

EXHIBIT D

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

**SECOND SUPPLEMENTAL INITIAL DISCLOSURES OF GOOGLE INC. PURSUANT
TO FED. R. CIV. P. 26(a)(1)**

Pursuant to Fed. R. Civ. P. 26(a)(1), Defendant Google Inc. provides the following supplemental initial disclosures to Plaintiff I/P Engine, Inc.. These initial disclosures are made based on information that is reasonably available to Google at this time and at this stage of the proceedings. As additional information becomes available, Google reserves the right to supplement these initial disclosures and/or to use documents not described herein.

A. **Individuals Like to Have Discoverable Information (Fed. R. Civ. P. 26(a)(1)(A)(i)**

Google provides the following list of individuals likely to have discoverable information that Google may use to support its claims or defenses, identifies the subjects of the information, and provides, when possible, the last known address of the individuals.

Name	Contact Information	Connection to Case	Knowledge
Jonathan Alferness	<p>May be reached through counsel for GOOGLE.</p> <p>Quinn Emanuel Urquhart & Sullivan, LLP 50 California St., 22nd Flr. San Francisco, CA 94111 (415) 875-6308</p>	Google employee	Structure, characteristics, and/or operation of the accused features of AdWords/AdSense for Search.
Bartholomew Furrow	<p>May be reached through counsel for GOOGLE.</p> <p>Quinn Emanuel Urquhart & Sullivan, LLP 50 California St., 22nd Flr. San Francisco, CA 94111 (415) 875-6308</p>	Google employee	Structure, characteristics, and/or operation of various aspects of accused features of Google's advertising systems.
Bryan Horling	<p>May be reached through counsel for GOOGLE.</p> <p>Quinn Emanuel Urquhart & Sullivan, LLP 50 California St., 22nd Flr. San Francisco, CA 94111 (415) 875-6308</p>	Google employee	Structure, characteristics, and/or operation of the accused features of Google Search.
Andrew K. Lang	West Chester, Pennsylvania	Named inventor of U.S. Patent Nos. 6,314, 420 and 6,775,664 and employee and director of I/P Engine, Inc.	Conception and reduction to practice of U.S. Patent Nos. 6,314,420 and 6,775,664; prior art; Plaintiff's theories of infringement and attempts to commercialize the patents-in-suit.
Donald M. Kosak	Hilo, Hawaii	Named inventor of U.S. Patent Nos. 6,314,420 and 6,775,664.	Conception and reduction to practice of U.S. Patent Nos. 6,314,420 and 6,775,664; prior art.
Ira V. Heffan	21 Harris Street #21 Brookline, MA 02446 (617) 505-5980	Attorney responsible for prosecution of the '420 Patent and the '664 Patent.	Prosecution of the applications resulting in issuance of the patents-in-suit.

Name	Contact Information	Connection to Case	Knowledge
Alexander R. Berger	I/P Engine, Inc. 380 Madison Ave. New York, NY 10017 (212) 309-7549	Employee and director of I/P Engine, Inc.	Plaintiff's theories of infringement and attempts to commercialize the patents-in-suit.
Yoav Roth	I/P Engine, Inc. 380 Madison Ave. New York, NY 10017 (212) 309-7549	Director of I/P Engine, Inc.	Plaintiff's theories of infringement and attempts to commercialize the patents-in-suit.
Donald Stout	I/P Engine, Inc. 380 Madison Ave. New York, NY 10017 (212) 309-7549	Director of I/P Engine, Inc.	Plaintiff's theories of infringement and attempts to commercialize the patents-in-suit.
Jeremy J. Bornstein	2605 Diamond St San Francisco, CA 94131	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent Nos. 6,202,058 and 5,724,567
Daniel E. Rose	Cupertino, CA	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent Nos. 6,202,058 and 5,724,567
Kevin Tiene	21361 Milford Dr. Cupertino, CA 95014	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent Nos. 6,202,058 and 5,724,567
Dulce B. Ponceleon	3770 Ross Rd Palo Alto, CA 94303	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent Nos. 6,202,058 and 5,724,567
Yezdezard Lashkari		Prior art witness	Prior art to the patents-in-suit, including Y. Lashkari, <i>Feature-Guided Automated Collaborative Filtering</i> (Mass. Inst. Tech. 1995)
Frederick S.M. Herz	Davis, WV	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 5,835,087

Name	Contact Information	Connection to Case	Knowledge
Jason Eisner	1015 Spruce Street Philadelphia, PA 19107	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 5,835,087
Lyle Ungar	321 S. 20 th Street Philadelphia, PA 19103	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 5,835,087
David Goldberg		Prior art witness	Prior art to the patents-in-suit, including D. Goldberg et al., <i>Using Collaborative Filtering to Weave an Information Tapestry</i> (Communications of the ACM Dec. 1992)
David Nichols		Prior art witness	Prior art to the patents-in-suit, including D. Goldberg et al., <i>Using Collaborative Filtering to Weave an Information Tapestry</i> (Communications of the ACM Dec. 1992)
Brian Oki	493 Mill River Lane San Jose, CA 95134	Prior art witness	Prior art to the patents-in-suit, including D. Goldberg et al., <i>Using Collaborative Filtering to Weave an Information Tapestry</i> (Communications of the ACM Dec. 1992)
Douglas Terry		Prior art witness	Prior art to the patents-in-suit, including D. Goldberg et al., <i>Using Collaborative Filtering to Weave an Information Tapestry</i> (Communications of the ACM Dec. 1992)

Name	Contact Information	Connection to Case	Knowledge
Paul Resnick	4344 North Quad 105 State St. Ann Arbor, MI 48109	Prior art witness	Prior art to the patents-in-suit, including P. Resnick et al., <i>GroupLens: An Open Architecture for Collaborative Filtering of Netnews</i> (Proceedings of the ACM 1994)
Neophytos Iacovou	4646 Park Ave. Minneapolis, MN 55407	Prior art witness	Prior art to the patents-in-suit, including P. Resnick et al., <i>GroupLens: An Open Architecture for Collaborative Filtering of Netnews</i> (Proceedings of the ACM 1994)
Mitesh Suchak	18 Harbor Ave., Apt. 201 Nashua, NH 03060	Prior art witness	Prior art to the patents-in-suit, including P. Resnick et al., <i>GroupLens: An Open Architecture for Collaborative Filtering of Netnews</i> (Proceedings of the ACM 1994)
Peter Bergstrom		Prior art witness	Prior art to the patents-in-suit, including P. Resnick et al., <i>GroupLens: An Open Architecture for Collaborative Filtering of Netnews</i> (Proceedings of the ACM 1994)
John Riedl	4-192 EE/CS Bldg. 200 Union St. SE Minneapolis, MN 55455	Prior art witness	Prior art to the patents-in-suit, including P. Resnick et al., <i>GroupLens: An Open Architecture for Collaborative Filtering of Netnews</i> (Proceedings of the ACM 1994)

Name	Contact Information	Connection to Case	Knowledge
Shoshana Loeb	127 W. Chestnut Hill Ave. Philadelphia, PA 19118	Prior art witness	Prior art to the patents-in-suit, including S. Loeb, <i>Architecting Personalized Delivery of Multimedia Information</i> (Communications of the ACM Dec. 1992)
Marko Balabanovic		Prior art witness	Prior art to the patents-in-suit, including M. Balabanovic et al., <i>Fab: Content-Based, Collaborative Recommendation</i> (Communications of the ACM March 1997)
Yoav Shoham	4058 Orme Street Palo Alto, CA 94306 (650) 857-0210	Prior art witness	Prior art to the patents-in-suit, including M. Balabanovic et al., <i>Fab: Content-Based, Collaborative Recommendation</i> (Communications of the ACM March 1997) and U.S. Patent No. 5,855,015
Joshue Alspector	ECE Department University of Colorado Colorado Springs, CO 90918	Prior art witness	Prior art to the patents-in-suit, including J. Alspector et al., <i>Feature-based and Clique-based User Models for Movie Selection: A Comparative Study</i> (User Modeling and User-Adapted Interaction 7: 279–304, 1997)

Name	Contact Information	Connection to Case	Knowledge
Aleksander Koicz	IECE Department University of Colorado Colorado Springs, CO 90918	Prior art witness	Prior art to the patents-in-suit, including J. Alspector et al., <i>Feature-based and Clique-based User Models for Movie Selection: A Comparative Study</i> (User Modeling and User-Adapted Interaction 7: 279–304, 1997)
N. Karunanithi	31F-319B, Bellcore 445 South Street Morristown, NJ 07960	Prior art witness	Prior art to the patents-in-suit, including J. Alspector et al., <i>Feature-based and Clique-based User Models for Movie Selection: A Comparative Study</i> (User Modeling and User-Adapted Interaction 7: 279–304, 1997)
John S. Breese	Mercer Island, WA	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 6,006,218
David E. Heckerman	Bellevue, WA	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 6,006,218
Eric Horvitz	Kirkland, WA	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 6,006,218
Carl Kadie	Bellevue, WA	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 6,006,218
Keiji Kanazawa	Seattle, WA	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 6,006,218
Robert Cecil Gore, Jr.	Pflugerville, TX	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 5,794,237

Name	Contact Information	Connection to Case	Knowledge
Elizabeth D. Liddy	Syracuse, NY	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 5,963,940
Woojin Palk	Syracuse, NY	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 5,963,940
Mary E. McKenna	Syracuse, NY	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 5,963,940
Ming Li	Jersey City, NJ	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 5,963,940
Grant James Ryan	Christchurch, NZ	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 6,421,675
Shaun William Ryan	Christchurch, NZ	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 6,421,675
Craig Matthew Ryan	Wellington, NZ	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 6,421,675
Wayne Alistar Monroe	Christchurch, NZ	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 6,421,675
Del Robinson	Christchurch, NZ	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 6,421,675
Ruben Ortega	May be reached through counsel for GOOGLE. Quinn Emanuel Urquhart & Sullivan, LLP 50 California St., 22 nd Flr. San Francisco, CA 94111 (415) 875-6415	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 6,185,558

Name	Contact Information	Connection to Case	Knowledge
Gary Culliss	Iron Mountain Capital Management 258 W 71 st St., Apt. 1a New York, NY 10023-3709 (866) 505-3828	Prior art witness	Prior art to the patents-in-suit, including U.S. Patent No. 6,006,222

Google reserves the right to disclose additional individuals whom Google may use to support its claims or defenses based on information learned during the course of this litigation.

B. Documents In Google’s Possession, Custody Or Control That Google May Use To Support Its Claims Or Defenses (Fed. R. Civ. P. 26(a)(1)(A)(ii))

Google or its counsel at Quinn Emanuel Urquhart & Sullivan LLP is in possession of the following categories of documents that Google may use to support its claims or defenses:

- Documents describing the structure, characteristics, and operation of the accused features of the Accused Instrumentalities
- Documents and things consisting of or reflecting prior art relevant to the ‘420 and ‘664 patents
- Documents describing Google and its products and services
- Documents describing sales, revenues and marketing of the Accused Instrumentalities

Google reserves the right to assert a claim of privilege or immunity and withhold from production any documents, whether or not included above, that are protected from discovery by the attorney-client privilege, work product immunity or any other privilege or immunity. Google further reserves the right to disclose additional documents that Google may use to support its claims or defenses based on information learned during the course of this litigation.

C. **Computation Of Any Category Of Damages Claimed By The Disclosing Party (Fed. R. Civ. P. 26(a)(1)(A)(iii))**

At this time, Google only seeks to recover its reasonable attorneys' fees and costs and a declaration that this case is exceptional. Google is not yet certain as to the amount of fees and costs it will seek.

D. **Applicable Insurance Agreement (Fed. R. Civ. P. 26(a)(1)(A)(iv))**

Google is unaware of any applicable insurance agreement.

In providing these initial disclosures, Google does not waive any objections, defenses or applicable privileges. Google will supplement these disclosures to the extent required by the Federal Rules of Civil Procedure and the Local Rules of the Court.

DATED: August 7, 2012

/s/ David A. Perlson

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Attorneys for Google Inc.

CERTIFICATE OF SERVICE

On August 7, 2012, I caused to be served the foregoing, by email, on Plaintiff's counsel of record.

/s/ Joshua L. Sohn
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