

EXHIBIT R

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

I/P ENGINE, INC.,

Plaintiff,

v.

AOL, INC., et al.,

Defendants.

Civ. Action No. 2:11-cv-512

**DEFENDANT TARGET CORPORATION'S OBJECTIONS AND RESPONSES TO
PLAINTIFF I/P ENGINE, INC.'S FIRST LIABILITY RULE 30(b)(6) NOTICE OF
DEPOSITION**

Pursuant to Federal Rules of Civil Procedure 26 and 30, Defendant Target Corporation ("Target") hereby objects and responds in writing to Plaintiff's First Liability Rule 30(b)(6) Notice of Deposition of Target.

GENERAL OBJECTIONS

Target makes the following general objections to each and every definition, instruction, and interrogatory made in Plaintiff I/P Engine, Inc.'s ("I/P Engine") First Liability Rule 30(b)(6) Notice of Deposition of Target, dated April 2, 2012. Each of these objections is incorporated into the Specific Objections set forth below, whether or not separately set forth therein. By responding to any of the topics or failing to specifically refer to or specify any particular General Objection in response to a particular topic, Target does not waive any of these General Objections, nor admit or concede the appropriateness of any purported topic or any assumptions contained therein.

1. Target objects to the date and location set in the notice for the deposition. Plaintiff has acknowledged that the date and location set in the notice are placeholders only.

2. Nothing in these responses should be construed as waiving rights or objections that might otherwise be available to Target nor should Target's responses to any of these topics be deemed an admission of relevancy, materiality, or admissibility in evidence of the topic or the response thereto.

3. Target objects to each topic to the extent that it seeks the disclosure of information protected from disclosure by the attorney-client privilege, the attorney work product doctrine or any other applicable privilege or protection as provided by law. Target will not produce such privileged or protected information, and any inadvertent disclosure of any privileged or protected information shall not be deemed a waiver of any privilege. Target will not be including on its privilege log information created after the filing date of this action.

4. Target objects to each topic, and to the definitions and instructions included therewith, to the extent it purports to impose upon Target obligations broader than, or inconsistent with, the Federal Rules of Civil Procedure or the Local Rules and Orders of this Court.

5. Target objects to each topic to the extent that it seeks information not relevant to this litigation nor reasonably calculated to lead to the discovery of admissible evidence. Specifically, Target objects to each of the topics to the extent they seek information about products not accused of infringing the patents-in-issue.

6. Target objects to each topic to the extent that it is not reasonably limited in time or scope.

7. Target objects to each topic on the ground that it seeks information protected by privacy law and/or policy.

8. Target objects to each topic and to the definitions and instructions included therewith pursuant to Federal Rule of Civil Procedure 26(b)(2)(i) to the extent that they purport to require the disclosure of information that is more readily available and/or more appropriately obtainable through other means of discovery.

9. Target objects to each topic to the extent that such topic prematurely seeks the production of information and documents in advance of the dates set by the Federal Rules of Civil Procedure, the Local Rules, the Docket Control Order entered in this case, the Discovery Order entered in this case, and any other relevant discovery orders entered in this case.

10. Target objects to each topic as unduly burdensome to the extent it seeks information about aspects of the accused technology that are not related to this case. The burden and expense associated with producing such information grossly outweighs its benefit and relevance.

11. Target objects to I/P Engine's definition of "Defendant Target Corporation" as overly broad and unduly burdensome, to the extent that includes related entities or divisions of Target, directors, officers, present and former employees, agents, representatives, and attorneys of such entities. Target will not respond concerning any defendant other than Target.

12. Target objects to each topic to the extent that the words and phrases used therein are vague, ambiguous, misleading and/or overbroad. Target specifically objects to the definitions of the terms "Quality Score," "LPQ Score," "QBB pCTR," relevance," "keyword spam score," "disabling," "Ad Shards," "Ad Quality Score," "Click Through Rate," "CTR," "SmartASS," and "DumbASS." Target further objects to Plaintiff's definition of the term "relevance" as meaning the "Relevance score" referenced in IPE 0000079, because the term "Relevance score" is not referenced in IPE 0000079.

13. Target responds to these topics based upon its current understanding and reserves the right to supplement its responses if any additional information is identified at a later time and to make any additional objections that may become apparent.

14. By responding to these topics, Target does not waive or intend to waive, but expressly reserves, all of its statements, reservations, and objections, both general and specific, set forth in these responses, even though Target may in some instances disclose information over the statements, reservations, and objections contained herein.

STATEMENT ON SUPPLEMENTATION

Target's investigation in this action is ongoing, and Target reserves the right to rely on and introduce information in addition to any information provided in response to this notice at the trial of this matter or in other related proceedings. Responses to Plaintiff's topics are also limited by the vagueness and insufficiency of Plaintiff's infringement contentions.

RESPONSES TO TOPICS

TOPIC NO. 1:

Target's decision to use Google AdSense for Search including, without limitation, any analysis of Google AdSense for Search performed by Target and any comparison of Google AdSense for Search with any other comparable products performed by Target.

RESPONSE TO TOPIC NO. 1:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face, particularly to the extent that it is not limited to the aspects of AdSense for Search that are at issue in this case; (ii) it seeks information that is not relevant nor

reasonably calculated to lead to the discovery of admissible evidence; and (iii) it is vague and ambiguous, particularly with respect to the terms "analysis," "comparison," and "comparable products."

Subject to its objections, Target will produce a corporate designee to testify generally as to Target's use of Google AdSense for Search.

TOPIC NO. 2:

Information provided by Google, and representations made by Google, regarding Google AdSense for Search prior to Target's decision to use Google AdSense for Search including, without limitation, the technical operation of Google AdSense for Search and the advantages of Google AdSense for Search over competitors' products.

RESPONSE TO TOPIC NO. 2:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face, particularly to the extent that it is not limited to the aspects of AdSense for Search that are at issue in this case; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence; and (iii) it is vague and ambiguous, particularly with respect to the terms "technical operation," "advantages," and "competitors' products."

Subject to its objections, Target will produce a corporate designee to testify generally as to Target's use of Google AdSense for Search.

TOPIC NO. 3:

Information provided by Google, and representations made by Google, during Target's use of Google AdSense for Search including, without limitation, any changes to the technical operation of Google AdSense for Search and the advantages of Google AdSense for Search over competitors' products.

RESPONSE TO TOPIC NO. 3:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face, particularly to the extent that it is not limited to the aspects of AdSense for Search that are at issue in this case; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence; and (iii) it is vague and ambiguous, particularly with respect to the terms "during Target's use," "changes to the technical operation," "advantages," and "competitors' products."

Subject to its objections, Target will produce a corporate designee to testify generally as to Target's communications with Google concerning AdSense for Search, to the extent this information exists.

TOPIC NO. 4:

Target's knowledge regarding Google's marketing and promotion materials related to or referring to Quality Score.

RESPONSE TO TOPIC NO. 4:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face, particularly to the extent that it is not limited to the aspects of

AdSense for Search that are at issue in this case; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence; and (iii) it is vague and ambiguous, particularly with respect to the definition of "Quality Score."

Subject to its objections, Target will produce a corporate designee to testify generally as to Target's use of Google AdSense for Search.

TOPIC NO. 5:

The conception, development, testing, and use of Target's system using Google AdSense for Search.

RESPONSE TO TOPIC NO. 5:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face, particularly to the extent that it is not limited to the aspects of AdSense for Search that are at issue in this case; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence, particularly to the extent that Plaintiff seeks information about "conception"; and (iii) it is vague and ambiguous, particularly with respect to the terms "conception, development, testing" and "Target's system using Google AdSense for Search."

Subject to its objections, Target will produce a corporate designee to testify generally as to Target's use of Google AdSense for Search.

TOPIC NO. 6:

Target's participation in any decisions related to its use of Google AdSense for Search.

RESPONSE TO TOPIC NO. 6:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face, particularly to the extent that it is not limited to the aspects of AdSense for Search that are at issue in this case; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence; and (iii) it is vague and ambiguous, particularly with respect to the term "participation in any decisions."

Subject to its objections, Target will produce a corporate designee to testify generally as to Target's use of Google AdSense for Search.

TOPIC NO. 7:

The technical and functional changes or other differences, if any, between Target's implementation of Google AdSense for Search and any other version of Google AdSense for Search.

RESPONSE TO TOPIC NO. 7:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face, particularly to the extent that it is not limited to the aspects of AdSense for Search that are at issue in this case; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence, including to the extent it seeks information about "any other version of Google AdSense for Search"; (iii) it is vague and ambiguous, particularly with respect to the terms "technical and functional changes" and "any other version of Google AdSense for Search"; and (iv) it is beyond the scope of Target's knowledge.

Subject to its objections, Target will produce a corporate designee to testify generally as to Target's use of Google AdSense for Search. Target does not have knowledge regarding the technical and functional changes or other differences, if any, between Target's implementation of Google AdSense for Search and any other version of Google AdSense for Search.

TOPIC NO. 8:

Target's awareness of the technical and functional differences, if any, between Google AdWords and Google AdSense for Search.

RESPONSE TO TOPIC NO. 8:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face, particularly to the extent that it is not limited to the aspects of AdWords and AdSense for Search that are at issue in this case; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence; (iii) it is vague and ambiguous, particularly with respect to the term "technical and functional differences"; and (iv) whether there are technical and functional differences between these two Google products is beyond the scope of Target's knowledge.

Subject to its objections, Target states that it does not have knowledge regarding the technical and functional differences, if any, between Google AdWords and Google AdSense for Search.

TOPIC NO. 9:

Target's awareness of improvements, modifications or changes to Google AdWords and Google AdSense for Search since January 1, 2005.

RESPONSE TO TOPIC NO. 9:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face, particularly to the extent that it is not limited to the aspects of AdWords and AdSense for Search that are at issue in this case; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence, including to the extent it seeks information about Target's awareness of AdWords; (iii) it is vague and ambiguous, particularly with respect to the terms "improvements, modifications or changes"; and (iv) modifications, if any, to these two Google products are beyond the scope of Target's knowledge.

TOPIC NO. 10:

Target's knowledge, if any, of the conception, development, testing and use of Quality Score and each of its components (including Landing Page, CTR and Relevance) as Quality Score was sold, or offered for sale or used in the United States, as well as the use of Quality Score by or on behalf of Target from January 1, 2005 to the present.

RESPONSE TO TOPIC NO. 10:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face, particularly to the extent that it is not limited to the aspects of AdSense for Search that are at issue in this case; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence, in particular because it seeks information relevant to a patent rather than an accused product and Google's products are accused products; (iii) it is vague and ambiguous, particularly with respect to the definitions of

"Quality Score," "Landing Page," "CTR," and "Relevance"; and (iv) it seeks information outside the scope of Target's knowledge.

Subject to its objections, Target states that it does not have knowledge as to this topic.

TOPIC NO. 11:

Target's knowledge, if any, of the research, design and development efforts related to Google AdSense for Search including without limitation the use of Quality Score in Google AdSense for Search, including why the work was undertaken, the desired goals, the resources committed to the project, the forecast or expectations for Quality Score, and any analysis of Quality Score including, but not limited to, research, design and development efforts related to each component of Quality Score including Landing Page, CTR and Relevance.

RESPONSE TO TOPIC NO. 11:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face, particularly to the extent that it is not limited to the aspects of AdSense for Search that are at issue in this case; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence; (iii) it is vague and ambiguous, particularly with respect to the definitions of "Quality Score," "Landing Page," "CTR," and "Relevance" and the terms "research, design and development efforts," "desired goals," and "expectations"; and (iv) it requests information outside the scope of Target's knowledge.

Subject to its objections, Target states that it does not have knowledge as to this topic.

TOPIC NO. 12:

Target's knowledge, if any, of the system architecture and operational/functional descriptions of Google AdSense for Search including without limitation the use of Quality Score, e.g., how it is calculated, how it is represented, how it is used in the Google AdSense for Search system, and how it is discussed at Google including, but not limited to, the system architecture and operational/functional descriptions of each component of Quality Score including Landing Page, CTR and Relevance.

RESPONSE TO TOPIC NO. 12:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face, particularly to the extent that it is not limited to the aspects of AdSense for Search that are at issue in this case; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence; (iii) it is vague and ambiguous, particularly with respect to the definitions of "Quality Score," "Landing Page," "CTR," and "Relevance" and the terms "system architecture" and "operational/functional descriptions"; and (iv) it requests information outside the scope of Target's knowledge.

Subject to its objections, Target states that it does not have knowledge as to this topic.

TOPIC NO. 13:

Target's awareness of when Quality Score was first introduced into Google AdWords and Google AdSense for Search and how the use of Quality Score in Google AdWords and Google AdSense for Search has changed since the introduction of Quality Score.

RESPONSE TO TOPIC NO. 13:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face, particularly to the extent that it is not limited to the aspects of AdWords or AdSense for Search that are at issue in this case; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence; (iii) it is vague and ambiguous, particularly with respect to the definition of "Quality Score"; and (iv) it seeks information outside the scope of Target's knowledge.

Subject to its objections, Target states that it does not have knowledge as to this topic.

TOPIC NO. 14:

The reasons, including all factual bases, for Target's contention that it is not a direct infringer including, but not limited to, Target's contention that "Target's systems using Google's AdSense for Search system do not incorporate collaborative filtering."

RESPONSE TO TOPIC NO. 14:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face; (ii) it seeks information that is properly the subject of a contention interrogatory, not the subject of a request for a 30(b)(6) witness topic; and (iii) it is duplicative of other discovery already served and responded to in this matter. Target also objects to this topic to the extent it seeks information protected by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege or protection.

TOPIC NO. 15:

Identification and technical explanation of any and all non-infringing alternatives on which Target intends to rely upon to support a claim and defense.

RESPONSE TO TOPIC NO. 15:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence; and (iii) it seeks information that is properly the subject of a contention interrogatory, not the subject of a request for a 30(b)(6) witness topic. Target also objects to this topic to the extent it seeks information protected by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege or protection.

TOPIC NO. 16:

The complete and full factual basis for Target's assertion of paragraph 138 of its First Amended Answer asserting "Target has not infringed, and is not infringing, any valid claim of the '420 patent or the '664 patent."

RESPONSE TO TOPIC NO. 16:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence, including to the extent that it is not limited to the products that are at issue in this case; (iii) it is vague and ambiguous, particularly in light of the fact that Plaintiff has failed to provide sufficiently detailed infringement contentions; and (iv) it

seeks information that is properly the subject of a contention interrogatory, not the subject of a request for a 30(b)(6) witness topic. Target also objects to this topic to the extent it seeks information protected by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege or protection.

TOPIC NO. 17:

The complete and full factual basis for Target's assertion of paragraph 139 of its First Amended Answer asserting "[t]he claims of the I/P Engine patents are invalid for failure to satisfy one or more conditions of patentability set forth in Title 35 of the United States Code, including, but not limited to, 35 U.S.C. §§ 101, 102, 103 and/or 112."

RESPONSE TO TOPIC NO. 17:

Target objects to this topic on the grounds that: (i) it is overly broad, unduly burdensome and oppressive on its face; (ii) it seeks information that is not relevant nor reasonably calculated to lead to the discovery of admissible evidence; (iii) it seeks information that is properly the subject of a contention interrogatory, not the subject of a request for a 30(b)(6) witness topic; and (iv) it is duplicative of other discovery already served and responded to in this matter. Target also objects to this topic to the extent it seeks information protected by the attorney-client privilege, the work product doctrine, the common interest privilege, or any other applicable privilege or protection.

DATED: April 23, 2012

QUINN EMANUEL URQUHART &
SULLIVAN, LLP

By: /s/ David A. Perlson

David A. Perlson
QUINN EMANUEL URQUHART &
SULLIVAN LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700

By: /s/ Stephen E. Noona

Stephen E. Noona
KAUFMAN & CANOLES, P.C.
150 West Main Street
Post Office Box 3037
Norfolk, VA 23514
Telephone: (757) 624.3000
Facsimile: (757) 624.3169

Counsel for Defendant Target Corporation

CERTIFICATE OF SERVICE

I hereby certify that April 23, 2012, I will serve the foregoing by electronic mail to the following:

Jeffrey K. Sherwood
Kenneth W. Brothers
Charles J. Monterio, Jr.
DICKSTEIN SHAPIRO LLP
1825 Eye Street, NW
Washington, DC 20006
Telephone: (202) 420-2200
Facsimile: (202) 420-2201
sherwooddj@dicksteinshapiro.com
brothersk@discksteinshapiro.com
monterioc@dicksteinshapiro.com

Counsel for Plaintiff I/P Engine, Inc.

Stephen E. Noona
Kaufman & Canoles, P.C.
150 W. Main Street, Suite 2100
Norfolk, VA 23510-1665

T (757) 624.3239
F (757) 624.3169
senoona@kaufcan.com

Counsel for Defendants

Dated: April 23, 2012

By: /s/ Jennifer Ghaussy
Jennifer Ghaussy
QUINN EMANUEL URQUHART &
SULLIVAN LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
415-875-6600
Telephone: (415) 875-6600
Facsimile: (415) 875-6700