona, Stephen E.'; Emily O'Brien; zz-IPEngine; Joshua Sohn; Antonio Sistos
Subject: RE: any word?

David,

Regarding the order of steps issue, do Defendants continue to contend that all limitations must be performed in the recited order, as stated in their initial proposed constructions, or are Defendants now contending that only the referenced language in Josh's April 8, 2012 email (reproduced below for convenience) must be performed in the recited order?

Josh's email stated:

Regarding the order of steps for '420 claim 25, we understand Plaintiff takes the position that the "receiving collaborative feedback data" step must occur before the "combining pertaining feedback data with the content profile data" step. We agree. Please let us know whether plaintiff will also agree that the "scanning a network" step must occur before the "receiving the informons in a content-based filter system from the scanning system" step as required by the claim language. If not, please explain why.