

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF VIRGINIA  
NORFOLK DIVISION

I/P ENGINE, INC.

Plaintiff,

v.

AOL INC., *et al.*,

Defendants.

Civil Action No. 2:11-cv-512

**DEFENDANTS' MOTION IN LIMINE #3 TO EXCLUDE MARKETING AND HIGH-LEVEL NON-TECHNICAL MATERIALS RELATED TO HISTORICAL CLICK-THROUGH RATE**

Defendants respectfully file this Motion in Limine #3 to exclude marketing and high-level non-technical materials referencing the use of historical click-through rate. The grounds and authorities in support of this Motion are set forth in Defendants' Memorandum In Support of Motion in Limine #3 and the Declaration of Joshua L. Sohn, with exhibits, filed in connection with this Motion. A proposed order is attached hereto as **Exhibit 1**.

DATED: September 21, 2012

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**CERTIFICATE OF SERVICE**

I hereby certify that on September 21, 2012, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

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