

EXHIBIT 17

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

I/P ENGINE, INC., *

Plaintiff, *

Vs. *

AOL, INC., et al., *

Defendants. *

AUDIO/VISUAL DEPOSITION of LYCOS, INC.,

by and through its designee MARK BLAIS

Tuesday, July 31, 2012 at 9:00 a.m.

Goulston & Storrs

50 Rowes Wharf, 7th Floor

Boston, Massachusetts

----- Jacqueline P. Shields, RPR, CSR -----

Job No. CS409539

1 A. I don't recall what they were.

2 Q. Why did Lycos offer a lump sum amount to
3 license the '799 and '214 patents?

4 A. If I remember correctly -- sorry.

5 MS. ALBERT: Objection. Misconstrues.

6 A. If I remember, we may have offered them two
7 scenarios, one a lump sum and part for the past and
8 running royalty going forward. I know we did two
9 models, I just don't recall specifically whether we
10 offered both or not.

11 Q. At the time did Lycos have a preference for
12 one of the two models?

13 MS. ALBERT: Objection. Vague.

14 A. There were some preferences for a running
15 royalty to create a revenue stream, but it wasn't
16 strong.

17 Q. How about in 2006, do you know if Lycos had
18 any preferences in licensing out its patents for a
19 lump sum versus a running royalty?

20 MS. ALBERT: Objection. Vague.

21 A. I wouldn't say there was really any
22 preferences.

23 Q. And similarly, do you know if Lycos had any
24 preference in licensing out its patents in 2005 as

1 to a lump sum versus a running royalty?

2 MS. ALBERT: Same objection.

3 A. No. We didn't attempt to license any
4 patents then.

5 Q. Did TiVo respond in early 2007 to Lycos's
6 initial offer?

7 A. Yes.

8 Q. What was that response?

9 A. They offered to meet in person.

10 Q. Did Lycos meet in person with TiVo in
11 response to that offer?

12 A. Yes.

13 Q. When was that?

14 A. That would have been in the spring of 2007.

15 Q. To the extent that you can remember, what
16 was discussed in that in-person meeting in the
17 spring of 2007?

18 A. I attended that meeting with our outside
19 counsel and met with TiVo's in-house counsel and
20 their outside counsel out in California, and I know
21 we made a presentation to them about why we believed
22 there was infringement, the market potential damages
23 related to the case, and made some type of offer in
24 person at the time. So that's what was discussed.

1 Lycos would have been willing to license the '420
2 patent to Google for in 2005?

3 MS. ALBERT: Objection. Vague, speculation.

4 A. No, I do not.

5 Q. Do you know if Lycos would have been
6 willing to license the '420 and '664 patent for \$1
7 million in 2005?

8 MS. ALBERT: Objection. Speculation.

9 A. I have no idea.

10 Q. In talking earlier about the purchase of
11 Lycos by Daum in, is it 2004?

12 A. Yes.

13 Q. And can you remind me how much Lycos was
14 purchased for in 2004?

15 A. 95 million.

16 Q. Do you know what all was included in that
17 purchase of Lycos?

18 MS. ALBERT: Objection. Vague.

19 A. Well, it was a, it was a stock purchase
20 agreement, so 100 percent of our stock was sold and
21 transferred. And that, you know, so our business
22 itself remained separate and independent, as it was
23 with all of its properties and Websites, products
24 and services. There are only a few retained assets

1 in the deal that Terra retained, and those were
2 investments we had in our companies, including the
3 stock that we owned in Lycos Europe. So they
4 retained all interest in the Lycos Europe at the
5 time. So we ceased as a -- we were no longer a
6 sister company after the deal to Lycos Europe, there
7 was no other company operating under a license
8 agreement with us to use our name.

9 Q. Was the '420 patent included in the sale of
10 Lycos in 2004?

11 MS. ALBERT: Objection. Vague.

12 A. Because it wasn't an asset purchase, I
13 wouldn't say it's included necessarily. We
14 transferred the stock. Lycos didn't sell its
15 patents. Lycos maintained ownership of its patents
16 in the deal. So the patents weren't retained by
17 Terra, but.

18 Q. So Lycos maintained ownership of the '420
19 patent?

20 A. Yes. I wouldn't say they were included in
21 the sale at all. It wasn't an asset sale.

22 Q. Who currently owns Lycos?

23 A. Ybrant Digital Limited. Y-B-R-A-N-T.

24 Q. When did Ybrant acquire Lycos?