

EXHIBIT O

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April 23, 2012

Charles Monterio
MonterioC@dicksteinshapiro.com

Re: I/P Engine, Inc. v. AOL, Inc. et al.

Dear Charles:

We are in receipt of your letters of April 20 regarding depositions of defendants in the above referenced matter.

First, as you know, Google served objections and responses to Plaintiff's 30(b)(6) notices on Wednesday, April 18. We offered to meet and confer to discuss certain topics, and were prepared to meet and confer to discuss these topics and Google's objections to all topics in the notice during our meet and confer on Thursday, April 19. You indicated that you intended to send us a letter, and then meet and confer to discuss. As we are now in receipt of your letter, we are happy to schedule a meet and confer, per your request. Although as you know, David Perlson will be unavailable, Emily O'Brien and I would generally be available the afternoon of April 25, or any time on April 26. Please let us know what time you would like to discuss. There is no need to further explain the objections and responses in advance of the meet and confer, as the parties can discuss all such issues—as outlined already in the written response—at that time.

Second, during our meet and confer on April 19 regarding the 30(b)(6) notices served on all defendants, we informed you that IAC Search & Media, Target, and Gannett objected to the deposition notices for the same reasons as Google. We also told you we were working with those defendants to identify witnesses in response to Plaintiff's requests. You did not object during our call. Instead, your letter of April 20 states that Defendants' objections are waived as

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not being timely served.¹ To be explicitly clear, Target, Gannett, and IAC Search & Media object to Plaintiff's 30(b)(6) notices for at least the same reasons as Google, as we stated during our call, and as reflected in the objections and responses served today. Plaintiff was on notice of Defendants' objections in a timely fashion, received Google's objections in writing on April 18, and therefore there has been no waiver.

Third, you indicated during our call that you were interested in taking the depositions of Target, Gannett and IAC Search & Media first, in order to determine the differences between AdWords and AdSense for Search as used by each of the defendants. We stated that it would be Google's witnesses, not witnesses for the other defendants, who would be the witnesses with knowledge regarding this issue (although we noted Google would need more direction from Plaintiff as to which differences it is interested in). For this reason, we stated that we were working to identify Google's witnesses first, and suggested that Plaintiff take Google's deposition first, and then if necessary take the depositions of the other defendants.

We also offered during that call to work with Target, Gannett and IAC Search & Media to provide written responses, along with the written objections, indicating that each defendant does not have knowledge regarding many of the "liability" topics requested by Plaintiff. In that way, Plaintiff would not waste its time or the parties' time taking depositions of these defendants first, only to find out that these defendants do not have the information requested. You stated that you would take this offer back to the team, yet you make no mention of this offer in your letters. Again, to be clear, we have been working with our clients as we suggested to provide written responses to Plaintiff's topics for all of those topics where these defendants do not have personal knowledge, which we provided to Plaintiff today. We are also working with them to identify witnesses and dates, as we told you during our call on April 19. But we do not agree with Plaintiff that it makes sense to take these witnesses first, in advance of the Google witnesses, given that it is the Google witnesses that have knowledge regarding the accused instrumentalities.

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.

Sincerely,



Jen Ghaussy

¹ We also note that your letter stating that objections had been waived was sent on April 20, prior to the expiration of the deadline for objections. Again, it seems that Plaintiff's goal is to create discovery disputes, rather than to engage in meaningful discovery in this case.

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