

# **EXHIBIT N**

**quinn emanuel trial lawyers | san francisco**

50 California Street, 22nd Floor, San Francisco, California 94111-4788 | TEL: (415) 875-6600 FAX: (415) 875-6700

WRITER'S DIRECT DIAL NO.  
**(415) 875-6344**

WRITER'S INTERNET ADDRESS  
 **davidperlson@quinnemanuel.com**

February 27, 2012

Ken Brothers  
Dickstein Shapiro LLP  
1825 Eye Street NW  
Washington, DC 20006

Re: I/P Engine, Inc. v. AOL, Inc. et al.: Plaintiff's Supplemental Infringement Contentions

Dear Ken:

I write regarding Plaintiff's Supplemental Infringement Contentions ("Contentions"), served on February 17, 2012.

First, these Contentions contain several deficiencies, including those as set forth below. We have set forth these deficiencies with respect to Plaintiff's Contentions against Google AdWords, but the same deficiencies exist with respect to Plaintiff's Contentions against all the accused systems in this case.

Claim 10(b) from the '420 Patent requires "a system for scanning a network to make a demand search for informons relevant to a query from an individual user." While Plaintiff states that "the search bar on Google's website (www.google.com) and other 'search network' sites allows a user to enter a search query and run a demand search," Plaintiff does not identify what in AdWords that it contends involves "scanning a network."

Claim 10(d) from the '420 Patent requires "a feedback system for receiving collaborative feedback data from system users relative to informons considered by such users." Plaintiff alleges that "AdWords 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." However, Plaintiff does not identify "*collaborative* feedback data" received by AdWords.

**quinn emanuel urquhart & sullivan, llp**

LOS ANGELES | 865 South Figueroa Street, 10th Floor, Los Angeles, California 90017-2543 | TEL (213) 443-3000 FAX (213) 443-3100  
NEW YORK | 51 Madison Avenue, 22nd Floor, New York, New York 10010-1601 | TEL (212) 849-7000 FAX (212) 849-7100  
SILICON VALLEY | 555 Twin Dolphin Drive, 5th Floor, Redwood Shores, California 94065-2139 | TEL (650) 801-5000 FAX (650) 801-5100  
CHICAGO | 500 W. Madison Street, Suite 2450, Chicago, Illinois 60661-2510 | TEL (312) 705-7400 FAX (312) 705-7401  
LONDON | 16 Old Bailey, London EC4M 7EG, United Kingdom | TEL +44(0) 20 7653 2000 FAX +44(0) 20 7653 2100  
TOKYO | NBF Hibiya Bldg., 25F, 1-1-7, Uchisaiwai-cho, Chiyoda-ku, Tokyo 100-0011, Japan | TEL +81 3 5510 1711 FAX +81 3 5510 1712  
MANNHEIM | Erzbergerstraße 5, 68165 Mannheim, Germany | TEL +49(0) 621 43298 6000 FAX +49(0) 621 43298 6100

# REDACTIONS

I previously indicated in my February 6, 2012 letter that the reason we needed Supplemental Infringement Contentions before serving Supplemental Invalidity Contentions is because “we first need to look at Plaintiff’s infringement allegations to see what they reveal about how Plaintiff is interpreting the patent. For example, as Plaintiff has likely now been able to determine given Google’s extensive technical document production, the accused products do not use collaborative filtering. Thus, to the extent Plaintiff is going to continue its case, Plaintiff would need to interpret the patent in a way to eliminate collaborative filtering.” Based on Plaintiff’s Contentions, it seems that Plaintiff has done precisely that. To the extent Plaintiff is not interpreting the Patent in this manner, Plaintiff needs to make its Contentions more clear to identify just what it contends meets the collaborative filtering limitation.

Relatedly, the Contentions state that “AdWords includes a system that combines pertaining feedback data with content data in filtering information to relevance to the query. [REDACTED]

[REDACTED] Thus, although not clear, it appears Plaintiff contends that a keyword’s clickthrough rate is the “feedback data” recited in ‘420 Claim 10, that is combined with the “the content profile data” of the claim, which Plaintiff contends is “the relevance of your ad text, keyword, and landing page.” If this is not correct, please let us know.

Plaintiff’s allegations as to the ‘664 Patent have similar deficiencies as its ‘420 Patent allegations. For instance, Claim 1(b) from the ‘664 Patent requires “a scanning system for searching for information relevant to a query associated with a first user in a plurality of users.” Plaintiff does not identify any “scanning system” in AdWords.

Claim 1(c) from the ‘664 Patent requires “a feedback system for receiving information found to be relevant to the query by other users.” Plaintiff alleges that “AdWords includes a system for receiving information found to be relevant to the query by users of the system,” but Plaintiff does not identify a “*feedback* system” called for by Claim 1(c).

Claim 1(d) from the ‘664 Patent requires the limitation of “filtering the combined information for relevance to at least one of the query and the first user.” Plaintiff concludes that AdWords “filter[s] information for relevance to the query.” But Plaintiff does not identify how or through what in AdWords information is filtered “for relevance to the query.”

Claim 1(d) also requires a “content-based filter system for combining the information from the feedback system with the information from the scanning system.” Plaintiff alleges that “AdWords includes a system for combining information from the feedback system with information from the scanning system . . . [REDACTED]

[REDACTED] Thus, although not clear,

## REDACTIONS

in appears Plaintiff contends that a keyword's clickthrough rate is the "information from the feedback system" recited in '664 Claim 1(d) [REDACTED]

[REDACTED] If this is not correct, please let us know.

Please confirm by noon PST on February 28 that Plaintiff will supplement its Contentions to provide the requested detail, and indicate when it will do so. As we have indicated, this information is needed for our Supplemental Invalidity Contentions.

Further, Plaintiff's Contentions include no contentions for Google Search. Please confirm by noon PST on February 28 that Plaintiff is not accusing Google Search of infringing the '664 or '420 Patents.

Likewise, Plaintiff's Contentions include no contentions for ASL. Please confirm by noon PST on February 28 that Plaintiff is not accusing Ask Sponsored Listings of infringing the '664 or '420 Patents.

As always, we remain willing to meet and confer to resolve any discovery issues, and hope that you similarly remain willing to work together on these issues in a timely and efficient manner.

Very truly yours,



David A. Perlson