

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

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I/P ENGINE, INC.,)	
	Plaintiff,)	
	v.)	Civ. Action No. 2:11-cv-512
)	
AOL, INC. et al.,)	
	Defendants.)	
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**PLAINTIFF I/P ENGINE, INC.’S
FIRST MOTION IN LIMINE TO EXCLUDE INADMISSIBLE EVIDENCE**

Pursuant to Federal Rules of Evidence 401 through 403, Plaintiff I/P Engine, Inc. (“I/P Engine”) moves this Court to preclude any evidence of, reference to, or suggestion of the following topics in the trial of this case:

1. the recently filed reexamination of U.S. Patent No. 6,314,420;
2. recent offers and other negotiations for, and the 2011 purchase price of, the patent portfolio that included the patents-in-suit;
3. the fee arrangement between I/P Engine and its counsel;
4. claim construction arguments that were not adopted by this Court;
5. claims that were previously included in this case but are no longer asserted, including claims against Google Search and defendants AOL and IAC’s Ask Sponsored Listings;
6. derogatory, inflammatory, confusing and irrelevant terms such as “patent troll,” “shell corporation,” “paper patent” holder, or “non-practicing entity”;

7. any testimony or opinions about evidence or any other subject beyond the scope of the discussion and analysis in their expert report;
8. any reference to discussions or correspondence between counsel that did not go to the Court, including discovery disputes, negotiations, claims of privilege, or motions for relief sought but not granted; and
9. any reference to courtroom observers or jury consultants.

For the reasons set forth in the accompanying Memorandum in Support of Plaintiff I/P Engine, Inc.'s First Motion *in Limine* to Exclude Inadmissible Evidence, precluding any evidence of, reference to, or suggestion of these topics is the most effective way to ensure that this irrelevant and prejudicial information is not considered at trial and does not confuse the jury.

Dated: September 21, 2012

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CERTIFICATE OF SERVICE

I hereby certify that on this 21st day of September, 2012, the foregoing **PLAINTIFF I/P ENGINE, INC.'S FIRST MOTION *IN LIMINE* TO EXCLUDE INADMISSIBLE EVIDENCE**, was served via the Court's CM/ECF system, on the following:

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