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3 UNITED STATES DISTRICT COURT  
 4 EASTERN DISTRICT OF VIRGINIA  
 5 NORFOLK DIVISION

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7 I/P ENGINE, INC., \*  
 8 Plaintiff, \* Civil Action No.  
 9 Vs. \* 2:11-cv-512  
 10 AOL, INC., et al., \*  
 11 Defendants. \*

12 \*\*\*\*\*

13  
 14 AUDIO/VISUAL DEPOSITION of LYCOS, INC.,  
 15 by and through its designee MARK BLAIS  
 16 Tuesday, July 31, 2012 at 9:00 a.m.  
 17 Goulston & Storrs  
 18 50 Rowes Wharf, 7th Floor  
 19 Boston, Massachusetts

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

24 Job No. CS409539

1 question? Sorry.

2 MS. O'BRIEN: Would you mind rereading it  
3 for me, I don't know if I can.

4 (Read back.)

5 A. No. I have no reason to believe one way or  
6 the other.

7 Q. Do you have any reason to believe that  
8 Lycos wouldn't have licensed the patents in this  
9 agreement for \$3.2 million in 2004?

10 MS. ALBERT: Objection. Speculation.

11 A. I have no reason. What we would have done  
12 in 2004, I mean, like I said, a lot of this was  
13 internally driven. We would have been a much  
14 different company back then, larger in all respects,  
15 much bigger parent company, and just the overall  
16 business forces would have been different. This was  
17 largely driven by our lack of profitability at the  
18 time, our need for some cash, things like that.  
19 Circumstances being completely different, I have no  
20 idea what we would have done back then.

21 Q. And just to confirm, was Lycos profitable  
22 in 2004?

23 A. No.

24 Q. Was Lycos profitable in 2005?