

)	
I/P ENGINE, INC.,)	
)	
Plaintiff,)	
v.)	Civ. Action No. 2:11-cv-512
)	
AOL, INC. et al.,)	
)	
Defendants.)	
)	

EXHIBIT 12 FILED UNDER SEAL

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION**

I/P ENGINE, INC.,

Plaintiff,

v.

IAC, INC. et al.,

Defendants.

Civ. Action No. 2:11-cv-512

**PLAINTIFF I/P ENGINE, INC.'S SECOND PRELIMINARY DISCLOSURE OF
ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS
AS TO IAC SEARCH & MEDIA, INC.'S USE OF
GOOGLE ADWORDS AND GOOGLE ADSENSE FOR SEARCH**

Plaintiff I/P Engine, Inc. ("I/P Engine") hereby makes the following Disclosure of Asserted Claims and Infringement Contentions for U.S. Patent Nos. 6,314,420 ("the '420 patent") and 6,775,664 ("the '664 patent").

A. Identification of Asserted Claims and Infringing Products

Defendant IAC Search & Media, Inc.'s ("IAC") systems using Google, Inc.'s products, methods and systems promoted under the names of Google AdWords and Google AdSense for Search¹ (collectively "Google AdWords") are accused of infringing at least the following claims:

- claims 10, 14, 15, 25, 27 and 28 of the '420 patent; and
- claims 1, 5, 6, 21, 22, 26, 28 and 38 of the '664 patent.

Each asserted claim of the '420 and '664 patents is reproduced in the attached claim charts. The left column of the claim charts includes the language of each claim; each element of

¹ Google AdWords and Google AdSense for Search appear to refer to the same system. Google AdWords facilitates creating and running advertisements, while Google AdSense for Search enables websites to display the AdWords advertisements in response to search queries. IPE0000009; IPE0000031; IPE0000045.

each claim is listed separately. The right column of the claim charts includes the features of IAC's system using Google AdWords (e.g., IAC's Implementation of the Google AdWords System) that I/P Engine contends infringe each corresponding limitation in the claim based on evidence currently available to I/P Engine. Based on the attached claim charts, IAC is liable for direct infringement of the '420 and '664 patents.

These claim charts can be, and will be, supplemented and/or amended based upon discovery, additional evidence, further investigation, and/or the claim construction by the Court.

B. Identification of Infringing Structure, Acts, and/or Materials

As demonstrated by the attached claim charts and as described in marketing materials, Google's technical document production, and other publicly available sources, each limitation of each claim of the '420 and '664 patents asserted against IAC is literally present in IAC's system using Google AdWords. If IAC contends that any limitation of any of the asserted claims is not literally present in IAC's system using Google AdWords, any such limitation of the asserted claims is present under the doctrine of equivalents because the difference(s), if any, between IAC's system using Google AdWords, and what is literally claimed in the asserted claims is(are) insubstantial. I/P Engine will provide contentions under the doctrine of equivalents if, after, and when IAC identifies which elements it contends are not present in IAC's system using Google AdWords.

C. Identification of Priority Date

Each of the asserted claims of the '420 and '664 patents is entitled to a priority date at least as early as the effective date of the '420 patent, i.e., December 3, 1998 (based on the filing date of the patent application, U.S. Patent Application No. 09/204,149, that issued as the '420 patent). Additionally, each of the asserted claims of the '420 and '664 patents may be entitled to

an earlier effective date based on, without limitation, the filing of earlier related patent applications.

D. Indirect Infringement Disclosures

As demonstrated by the attached claim charts, the use of IAC's system using Google AdWords directly infringes the asserted claims of the '420 and '664 patents and establishes the prerequisite act of direct infringement. IAC has also had knowledge of the '420 and '664 patents at least as early as the filing date of this lawsuit, September 15, 2011 (D.I. 001).

IAC, via publicly available materials, provides, sells, offers for sale, and/or promotes the infringing system to customers that use IAC's system using Google AdWords. Based on these materials and uses, IAC intends for its customers to use IAC's system using Google AdWords in an infringing manner. Thus, IAC intends to cause infringement of the '420 and '664 patents.

By making, using, providing and promoting IAC's system using Google AdWords, and by continuing to provide and/or promote its website, with the intention of causing at least some customers to use IAC's system using Google AdWords in an infringing manner, IAC actively and knowingly aids and abets infringement of the '420 and '664 patents and is liable under induced infringement.

In addition, IAC's system using Google AdWords is a material part of the claimed invention of the '420 and '664 patents. IAC's system using Google AdWords is especially made or especially adapted for use with only infringing search engine systems and/or search systems. Furthermore, IAC's system using Google AdWords is not a staple article. IAC's system using Google AdWords is not a commodity of commerce and can only be used with infringing search engine systems and/or search systems. IAC's system using Google AdWords is also not suitable for substantial non-infringing uses. Therefore, IAC is liable as a contributory infringer.

These contentions are preliminary, are based on known publicly available information and Google's initial technical production, and are subject to change based on the Court's claim construction. I/P Engine reserves the right to amend and/or supplement these infringement contentions if and when further information regarding IAC's system using Google AdWords becomes available and/or for other good cause.

Dated: February 17, 2012

By: /s/ Charles J. Monterio, Jr.
Jeffrey K. Sherwood
Frank C. Cimino, Jr.
Kenneth W. Brothers
DeAnna Allen
Charles J. Monterio, Jr.
DICKSTEIN SHAPIRO LLP
1825 Eye Street, NW
Washington, DC 20006
Telephone: (202) 420-2200
Facsimile: (202) 420-2201

Donald C. Schultz
W. Ryan Snow
CRENSHAW, WARE & MARTIN PLC
150 West Main Street
Norfolk, VA 23510
Telephone: (757) 623-3000
Facsimile: (757) 623-5735

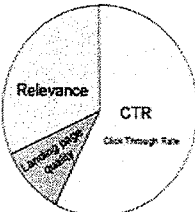
Counsel for Plaintiff I/P Engine, Inc.

CLAIM CHART FOR INFRINGEMENT OF U.S. PATENT NO. 6,314,420

IAC's Implementation of the Google AdWords System

CLAIM 10	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
a. A search engine system comprising:	<p>The preamble is typically not a limitation and thus no comparison needs to be made between the accused system, the Ask Website, and the preamble. <i>See, e.g., Symantec Corp. v. Computer Associate Intern., Inc.</i>, 522 F.3d 1279, 1288 (Fed. Cir. 2008)(“Absent clear reliance on the preamble in the prosecution history, or in situations where it is necessary to provide antecedent basis for the body of the claim, the preamble generally is not limiting.”)(quotation omitted). However, the Ask Website includes a search engine system.</p> <p>The Ask Website (www.ask.com) includes a search engine system that searches for information (e.g., advertisements) relevant to the search query. For example, when a user enters a search query into the search bar on the Ask Website and selects the “search” button, the user is presented with a list of information, e.g., advertisements. <i>See</i> IPE0000661-IPE0000663. The display of advertisements on the Ask Website is provided by the Google AdWords system. IPE0000688 (“A substantial majority of the paid listings we display are supplied to us by Google pursuant to a paid listing supply agreement with Google Pursuant to this agreement, we transmit search queries to Google, which in turn transmits a set of relevant and responsive paid listings back to us for display in search results Google paid listings are . . . identified as ‘sponsored’ listings on search results pages.”); <i>see also</i> IPE0000915 (showing that clicking a link redirects through the <u>www.google.com</u> domain); G-IPE-0008837 (showing “Ads on Google sites”); G-IPE-0008842 (showing AdSense network).</p> <p>“Search queries are received by one of the Google Web Servers (GWS) . . . It passes that information to an Ad Server to choose a set of ads to return.” G-IPE-0009731. “For a search results page, the end user visits google.com (or an</p>

CLAIM 10	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
	<p>“dynamic variable called ‘Quality Score’ to evaluate keyword relevance.” IPE0000058. In AdWords, a component of the “Quality Score” is based on an advertisement’s “clickthrough rate (CTR)” <i>Id.</i>; <i>see also</i> IPE0000061-IPE0000062 (“[t]he historical clickthrough rate (CTR) of the keyword and the matched ad on Google; if the ad is appearing on a search network page, its CTR on that search network partner is also considered” and that “[h]aving . . . a strong CTR on Google . . . will result in a higher position for your ad.”). Google says that, of the three components of Quality Score, CTR is “the biggest one by far” and that “by allowing users to vote with their clicks, we have millions of people that are helping us to decide which ads are best for each search query.” IPE0000073. The CTR is feedback data from system users on advertisements considered by the users.</p> <p>[REDACTED]</p>
<p>e. the filter system combining pertaining feedback data from the feedback system with the content profile data in filtering each informon for relevance to the query.</p>	<p>The Ask Website includes a system that combines pertaining feedback data with content data in filtering information for relevance to the query. For example, the Ask Website uses the Google AdWords system to display advertisements. IPE0000688. Google states that AdWords uses a “Quality Score” to evaluate an advertisement’s relevance. IPE0000063. [REDACTED]</p> <p>[REDACTED]</p>

CLAIM 10	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
	<p data-bbox="890 248 1860 313">[REDACTED]</p> <p data-bbox="890 354 1871 524">The Quality Score is a combination of factors including feedback data, i.e., “[a] keyword’s clickthrough rate (CTR),” and content data, i.e., “the relevance of your ad text, keyword, and landing page.” <i>Id.</i>; see also IPE0000062 (“Having relevant keywords and ad text [and] a strong CTR on Google . . . will result in a higher position for your ad.”).</p> <p data-bbox="890 565 1839 735">[REDACTED]</p> <p data-bbox="890 776 1776 841">Further, the “Ad Quality Score” is illustrated as including three factors: “Relevance,” “CTR,” and “Landing page quality.” See G-IPE-0008850:</p> <div data-bbox="890 889 1188 1140"> <p data-bbox="995 889 1142 914">Ad Quality Score</p>  </div>

CLAIM 14	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
The system of claim 10 wherein the collaborative feedback data comprises passive	The Ask Website uses the Google AdWords system, which collects and uses feedback data in the form of clickthrough rate. IPE0000688; see claim 10 section

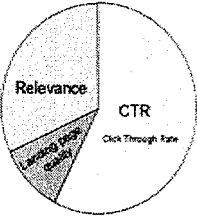
CLAIM 14	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
feedback data.	d. The clickthrough rate recorded by Google AdWords is passive feedback data.

CLAIM 15	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
The system of claim 14 wherein the passive feedback data is obtained by passively monitoring the actual response to a proposed informon.	The Ask Website uses the Google AdWords system to display advertisements. IPE0000688. Google AdWords passively monitors a user's behavior related to proposed advertisements. Google AdWords records the clickthrough rates of each respective advertisement. <i>See</i> claim 10 section d.

CLAIM 25	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
a. A method for operating a search engine system comprising:	<p>The preamble is typically not a limitation and thus no comparison needs to be made between the accused system, the Ask Website, and the preamble. <i>See, e.g., Symantec Corp. v. Computer Associate Intern., Inc.</i>, 522 F.3d 1279, 1288 (Fed. Cir. 2008)(“Absent clear reliance on the preamble in the prosecution history, or in situations where it is necessary to provide antecedent basis for the body of the claim, the preamble generally is not limiting.”)(quotation omitted). However, the Ask Website includes a method for operating a search engine system.</p> <p>The Ask Website searches for information (e.g., advertisements) relevant to a search query. For example, when a user enters a search query into the search bar on the Ask Website (www.ask.com) and selects the “search” button, the user is presented with a list of information, e.g., advertisements. <i>See</i> IPE0000661-IPE0000663. The display of advertisements on the Ask Website is provided by the Google AdWords system. IPE0000688 (“A substantial majority of the paid listings we display are supplied to us by Google pursuant to a paid listing supply agreement with Google Pursuant to this agreement, we transmit search queries to Google, which in turn transmits a set of relevant and responsive paid listings back to us for display in search results Google paid listings are . . . identified as ‘sponsored’ listings on search results pages.”); <i>see also</i> IPE0000915</p>

CLAIM 25	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
	<p>(showing that clicking a link redirects through the www.google.com domain); G-IPE-0008837 (showing "Ads on Google sites"); G-IPE-0008842 (showing AdSense network).</p> <p>"Search queries are received by one of the Google Web Servers (GWS) . . . It passes that information to an Ad Server to choose a set of ads to return." G-IPE-0009731. "For a search results page, the end user visits google.com (or an AdSense for Search partner), enters a query, and sees results with ads." G-IPE-0009727. "On a search results page, we pick ads directly based on the user query" <i>Id.</i></p>
<p>b. scanning a network to make a demand search for informons relevant to a query from an individual user;</p>	<p>The Ask Website scans a network to make a demand search for information (e.g., advertisements) relevant to a query from a user. For example, the search bar on the Ask Website allows a user to enter a search query and run a demand search. <i>See</i> section a. In response to the query, the Google AdWords system that the Ask Website uses to display advertisements conducts a demand search for information. <i>See</i> IPE0000661-IPE0000663.</p> <p>Google uses distributed databases in its systems, and the databases distribute information across several locations on a network. IPE0000011-IPE0000024; <i>see also</i> IPE0000026 (showing distributed systems). [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

CLAIM 25	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
such users; and	<p>by users. For example, the Ask Website uses the Google AdWords system to display advertisements. IPE0000688. Google AdWords receives feedback (in the form of clickthrough data) about information, e.g., advertisements, considered by the other users. See IPE0000064 ("Millions of users click on AdWords ads every day. Every single one of those clicks – and the even more numerous impressions associated with them – is analyzed by our filters (stage 1), which operate in real-time."). Google AdWords uses the "dynamic variable called 'Quality Score' to evaluate keyword relevance." IPE0000058. In AdWords, a component of the "Quality Score" is based on an advertisement's "clickthrough rate (CTR)" <i>Id.</i>; see also IPE0000061-IPE0000062 ("[t]he historical clickthrough rate (CTR) of the keyword and the matched ad on Google; if the ad is appearing on a search network page, its CTR on that search network partner is also considered" and that "[h]aving . . . a strong CTR on Google . . . will result in a higher position for your ad."). Google says that, of the three components of Quality Score, CTR is "the biggest one by far" and that "by allowing users to vote with their clicks, we have millions of people that are helping us to decide which ads are best for each search query." IPE0000073. The CTR is feedback from system users relative to advertisements considered by the users.</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>
e. combining pertaining feedback data with the content profile data in filtering each informon	The Ask Website combines pertaining feedback data with content data in filtering information for relevance to the query. For example, the Ask Website uses the

CLAIM 25	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
for relevance to the query.	<p>Google AdWords system to display advertisements. IPE0000688. Google states that AdWords uses a "Quality Score" to filter advertisements. IPE0000063. [REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>ads" via disabling); G-IPE-0146084; G-IPE-0146187.</p> <p>The Quality Score is a combination of factors including feedback data, i.e., "[a] keyword's clickthrough rate (CTR)," and content data, i.e., "the relevance of your ad text, keyword, and landing page." <i>Id.</i>; see also IPE0000062 ("Having relevant keywords and ad text [and] a strong CTR on Google . . . will result in a higher position for your ad.").</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>Further, the "Ad Quality Score" is illustrated as including three factors: "Relevance," "CTR," and "Landing page quality." See G-IPE-0008850:</p> <div data-bbox="898 1101 1192 1360"> <p>Ad Quality Score</p>  <p>Three factors:</p> </div>

CLAIM 25	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM

CLAIM 27	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
The method of claim 25 wherein the collaborative feedback data provides passive feedback data.	The Ask Website uses the Google AdWords system, which collects and uses feedback data in the form of clickthrough rate. IPE0000688; <i>see</i> claim 10 section d. The clickthrough rate recorded by Google AdWords is passive feedback data.

CLAIM 28	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
The method of claim 27 wherein the passive feedback data is obtained by passively monitoring the actual response to a proposed informon.	The Ask Website uses the Google AdWords system to display advertisements. IPE0000688. Google AdWords records the clickthrough rates of each respective advertisement. <i>See</i> claim 25 section d.

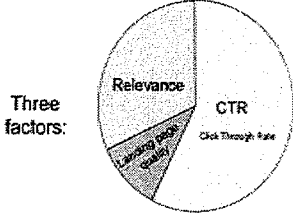
CLAIM CHART FOR INFRINGEMENT OF U.S. PATENT NO. 6,775,664

IAC's Implementation of the Google AdWords System

CLAIM 1	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
a. A search system comprising:	<p>The preamble is typically not a limitation and thus no comparison needs to be made between the accused system, the Ask Website, and the preamble. <i>See, e.g., Symantec Corp. v. Computer Associate Intern., Inc.</i>, 522 F.3d 1279, 1288 (Fed. Cir. 2008)(“Absent clear reliance on the preamble in the prosecution history, or in situations where it is necessary to provide antecedent basis for the body of the claim, the preamble generally is not limiting.”)(quotation omitted). However, the Ask Website includes a search system.</p> <p>The Ask Website searches for information (e.g., advertisements) relevant to a search query. For example, when a user enters a search query into the search bar on the Ask Website and selects the “search” button, the user is presented with a list of information, e.g., advertisements. <i>See</i> IPE0000661-IPE0000663. The display of advertisements on the Ask Website is provided by the Google AdWords system. IPE0000688 (“A substantial majority of the paid listings we display are supplied to us by Google pursuant to a paid listing supply agreement with Google Pursuant to this agreement, we transmit search queries to Google, which in turn transmits a set of relevant and responsive paid listings back to us for display in search results Google paid listings are . . . identified as ‘sponsored’ listings on search results pages.”); <i>see also</i> IPE0000915 (showing that clicking a link redirects through the www.google.com domain); G-IPE-0008837 (showing “Ads on Google sites”); G-IPE-0008842 (showing AdSense network).</p> <p>“Search queries are received by one of the Google Web Servers (GWS) . . . It passes that information to an Ad Server to choose a set of ads to return.” G-IPE-0009731. “For a search results page, the end user visits google.com (or an</p>

CLAIM 1	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
<p>c. a feedback system for receiving information found to be relevant to the query by other users; and</p>	<p>[REDACTED]</p> <p>The Ask Website includes a system for receiving information found to be relevant to the query by users of the system. For example, the Ask Website uses the Google AdWords system to display advertisements. IPE0000688. Google AdWords receives feedback (in the form of clickthrough data) about information, e.g., advertisements, considered by the other users. <i>See</i> IPE0000064 (“Millions of users click on AdWords ads every day. Every single one of those clicks – and the even more numerous impressions associated with them – is analyzed by our filters (stage 1), which operate in real-time.”). Google AdWords uses the “dynamic variable called ‘Quality Score’ to evaluate keyword relevance.” IPE0000058. In AdWords, a component of the “Quality Score” is based on an advertisement’s “clickthrough rate (CTR)” <i>Id.</i>; <i>see also</i> IPE0000061-IPE0000062 (“[t]he historical clickthrough rate (CTR) of the keyword and the matched ad on Google; if the ad is appearing on a search network page, its CTR on that search network partner is also considered” and that “[h]aving . . . a strong CTR on Google . . . will result in a higher position for your ad.”). Google says that, of the three components of Quality Score, CTR is “the biggest one by far” and that “by allowing users to vote with their clicks, we have millions of people that are helping us to decide which ads are best for each search query.” IPE0000073. The CTR is feedback on advertisements other users found to be relevant to the query.</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

CLAIM 1	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
<p>d. content-based filter system for combining the information from the feedback system with the information from the scanning system and for filtering the combined information for relevance to at least one of the query and the first user.</p>	<p>The Ask Website includes a system for combining information from the feedback system with information from the scanning system to filter information for relevance to the query. For example, the Ask Website uses the Google AdWords system to display advertisements. IPE0000688. Google states that AdWords uses a "Quality Score" to evaluate an advertisement's relevance. IPE0000063.</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>The Quality Score is a combination of factors including feedback data, i.e., "[a] keyword's clickthrough rate (CTR)," and content data, i.e., "the relevance of your ad text, keyword, and landing page." <i>Id.</i>; see also IPE0000062 ("Having relevant keywords and ad text [and] a strong CTR on Google . . . will result in a higher position for your ad.").</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>Further, the "Ad Quality Score" is illustrated as including three factors: "Relevance," "CTR," and "Landing page quality." See G-IPE-0008850:</p>

CLAIM 1	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
	<p>Ad Quality Score</p>  <p>Three factors:</p>

CLAIM 5	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
The search system of claim 1 wherein the filtered information is an advertisement.	The Ask Website uses the Google AdWords system to display advertisements. IPE0000688. Google AdWords filters advertisements. <i>See</i> claim 1 sections a-d.

CLAIM 6	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
The search system of claim 1 further comprising an information delivery system for delivering the filtered information to the first user.	The Ask Website displays information to a user in the form of links to websites with short descriptions. <i>See</i> IPE0000661-IPE0000663 (displaying an example search for "grill").

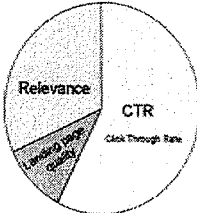
CLAIM 21	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
The search system of claim 1 wherein the content-based filter system filters by extracting features from the information.	The Ask Website uses Google AdWords to display advertisements. IPE0000688. Google AdWords extracts features (e.g., text) from an advertisement to perform content-based filtering. IPE0000058.

CLAIM 22	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
The search system of claim 21 wherein the extracted features comprise content data indicative of the relevance to the at least one of the query and the user.	In Google AdWords, the extracted features described in claim 21 are content data that is used to indicate the relevance of an item to the user's query. <i>See</i> claim 1 section b.

CLAIM 26	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
a. A method for obtaining information relevant to a first user comprising:	<p>The preamble is typically not a limitation and thus no comparison needs to be made between the accused system, the Ask Website, and the preamble. <i>See, e.g., Symantec Corp. v. Computer Associate Intern., Inc.</i>, 522 F.3d 1279, 1288 (Fed. Cir. 2008)(“Absent clear reliance on the preamble in the prosecution history, or in situations where it is necessary to provide antecedent basis for the body of the claim, the preamble generally is not limiting.”)(quotation omitted). However, the Ask Website includes a method for obtaining information relevant to a first user.</p> <p>The Ask Website searches for information (e.g., advertisements) relevant to a user. For example, when a user enters a search query into the search bar on the Ask Website and selects the “search” button, the user is presented with a list of information, e.g., advertisements. <i>See</i> IPE0000661-IPE0000663. The display of advertisements on the Ask Website is provided by the Google AdWords system. IPE0000688 (“A substantial majority of the paid listings we display are supplied to us by Google pursuant to a paid listing supply agreement with Google Pursuant to this agreement, we transmit search queries to Google, which in turn transmits a set of relevant and responsive paid listings back to us for display in search results Google paid listings are . . . identified as ‘sponsored’ listings on search results pages.”); <i>see also</i> IPE0000915 (showing that clicking a link redirects through the www.google.com domain); G-IPE-0008837 (showing “Ads on Google sites”); G-IPE-0008842 (showing AdSense network).</p> <p>“Search queries are received by one of the Google Web Servers (GWS) . . . It passes that information to an Ad Server to choose a set of ads to return.” G-IPE-</p>

CLAIM 26	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
	<p>0009731. "For a search results page, the end user visits google.com (or an AdSense for Search partner), enters a query, and sees results with ads." G-IPE-0009727. "On a search results page, we pick ads directly based on the user query" <i>Id.</i></p>
<p>b. searching for information relevant to a query associated with a first user in a plurality of users;</p>	<p>The Ask Website searches for information relevant to a query associated with a user. For example, the search bar on the Ask Website allows a user to enter a search query and run a demand search. <i>See</i> section a. In response to the query, the Google AdWords system that the Ask Website uses to display advertisements conducts a demand search for information. <i>See</i> IPE0000661-IPE0000663. Google AdWords searches the information, in part, on the basis of content data (e.g., ad text, keyword, and landing page attributes) for relevance to the query. IPE0000058. Google states that "AdWords uses a dynamic variable called 'Quality Score' to evaluate keyword relevance" and that "Quality Score is based [in part] on . . . the relevance of your ad text, keyword, and landing page." <i>Id.</i>; <i>see also</i> IPE0000061-IPE0000062 ("[t]he Quality Score for Ad Rank on Google and the search network is determined by . . . the relevance of the keyword and the matched ad to the search query" and that "[h]aving relevant keywords and ad text . . . will result in a higher position for your ad.").</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

CLAIM 26	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
c. receiving information found to be relevant to the query by other users;	<div data-bbox="892 245 1871 277" style="background-color: black; height: 20px; width: 100%;"></div> <div data-bbox="892 277 1566 310" style="background-color: black; height: 20px; width: 100%;"></div>
	<p data-bbox="892 315 1898 1013">The Ask Website receives information found to be relevant to the query by users of the system. For example, the Ask Website uses the Google AdWords system to display advertisements. IPE0000688. Google AdWords receives feedback (in the form of clickthrough data) about information, e.g., advertisements, considered by the other users. <i>See</i> IPE0000064 (“Millions of users click on AdWords ads every day. Every single one of those clicks – and the even more numerous impressions associated with them – is analyzed by our filters (stage 1), which operate in real-time.”). Google AdWords uses the “dynamic variable called ‘Quality Score’ to evaluate keyword relevance.” IPE0000058. In AdWords, a component of the “Quality Score” is based on an advertisement’s “clickthrough rate (CTR)” <i>Id.</i>; <i>see also</i> IPE0000061-IPE0000062 (“[t]he historical clickthrough rate (CTR) of the keyword and the matched ad on Google; if the ad is appearing on a search network page, its CTR on that search network partner is also considered” and that “[h]aving . . . a strong CTR on Google . . . will result in a higher position for your ad.”). Google says that, of the three components of Quality Score, CTR is “the biggest one by far” and that “by allowing users to vote with their clicks, we have millions of people that are helping us to decide which ads are best for each search query.” IPE0000073. The CTR is feedback on advertisements that other users found relevant to the query.</p> <div data-bbox="892 1052 1898 1356" style="background-color: black; height: 187px; width: 100%;"></div>

CLAIM 26	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
<p>d. combining the information found to be relevant to the query by other users with the searched information; and</p>	<p>[REDACTED]</p> <p>The Ask Website combines information found to be relevant to the query with the searched information. For example, the Ask Website uses the Google AdWords system to display advertisements. IPE0000688. Google states that AdWords uses a "Quality Score" to evaluate an advertisement's relevance. IPE0000063. The Quality Score is a combination of factors including feedback data, i.e., "[a] keyword's clickthrough rate (CTR)," and content data, i.e., "the relevance of your ad text, keyword, and landing page." <i>Id.</i>; <i>see also</i> IPE0000062 ("Having relevant keywords and ad text [and] a strong CTR on Google . . . will result in a higher position for your ad.").</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>Further, the "Ad Quality Score" is illustrated as including three factors: "Relevance," "CTR," and "Landing page quality." <i>See</i> G-IPE-0008850:</p> <div data-bbox="898 959 1192 1214"> <p>Ad Quality Score</p>  <p>Three factors:</p> </div>
<p>e. content-based filtering the combined information for relevance to at least one of the query and the first user.</p>	<p>The Ask Website uses Google AdWords to display advertisements. IPE0000688. Google AdWords calculates a "Quality Score" for each advertisement, which combines content and feedback information. <i>See</i> claim 26 section d. The "Quality Score" is used to determine the relevance of the ad to the query and/or</p>

CLAIM 26	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
	<p>the user. IPE0000058 ("For AdWords ads, the most important factor in relevance and ranking is the ad's quality, also called the Quality Score.").</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p> <p>[REDACTED]</p>

CLAIM 28	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
28. The method of claim 26 further comprising the step of delivering the filtered information to the first user.	The Ask Website uses Google AdWords to display advertisements. IPE0000688. Google AdWords delivers filtered information to a user in the form of links to websites with short descriptions. <i>See</i> IPE0000661-IPE0000663 (displaying an example search for "grill").

CLAIM 38	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
38. The method of claim 26 wherein the searching step comprises scanning a network in response to a demand search for the information relevant to the query associated with the first user.	The Ask Website uses Google AdWords to display advertisements. IPE0000688. Google AdWords scans a network in response to a demand search for information relevant to a query from a user. For example, the search bar on the Ask Website allows a user to enter a search query and run a demand search. <i>See</i> section a. In response to the query, the Google AdWords system that the Ask Website uses to display advertisements conducts a demand search for information. <i>See</i> IPE0000661-IPE0000663. Google uses distributed databases in its systems, and the databases distribute information across several locations on a network. IPE0000011-IPE0000024; <i>see also</i> IPE0000026 (showing distributed systems).

CLAIM 38	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
	<p data-bbox="892 250 1806 282">"Ad Server is the common term for the set of machines and processes that</p> <div data-bbox="892 282 1898 597" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 321 1873 354" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 354 1873 386" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 386 1827 418" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 418 1797 451" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 451 1885 483" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 483 1831 516" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 516 1898 548" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 548 1621 597" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 636 1898 669" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 669 1843 701" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 701 1852 734" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 734 1860 766" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 766 1831 799" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 799 1827 831" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 831 1864 863" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 863 1856 896" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 896 1898 928" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 928 1793 961" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 961 1822 993" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 993 1864 1026" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 1026 1856 1058" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 1123 1898 1156" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 1156 1873 1188" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 1188 1890 1221" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 1221 1856 1253" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 1253 1839 1286" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 1286 1864 1318" style="background-color: black; height: 15px; width: 100%;"></div> <div data-bbox="892 1318 1814 1351" style="background-color: black; height: 15px; width: 100%;"></div>

CLAIM 38	IAC'S IMPLEMENTATION OF THE GOOGLE ADWORDS SYSTEM
	<div data-bbox="890 245 1900 451" style="background-color: black; height: 127px; width: 100%;"></div> <div data-bbox="890 492 1900 654" style="background-color: black; height: 100px; width: 100%;"></div>

CERTIFICATE OF SERVICE

I hereby certify that on this 17th day of February, 2012, the foregoing **PLAINTIFF I/P ENGINE, INC.'S SECOND PRELIMINARY DISCLOSURE OF ASSERTED CLAIMS AND INFRINGEMENT CONTENTIONS AS TO IAC SEARCH & MEDIA, INC.'S USE OF GOOGLE ADWORDS AND GOOGLE ADSENSE FOR SEARCH**, was served via email, on the following:

Stephen Edward Noona
Kaufman & Canoles, P.C.
150 W Main St
Suite 2100
Norfolk, VA 23510
senoona@kaufcan.com

David Bilsker
David Perlson
Quinn Emanuel Urquhart & Sullivan LLP
50 California Street, 22nd Floor
San Francisco, CA 94111
davidbilsker@quinnemanuel.com
davidperlson@quinnemanuel.com

Robert L. Burns
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
Two Freedom Square
11955 Freedom Drive
Reston, VA 20190
robert.burns@finnegan.com

Cortney S. Alexander
Finnegan, Henderson, Farabow, Garrett & Dunner, LLP
3500 SunTrust Plaza
303 Peachtree Street, NE
Atlanta, GA 94111
cortney.alexander@finnegan.com

/s/ Luke Cooper
Paralegal