

Exhibit C

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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

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I/P ENGINE, INC.,

Plaintiff,

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

GOOGLE INC., et al.,

Defendants.

-----x

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

1 Q. Sure.

2 A. Google AdSense is what I had heard
3 about. The -- the two terms are -- you know, the
4 product names that are both advertising, I got
5 them confused. I'm sorry.

6 Q. All right. Well, with respect to
7 Google AdSense, you knew about it by 2005?

8 A. Right.

9 Q. And that was because you used it at
10 Lycos?

11 A. Right, right.

12 Q. Did you have an understanding of how
13 Google AdSense worked?

14 A. I don't know how it worked internally.
15 We knew enough to put the required tags on the
16 page to call those ads, but what happens after
17 that, I don't know.

18 Q. Did you have any idea how ads were
19 selected?

20 MS. ALBERT: Objection, vague.

21 Q. In Google AdSense?

22 MR. BILSKER: Let me withdraw that.

23 Q. Did you have any idea how ads were
24 selected in Google AdSense in the 2005 time
25 frame?

1 A. No.

2 Q. Did you do anything to try to
3 determine how ads were selected in the 2005 time
4 frame in Google AdSense?

5 A. No.

6 Q. Is there a reason that you didn't do
7 anything to try to identify how they were
8 selected?

9 A. Yes.

10 Q. What was that reason?

11 A. There was no business reason for me to
12 spend time on analy -- analyzing something that
13 was, you know, wasn't a revenue stream for us.
14 Why -- why would I analyze it?

15 Q. At that time in 2005, who owned the
16 two patents that are part of this case?

17 A. In 2005, I'm not sure the ownership.
18 I -- I believe it was probably Dom Communications
19 Corporation.

20 Q. Not Lycos?

21 A. Well, Lycos was owned by Dom
22 Communication Corporation at the time. Hence, my
23 uncertainty about the ownership, whether they
24 were owned by a subdivision or the parent company
25 or -- I don't know exactly who had the ownership