

# Exhibit 4

**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 FIRST SUPPLEMENTAL  
RESPONSES AND OBJECTIONS TO  
DEFENDANT GOOGLE, INC.’S FIRST SET OF INTERROGATORIES**

Pursuant to Rules 26 and 33 of the Federal Rules of Civil Procedure, and the agreement of the parties, I/P Engine, Inc. (“I/P Engine”) hereby supplements its responses and objections to Google, Inc.’s (“Google”) First Set of Interrogatories (“Interrogatories”). These responses are based on information reasonably available to I/P Engine at the present time. I/P Engine reserves the right to further supplement these responses when, and if, additional information becomes available. I/P Engine also reserves the right to object on any ground at any time to such other or supplemental Interrogatories Google may propound involving or relating to the subject matter of these Interrogatories.

**GENERAL OBJECTIONS**

I/P Engine incorporates herein each of the general objections included in its Responses and Objections to Defendant Google, Inc.’s First Set of Interrogatories as if fully set forth herein.

GOOGLE under 35 U.S.C. Section 284, including the complete factual bases on which you base your calculation of such royalty rate.

**RESPONSE:**

Plaintiff incorporates its general objections and specific objections. I/P Engine objects to this Interrogatory to the extent it seeks information that is protected by the attorney-client privilege, the work product doctrine, Rule 26(b)(4)(B) immunity, or any other applicable privilege or immunity. I/P Engine further objects to this Interrogatory as premature because discovery in this matter has just begun, and further to the extent that it seeks expert opinion evidence, which will be provided in accordance with the Federal Rules of Civil Procedure, the Local Rules of the Court, or the Court's scheduling orders. Subject to and without waiving the foregoing objections, I/P Engine responds:

I/P Engine seeks compensatory damages, past and future, amounting to no less than reasonable royalties and prejudgment interest to compensate it for Google's infringement.

**INTERROGATORY NO. 9:**

For each of the PATENTS-IN-SUIT state the priority date PLAINTIFF claims for each claim and identify the portion(s) of the specification in any earlier application that support that priority date.

**RESPONSE:**

Plaintiff incorporates its general objections and specific objections. I/P Engine objects to this Interrogatory to the extent it seeks information that is protected by the attorney-client privilege, the work product doctrine, Rule 26(b)(4)(B) immunity, or any other applicable privilege or immunity. I/P Engine objects to this Interrogatory to the extent it seeks a legal conclusion. Subject to and without waiving its foregoing objections, I/P Engine responds:

Each of the asserted claims of the patents-in-suit are 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 patents-in-suit may be entitled to an earlier effective date based on, without limitation, the filing of earlier related patent applications and documents produced by third parties. I/P Engine and third parties have produced documents from which information responsive to this Interrogatory may be derived or ascertained pursuant to Rule 33(d) of the Federal Rules of Civil Procedure. *See* IPEL0000302-305; IPEL0000308-314; IPEL0000326-329; IPEL0000418-425; IPEL0000606-608; IPEL0000675-683; IPEL0001062-1063; IPEL0001212-1242; IPEL0001270-1273; IPEL0001326-1334; IPEL0001395-1399; IPEL0001422-1424; IPEL0001467-1482; IPEL0001557-1561; IPEL0001717-1732; IPEL0001924-1926; IPEL0001956-1960; LANG0001048-1051; LANG0001317-1339; LANG0001473-1479; LANG0006083-6097; LANG0007021-7028; IPE0000916-2504.

**INTERROGATORY NO. 10:**

IDENTIFY and describe in detail all the manners or techniques by which the PATENTS-IN-SUIT improved upon the PRIOR ART, added functionality that did not exist in the PRIOR ART, or provided a variation on or upgrade of the PRIOR ART, and for each such claimed improvement, added functionality, or variation or upgrade, state whether PLAINTIFF contends it was a non-obvious or unpredictable improvement, addition of functionality, variation or upgrade and why.

information not in I/P Engine's possession, custody or control. Subject to and without waiving the foregoing objections, I/P Engine responds:

I/P Engine and/or third parties have produced documents from which information responsive to this Interrogatory may be derived or ascertained pursuant to Rule 33(d) of the Federal Rules of Civil Procedure. *See* LYCOS0000103-119.

Dated: February 13, 2012

By:     /s/ Charles J. Monterio, Jr.      
Jeffrey K. Sherwood  
Frank C. Cimino, Jr.  
Kenneth W. Brothers  
DeAnna Allen  
Charles J. Monterio, Jr.  
DICKSTEIN SHAPIRO LLP  
1825 Eye Street, NW  
Washington, DC 20006  
Telephone: (202) 420-2200  
Facsimile: (202) 420-2201

Counsel for Plaintiff I/P Engine, Inc.

**CERTIFICATE OF SERVICE**

I hereby certify that on this 13th day of February, 2012, the foregoing **PLAINTIFF I/P ENGINE, INC.'S FIRST SUPPLEMENTAL RESPONSES AND OBJECTIONS TO DEFENDANT GOOGLE, INC.'S FIRST SET OF INTERROGATORIES**, was served via email, on the following:

Stephen Edward Noona  
Kaufman & Canoles, P.C.  
150 W Main St  
Suite 2100  
Norfolk, VA 23510  
[senoona@kaufcan.com](mailto:senoona@kaufcan.com)

David Bilsker  
David Perlson  
Quinn Emanuel Urquhart & Sullivan LLP  
50 California Street, 22nd Floor  
San Francisco, CA 94111  
[davidbilsker@quinnemanuel.com](mailto:davidbilsker@quinnemanuel.com)  
[davidperlson@quinnemanuel.com](mailto:davidperlson@quinnemanuel.com)

Robert L. Burns  
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP  
Two Freedom Square  
11955 Freedom Drive  
Reston, VA 20190  
[robert.burns@finnegan.com](mailto:robert.burns@finnegan.com)

Cortney S. Alexander  
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP  
3500 SunTrust Plaza  
303 Peachtree Street, NE  
Atlanta, GA 94111  
[cortney.alexander@finnegan.com](mailto:cortney.alexander@finnegan.com)

/s/ Jonathan L. Falkler  
Jonathan L. Falkler