

EXHIBIT H

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

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I/P ENGINE, INC., :
Plaintiff, : Civil Action No.
v. : 2:11-cv-512
AOL, INC., et al., :
Defendants. :
-----x

HIGHLY CONFIDENTIAL - OUTSIDE COUNSEL ONLY
Videotaped Deposition of GOOGLE, INC.,
By and through its Corporate Designee,
JONATHAN GLEN ALFERNES
Thursday, June 21, 2012
8:09 a.m.

Job No.: 21657
Pages: 1 - 336
Reported by: Pua McVay, CSR 12868

HIGHLY CONFIDENTIAL VIDEOTAPED DEPOSITION OF JONATHAN GLEN ALFERNES
CONDUCTED ON THURSDAY, JUNE 21, 2012

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1	And 6.	11:31:03
2	MR. PERLSON: Got it. Thank you.	11:31:03
3	BY MR. JACOBS:	11:31:22
4	Q Okay. I would like you to turn your attention	11:31:23
5	to what's been marked as Alferness Exhibit 4 bearing	11:31:25
6	Bates stamp G-IPE-0241639 through G-IPE-0241642. Do you	11:31:31
7	recognize this document?	11:31:39
8	A I don't, no.	11:31:41
9	Q Okay. Do you know what a product 'communication	11:31:46
10	plan is?	11:31:49
11	A So I know roughly what the language is	11:31:58
12	referring to. It is, as it says. This is a plan for how	11:32:04
13	folks planned to communicate externally the changes that	11:32:08
14	are encompassed or -- yeah, the changes that would happen	11:32:13
15	as a result of a launch or a change to one of our	11:32:20
16	products or systems.	11:32:24
17	Q When you say externally, to whom externally	11:32:25
18	would this be communicated?	11:32:29
19	A Primarily to advertisers.	11:32:30
20	Q Okay. I want to turn your attention to the	11:32:32
21	first question under [REDACTED] Do you	11:32:41
22	see that?	11:32:46
23	A Yes.	11:32:47
24	Q It says: [REDACTED]	11:32:47
25	[REDACTED]	11:32:52

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1	[REDACTED]	11:32:57
2	[REDACTED] [REDACTED]	11:33:01
3	[REDACTED] [REDACTED]	11:33:06
4	[REDACTED]	11:33:13
5	MR. PERLSON: Objection. Form.	11:33:14
6	THE WITNESS: So we need to keep in mind that	11:33:15
7	this is not a technical document at all. This is a	11:33:17
8	marketing document. So what's being described here is	11:33:20
9	not a true mathematical formula as it would relate to how	11:33:24
10	the ad system operates. This is meant to give	11:33:28
11	advertisers, yeah, a high level feel for how the system	11:33:33
12	works. So it's meant to give advertisers, in the way	11:33:41
13	that we can best describe and explain to, you know, many,	11:33:44
14	many non-technical folks out there, you know, at a high	11:33:48
15	level what Quality Score is. So I would describe this	11:33:53
16	more as Quality Score. Yeah, this is not a formula in	11:33:58
17	and of itself. This is merely a means of communicating	11:34:05
18	to advertisers.	11:34:08
19	BY MR. JACOBS:	11:34:09
20	Q Well, [REDACTED]	11:34:10
21	A [REDACTED]	11:34:13
22	[REDACTED]	11:34:16
23	[REDACTED]	11:34:25
24	Q [REDACTED] is that --	11:34:25
25	A Again, if you think about having to communicate	11:34:31

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1 this to thousands -- hundreds of thousands of lay people, 11:34:35
2 the notion of trying to communicate a predicted 11:34:39
3 click-through rate was thought, at least at the time, to 11:34:42
4 be too challenging so folks used the proxy of talking 11:34:45
5 [REDACTED] 11:34:49
6 [REDACTED] 11:34:54
7 Q When you say at the time, it shows [REDACTED] 11:34:56
8 [REDACTED] Is that what you mean, 11:34:59
9 around that time? 11:35:03
10 A Yeah. Yeah. And I'm trying to make the 11:35:05
11 distinction because to some extent, in more recent terms, 11:35:08
12 [REDACTED] 11:35:13
13 [REDACTED] [REDACTED] 11:35:17
14 [REDACTED] 11:35:22
15 [REDACTED] 11:35:25
16 [REDACTED] 11:35:29
17 Q What about [REDACTED] What does 11:35:30
18 that mean? 11:35:33
19 MR. PERLSON: Objection. Form. 11:35:34
20 THE WITNESS: So again I think what folks are 11:35:36
21 talking about here is trying to explain to advertisers at 11:35:38
22 a high level [REDACTED] 11:35:41
23 [REDACTED] d 11:35:44
24 [REDACTED] And largely what it feels 11:35:51
25 like is being described here is [REDACTED] 11:35:54

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1	[REDACTED]	11:35:59
2	[REDACTED]	11:36:07
3	[REDACTED]	11:36:11
4	[REDACTED]	11:36:14
5	[REDACTED]	11:36:18
6	[REDACTED]	11:36:23
7	[REDACTED]	11:36:28
8	[REDACTED]	11:36:33
9	[REDACTED]	11:36:37
10	[REDACTED]	11:36:42
11	BY MR. JACOBS:	11:36:43
12	Q [REDACTED]	11:36:43
13	[REDACTED]	11:36:47
14	MR. PERLSON: Objection. Form.	11:36:49
15	THE WITNESS: So again, [REDACTED]	11:36:50
16	[REDACTED]	11:36:52
17	[REDACTED]	11:37:03
18	[REDACTED]	11:37:09
19	[REDACTED]	11:37:16
20	[REDACTED]	11:37:19
21	[REDACTED]	11:37:22
22	BY MR. JACOBS:	11:37:25
23	Q [REDACTED]	11:37:26
24	[REDACTED]	11:37:30
25	[REDACTED]	11:37:35