

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

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

**PLAINTIFF I/P ENGINE, INC.'S PROPOSED VOIRE DIRE QUESTIONS**

Pursuant to the Court's February 15, 2012 Scheduling Order (Dkt. No. 90) and Local Civil Rule 51, Plaintiff I/P Engine, Inc. ("I/P Engine") hereby submits its Proposed Voir Dire Questions. I/P Engine reserves the right to modify and/or supplement its Proposed Voir Dire Questions based upon resolution of any outstanding motions.

## **PROPOSED VOIR DIRE QUESTIONS**

1. YOU HAVE BEEN GIVEN A LIST OF COMPANIES.
  - A. DO YOU OR DOES ANYONE YOU KNOW WORK FOR ANY OF THESE COMPANIES?
  - B. HAVE YOU OR HAS ANYONE CLOSE TO YOU EVER DONE BUSINESS WITH ANY OF THESE COMPANIES?
  - C. DO YOU OR DOES ANYONE CLOSE TO YOU NOW HAVE, OR HAVE YOU OR THEY EVER HAD ANY FINANCIAL INTEREST IN ANY OF THESE COMPANIES?
  - D. DO YOU HAVE ANY STRONG OPINIONS ABOUT ANY OF THESE COMPANIES?
2. YOU HAVE BEEN GIVEN A LIST OF ATTORNEYS AND LAW FIRMS INVOLVED IN THIS LITIGATION. DO YOU HAVE ANY PERSONAL KNOWLEDGE OF ANY OF THESE FIRMS OR ATTORNEYS?
3. YOU HAVE BEEN GIVEN A LIST OF THE INDIVIDUALS WHO MIGHT APPEAR AS WITNESSES IN THIS CASE. DO YOU KNOW ANY OF THESE INDIVIDUALS?
4. YOU HAVE BEEN GIVEN A LIST OF SUBJECT AREAS. HAVE YOU EVER TAKEN ANY COURSES IN, BEEN EMPLOYED IN OR HAD ANY EXPERIENCE WITH ANY OF THE LISTED AREAS?
5. HAVE YOU EVER SERVED AS A JUROR BEFORE?
6. HAVE YOU, A CLOSE RELATIVE, OR GOOD FRIEND EVER BEEN THROUGH BANKRUPTCY?
7. HAVE YOU, A CLOSE RELATIVE, OR GOOD FRIEND EVER WORKED FOR THE UNITED STATES GOVERNMENT?
8. HAVE YOU EVER SERVED IN THE CAPACITY OF A MANAGER OR SUPERVISOR AT WORK?
9. DO YOU HOLD ANY LEADERSHIP POSITIONS IN ANY SOCIAL, CIVIC, PROFESSIONAL OR RELIGIOUS GROUPS TO WHICH YOU BELONG?
10. HAVE YOU EVER BEEN SELF-EMPLOYED OR OWNED YOUR OWN BUSINESS?
11. DO YOU HAVE ANY EXPERIENCE IN ACCOUNTING OR BOOKKEEPING?

12. WOULD YOU SAY THAT YOUR OPINION OF LARGE CORPORATIONS IS POSITIVE, NEGATIVE, OR THAT YOU DON'T HAVE AN OPINION ONE WAY OR THE OTHER ON THIS TOPIC?
13. DO YOU BELONG TO OR SYMPATHIZE WITH ANY ORGANIZATIONS THAT ADVOCATE TORT REFORM OR CHANGES IN THE JUDICIAL SYSTEM?
14. THIS CASE INVOLVES A CLAIM OF PATENT INFRINGEMENT. IS THERE ANYONE HERE WHO HAS A NEGATIVE OPINION ABOUT THESE TYPES OF CASES OR THE PEOPLE/COMPANIES THAT BRING PATENT INFRINGEMENT CASES?
15. DOES ANYONE HERE TEND TO DOUBT, OR JUST DOESN'T BELIEVE, THAT BIG COMPANIES WOULD, AND OFTEN DO, INFRINGE THE PATENT RIGHTS OF OTHER COMPANIES? IN OTHER WORDS, WOULD YOU BE RELUCTANT TO BELIEVE OR TEND NOT TO BELIEVE THAT A BIG COMPANY WOULD USE SOME OTHER COMPANY'S INVENTION WITHOUT PERMISSION?
16. HAVE YOU, A CLOSE RELATIVE, OR GOOD FRIEND EVER INVENTED ANYTHING?
17. HAVE YOU, A CLOSE RELATIVE, OR GOOD FRIEND EVER APPLIED FOR OR OWNED A PATENT?
18. DO YOU HAVE ANY NEGATIVE VIEWS ABOUT GOVERNMENT AGENCIES, LIKE THE UNITED STATES PATENT AND TRADEMARK OFFICE, AND THE WAY THAT THEY DO THEIR JOBS?
19. HAVE YOU, A CLOSE RELATIVE, OR GOOD FRIEND, EVER HELD A JOB WHICH INVOLVES WORK WITH PATENTS OR WITH PATENT LAWYERS?
20. DO YOU HAVE ANY POSITIVE OR NEGATIVE OPINIONS ABOUT TECHNOLOGY, PATENTS OR PATENTEE'S RIGHTS TO A MONOPOLY ON THEIR PATENTED TECHNOLOGY? IF YES, PLEASE EXPLAIN YOUR ANSWER.
21. DO YOU BELIEVE THAT AN INVENTOR WHO GETS A PATENT HAS A RIGHT TO MAKE MONEY FROM HIS PATENTED INVENTION?
22. IT IS NORMAL FOR PATENTS TO CHANGE HANDS; THEY ARE BOUGHT AND SOLD MUCH LIKE LAND OR HOUSES ARE BOUGHT AND SOLD. DOES ANYONE HAVE A PROBLEM OR CONCERN ABOUT A COMPANY BUYING A PATENT THEN SUING OTHER COMPANIES FOR INFRINGEMENT OF THAT PATENT?
23. DO YOU BELIEVE THAT THE PATENT SYSTEM DISCOURAGES INNOVATION?
24. HAVE YOU, A CLOSE RELATIVE, OR GOOD FRIEND EVER WORKED FOR A HIGH-TECHNOLOGY COMPANY?

25. HAVE YOU, A CLOSE RELATIVE, OR GOOD FRIEND EVER BEEN INVOLVED IN A CONFLICT OR DISPUTE PERTAINING TO THE OWNERSHIP OF AN IDEA OR PRODUCT?
26. THIS CASE INVOLVES CERTAIN ASPECTS OF TECHNOLOGY RELATING TO INTERNET SEARCH-ADVERTISING. BASED ON THAT DESCRIPTION, DO YOU KNOW ANYTHING ABOUT THE TECHNOLOGY IN THIS CASE?
27. HAVE YOU, A CLOSE RELATIVE, OR GOOD FRIEND EVER BEEN EMPLOYED IN OR BY A COMPANY THAT SPECIALIZES IN EITHER INTERNET SEARCH ENGINES, OR IN CREATING AND PLACING ADVERTISING ON THE INTERNET?
28. DO YOU OWN A COMPUTER THAT IS CONNECTED TO THE INTERNET?
29. HOW FREQUENTLY DO YOU USE INTERNET SEARCH ENGINES?
30. WHO HERE SHOPS ONLINE MORE THAN ONCE A MONTH?
31. HAVE YOU, A CLOSE RELATIVE, OR GOOD FRIEND EVER USED GOOGLE'S ADWORDS FOR INTERNET ADVERTISING?
32. HAVE YOU EVER DONE ANY COMPUTER PROGRAMMING OR WRITTEN ANY COMPUTER CODE?
33. DO YOU HAVE ANY NEGATIVE OPINIONS ABOUT COMPANIES THAT TURN TO THE COURTS TO HELP THEM RESOLVE BUSINESS DISPUTES?
34. IF THE EVIDENCE CALLED FOR AN AWARD OF A LARGE AMOUNT OF DAMAGES TO ONE COMPANY TO BE PAID BY ANOTHER COMPANY OR COMPANIES, AS A JUROR WOULD YOU HAVE A PROBLEM GIVING THIS AWARD?
35. DO YOU THINK THAT YOU WOULD HAVE A HARD TIME AWARDING AN AMOUNT OF DAMAGES OVER \$100 MILLION, IF THE EVIDENCE SUPPORTED IT?
36. HAVE YOU OR ANY MEMBER OF YOUR FAMILY EVER BEEN INVOLVED IN A LAWSUIT, EITHER AS A PLAINTIFF, DEFENDANT OR WITNESS? IF YES, PLEASE
  - A. IDENTIFY THE INDIVIDUAL, FIRM, CORPORATION OR GOVERNMENTAL BODY AGAINST WHOM THE CLAIM OR LAWSUIT WAS FILED.
  - B. DESCRIBE THE NATURE OF THE CLAIM OR LAWSUIT.
  - C. STATE THE APPROXIMATE DATE THEREOF.

- D. DESCRIBE THE OUTCOME.
- E. STATE WHETHER THE PARTIES TO THE ACTION WERE TREATED FAIRLY. IF NOT, PLEASE SAY WHY.

37. DO YOU HARBOR ANY PREJUDICE OR BIAS WHICH MIGHT PREVENT YOU FROM SITTING AS A FAIR AND IMPARTIAL JUROR IN THIS CASE?

38. DURING THIS CASE, IF YOU FORMED AN OPINION, WOULD IT BE DIFFICULT FOR YOU TO KEEP AN OPEN MIND AND LISTEN TO THE OPINIONS OF OTHERS?

## **COMPANIES**

I/P Engine, Inc.  
AOL, Inc.  
Google, Inc.  
IAC Search & Media, Inc.  
Gannett Co., Inc.  
Target Corporation  
Innovate/Protect, Inc.  
Vringo, Inc.  
Hudson Bay Capital Management, LP

## **ATTORNEYS AND FIRMS**

### Dickstein Shapiro, LLP

Jeffrey K. Sherwood  
Frank C. Cimino, Jr.  
Kenneth W. Brothers  
Charles J. Monterio, Jr.  
Dawn Rudenko Albert  
Leslie Jacobs, Jr.  
Jonathan Falkler  
James L. Ryerson  
Krista Carter  
Katie Scott

### Crenshaw, Ware & Martin PLC

Donald C. Schultz  
W. Ryan Snow  
Steven Stancliff

### Quinn Emanuel Urquhart & Sullivan, LLP

David L. Bilsker  
David A. Perlson  
Emily C. O'Brien  
Jennifer J. Ghaussy  
Joshua L. Sohn  
Antonio R. Sistos  
Howard Y. Chen  
Margaret P. Kammerud  
Robert Wilson  
Sarah Ugudo  
Jennifer A. Kash  
David A. Nelson

Kaufman & Canoles, P.C.

Stephen E. Noona

Finnegan, Henderson, Farabow, Garrett, & Dunner, LLP

Robert L. Burns

Cortney S. Alexander

**WITNESSES**

Andrew K. Lang

Andrew D. Perlman

Dr. Ophir Frieder

Dr. Stephen L. Becker

Dr. Jamie Carbonell

Jonathan Alferness

Gary Holt

Donald M. Kosak

Alexander R. Berger

Derek Leslie-Cook

Bartholomew Furrow

Robert Hickernell

Sanjay Datta

James Maccoun

Nicholas Fox

Jonathan Diorio

Mark Blais

Stephen Kurtz

James Christopherson

Celia Denery

Dr. Lyle Ungar

Dr. Keith Ugone

Gary Culliss

Rubin Ortega

Kevin Cotter

Marie Bamford

**SUBJECT AREAS**

Computer science education or background

Electrical engineering education or background

Legal education or background

Search engine/search advertising background

Dated: October 9, 2012

Respectfully submitted,

/s/ Donald C. Schultz  
Donald C. Schultz  
(Virginia Bar No. 30531)  
W. Ryan Snow  
(Virginia Bar No. 47423)  
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

Jeffrey K. Sherwood  
(Virginia Bar No. 19222)  
Frank C. Cimino, Jr.  
Kenneth W. Brothers  
Dawn Rudenko Albert  
Charles J. Monterio, Jr.  
DICKSTEIN SHAPIRO LLP  
1825 Eye Street, NW  
Washington, DC 20006  
Telephone: (202) 420-2200  
Facsimile: (202) 420-2201

*Counsel for Plaintiff I/P Engine, Inc.*

## **CERTIFICATE OF SERVICE**

I certify that on the 9th day of October 2012, I will electronically file the foregoing with the Clerk of Court using the CM/ECF system, which will send electronic notification of such filing to the following:

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

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

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

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

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/s/ Donald C. Schultz