EXHIBIT 9

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

I/P ENGINE, INC.,

Plaintiff,

v. Civil Action No. 2:11-cv-512

GOOGLE INC., et al.,

Defendants.

CONFIDENTIAL PURSUANT TO PROTECTIVE ORDER

Videotaped Deposition of DONALD M. KOSAK
Washington, D.C.
Thursday, May 31, 2012
9:04 a.m.

Reported by: Amy E. Sikora, RPR, CRR, CSR-NY, CLR

Job No. CS397174

Q. For example --

A. Yes. On my wall in my office I have a plaque with the front page of the 5,867,799 patent. I can repeat the number. 5,867,799. And it's one of those when your patent gets approved, some marketing company apparently gets some list, it's a public database, and sends you the congratulations on your patent, would you like to buy this plaque for $30, and I bought the plaque for $30. I hang it up on my wall.

On my second patent, I didn't buy the plaque.

Q. So the '799 patent was your first patent?

A. Yes, it was. And it's honestly the only patent I remember the patent number on. So . . .

Q. Do you remember what the '799 patent is about?

A. It's the core of the WiseWire system that Ken and I built from, you know, '95 through '98.

Q. And when you say, "the core of the WiseWire system," do you remember what the '799 patent covers?

A. In general, yes.
Q. In general, what does it cover?
A. It covers a -- a way of combining content and collaborative filtering to create a filtering system.
Q. What do you mean by "a filtering system"?
A. It's a system that takes documents and basically applies a filter or a process by which those documents are graded or ranked and/or eliminated as they go through the filter. So out of the bottom of the filter you have, in the case of WiseWire systems, a numerically scored set of documents. The input is a unnumerically scored set of documents.
Q. How was it that documents made their way to the filter? How -- how did the filter know which documents it was going to get?
MS. ALBERT: Objection, vague.
A. We -- we had a system of parsers, essentially. So documents would come in through satellite dishes on the roof. We had feeds from AP, Reuters, Bizwire. We had feeds from private news sources. I think we had a feed from like LexisNexis, the legal people. We had a feed for

Netnews. We also ran our own spiders that fed into the system. So in total we had maybe -- maybe a little under a dozen different sources that fed into that system.

Q. And the sifting that was done by the filters, how did the filter know what to sift for?

A. Could you --

MS. ALBERT: Objection, vague.

A. Could you help me understand the question a little bit more?

Q. Sure. Let's say I was a person and I got information about Dakine wind surfing championships in Hawaii. That's what I wanted to know.

A. Okay.

Q. How would the filters know that that's what it was supposed to send me?

A. How would they -- how would they know.

Q. Yeah. How did the filter know?

MS. ALBERT: Objection, vague.

A. Well, it's software so I'm not sure if I could use the word "know" to describe the algorithm that -- that processed it. Could you restate your question as what kind of algorithms