

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.)	
)	

**UPDATED EXPERT REPORT OF OPHIR FRIEDER
ON INFRINGEMENT OF U.S. PATENT NOS. 6,314,420 AND 6,775,664**

I. INTRODUCTION

1. I have been retained by Dickstein Shapiro LLP, attorneys for I/P Engine, Inc. (“I/P Engine”) in the above-captioned case, which I understand to be a patent infringement case involving U.S. Patent Nos. 6,314,420 (“the ‘420 patent”) and U.S. Patent No. 6,775,664 (“the ‘664 patent”). I previously submitted a report on July 25, 2012, in which I opined that all asserted claims are infringed.

2. I update my report in view of the Court’s Order of August 16, 2012 (D.I. 212) (“August 16 Order”), and in view of the deposition of Bartholomew Furrow, dated August 3, 2012, the deposition of Derek Cook, dated August 17, 2012, and the deposition of Gary Holt, dated August 23, 2012.

Exhibit 1

CLAIM 10	GOOGLE ADWORDS
	<p>instance of looking for or examining items in a network.</p> <p>To the extent any Defendant alleges that this element is not literally infringed because “scanning a network” occurs prior to receiving a query, nothing in the claim requires that particular order. Moreover, even if that particular order were required by the claim, Google AdWords would still be infringing under the doctrine of equivalents. Equivalency is found if the accused system performs substantially the same function as the patented system in substantially the same way to obtain the same result. There is no functional difference as to whether the system scans a network directly after a search to look for items to consider for relevancy to the query, or scans a network prior to the search to look for items to consider for relevancy to the query. Looking for or examining information by scanning prior to conducting the search performs substantially the same function as the claimed limitation (scanning a network to make a demand search), in substantially the same way (a scan/search for the information is performed) to achieve the same results (locating information relevant to a query).</p>
<p>c. a content-based filter system for receiving the informons from the scanning system and for filtering the informons on the basis of applicable content profile data for relevance to the query; and</p>	<p>Google AdWords includes a content-based filter system for receiving the information from the scanning system and for filtering the information on the basis of applicable content profile data for how well the information satisfies the individual user’s information need in the query. For example, Google AdWords receives and filters advertisements on the basis of content data (e.g., ad text, keyword, and landing page attributes) for relevance to the query. IPE0000058.</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>The “Quality Score” includes an analysis of the relevance of content data of the advertisement to the query. “AdWords uses a dynamic variable called ‘Quality Score’ to evaluate keyword relevance” and that “Quality Score is based [in part] on . . . the relevance of your ad text, keyword, and landing page.” <i>Id.</i>; see also IPE0000061-IPE0000062 (“[t]he Quality Score for Ad Rank on Google</p>

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	<p>Quality Score is a term used to communicate aspects of predicted click-through rate (“pCTR”) to Google’s customers. Alferness Deposition at 13:17-17:2; 101:17-108:23; G-IPE-0517470; Holt Deposition at 247:9-254:21.</p> <p>[REDACTED]</p> <p>[REDACTED]</p>