

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

I/P ENGINE, INC.

Plaintiff,

v.

AOL, INC., *et al.*,

Defendants.

Civil Action No. 2:11-cv-512

**DECLARATION OF MARGARET P. KAMMERUD IN SUPPORT OF DEFENDANTS'
OPPOSITION TO PLAINTIFF'S MOTIONS IN LIMINE**

I, Margaret P. Kammerud, declare as follows:

1. I am an attorney in the law firm of Quinn Emanuel Urquhart & Sullivan, LLP and am counsel for Defendant Google Inc. ("Google") in the above-captioned case. I provide this declaration upon personal knowledge and, if called upon as a witness, would testify competently as to the matters recited herein.
2. Attached hereto as Exhibit A is a true and correct copy of a U.S. Patent and Trademark Office communication granting *ex parte* reexamination of U.S. Patent No. 6,314,420, dated July 18, 2012, bearing control numbers G-IPE-0888193 through G-IPE-0888210..
3. Attached hereto as Exhibit B is a true and correct copy of excerpts from the September 21, 2012 deposition of plaintiff's expert Jamie Carbonell.

4. Attached hereto as Exhibit C is a true and correct copy of excerpts from the Report of Defendants' Expert Lyle H. Ungar, Ph.D., Concerning Invalidity, dated July 25, 2012.
5. Attached hereto as Exhibit D is a true and correct copy of the Second Supplemental Initial Disclosures of Google Inc., dated August 7, 2012.
6. Attached hereto as Exhibit E is a true and correct copy of excerpts from the June 19, 2012 Deposition of Google Inc. by and through its Corporate Designee James W. Maccoun.
7. Attached hereto as Exhibit F is a true and correct copy of Defendants' Rule 26(a)(3) Witness List, dated September 19, 2012.
8. Attached hereto as Exhibit G is a true and correct copy of the Subpoena to Gary Culliss to Testify at a Deposition in a Civil Action, dated August 31, 2012.
9. Attached hereto as Exhibit H is a true and correct copy of the Subpoena to Ruben Ortega to Testify at a Deposition in a Civil Action, dated August 31, 2012.
10. Attached hereto as Exhibit I is a true and correct copy of Plaintiff I/P Engine, Inc.'s Initial Pretrial Disclosure, dated September 19, 2012.
11. Attached hereto as Exhibit J is a true and correct copy of U.S. Patent and Trademark Office communication rejecting each of the asserted claims of the '420 patent as unpatentable over, or anticipated by, prior art references, dated September 25, 2012.
12. Attached hereto as Exhibit K is a true and correct copy of excerpts from the Report of Defendants' Expert Lyle H. Ungar, Ph.D., concerning noninfringement, dated August 30, 2012.
13. Attached hereto as Exhibit L is a true and correct copy of Plaintiff I/P Engine, Inc.'s Updated Initial Disclosures, dated August 8, 2012.

14. Attached hereto as Exhibit M is a true and correct copy of excerpts from the July 31, 2012 deposition of plaintiff's expert Mark Blais.

15. At Rubin Ortega's September 25, 2012 deposition, Plaintiff questioned Mr. Ortega at length about the meaning and interpretation of various claims and passages from his patent.

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Dated: September 27, 2012



Margaret P. Kammerud

DATED: September 27, 2012

/s/ Stephen E. Noona

Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 West Main Street, Suite 2100
Norfolk, VA 23510
Telephone: (757) 624.3000
Facsimile: (757) 624.3169
senoona@kaufcan.com

David Bilsker
David A. Perlson
QUINN EMANUEL URQUHART &
SULLIVAN, LLP
50 California Street, 22nd Floor
San Francisco, California 94111
Telephone: (415) 875-6600
Facsimile: (415) 875-6700
davidbilsker@quinnemanuel.com
davidperlson@quinnemanuel.com

*Counsel for Google Inc., Target Corporation,
IAC Search & Media, Inc., and
Gannett Co., Inc.*

By: /s/ Stephen E. Noona

Stephen E. Noona
Virginia State Bar No. 25367
KAUFMAN & CANOLES, P.C.
150 W. Main Street, Suite 2100
Norfolk, VA 23510
Telephone: (757) 624-3000
Facsimile: (757) 624-3169

Robert L. Burns
FINNEGAN, HENDERSON, FARABOW, GARRETT &
DUNNER, LLP
Two Freedom Square
11955 Freedom Drive
Reston, VA 20190
Telephone: (571) 203-2700
Facsimile: (202) 408-4400

Cortney S. Alexander
FINNEGAN, HENDERSON, FARABOW, GARRETT &
DUNNER, LLP
3500 SunTrust Plaza
303 Peachtree Street, NE
Atlanta, GA 94111
Telephone: (404) 653-6400
Facsimile: (415) 653-6444
Counsel for Defendant AOL, Inc.

CERTIFICATE OF SERVICE

I hereby certify that on September 27, 2012, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send a notification of such filing (NEF) to the following:

Jeffrey K. Sherwood
Kenneth W. Brothers
DICKSTEIN SHAPIRO LLP
1825 Eye Street NW
Washington, DC 20006
Telephone: (202) 420-2200
Facsimile: (202) 420-2201
sherwoodj@dicksteinshapiro.com
brothersk@dicksteinshapiro.com

Donald C. Schultz
W. Ryan Snow
Steven Stancliff
CRENSHAW, WARE & MARTIN, P.L.C.
150 West Main Street, Suite 1500
Norfolk, VA 23510
Telephone: (757) 623-3000
Facsimile: (757) 623-5735
dschultz@cwm-law.com
wrsnow@cwm-law.com
sstancliff@cwm-law.com

Counsel for Plaintiff, I/P Engine, Inc.

/s/ Stephen E. Noona

Stephen E. Noona

Virginia State Bar No. 25367

KAUFMAN & CANOLES, P.C.

150 West Main Street, Suite 2100

Norfolk, VA 23510

Telephone: (757) 624.3000

Facsimile: (757) 624.3169

senoona@kaufcan.com