

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 ALFERNESS
Thursday, June 21, 2012
8:09 a.m.

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

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 Landing Page Quality Facts. Do you	11:32:41
22	see that?	11:32:46
23	A Yes.	11:32:47
24	Q It says: Quality Score equals keywords CTR	11:32:47
25	plus relevance of your ad text plus historical keyword	11:32:52

1 performance plus landing page quality plus other 11:32:57
2 relevancy factors. I think we've talked about the 11:33:01
3 keyword CTR. Would that be [REDACTED] or would that be 11:33:06
4 something else? 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, what does keyword CTR mean? 11:34:10
21 A So I think in this document they meant it to 11:34:13
22 mean the actual or current or past click-through rate for 11:34:16
23 the keyword. 11:34:25
24 Q Not a predicted click-through rate; is that -- 11:34:25
25 A Again, if you think about having to communicate 11:34:31

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 about click-through rate broadly rather than trying to go 11:34:49
6 deeper and talk about predicted click-through rates. 11:34:54

7 Q When you say at the time, it shows a launch 11:34:56
8 date of December 5th, 2005. 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 we have started to talk more about, you know, predicted 11:35:13
13 click-through rate externally with advertisers. It still 11:35:17
14 doesn't become -- it's still not a very commonly used 11:35:22
15 term in our external documentation, but we are shifting 11:35:25
16 it to some degree. 11:35:29

17 Q What about relevance of your ad tax? 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 how we think about Quality Score, right? 11:35:41
23 The kinds of factors, attributes, that go into our broad 11:35:44
24 computation of Quality Score. And largely what it feels 11:35:51
25 like is being described here is factors that would have 11:35:54