

# EXHIBIT B

WRITER'S DIRECT DIAL NO.  
**(415) 875-6316**

WRITER'S INTERNET ADDRESS  
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December 13, 2011

Ken Brothers  
Dickstein Shapiro LLP  
1825 Eye Street NW  
Washington, DC 20006

Re: I/P Engine, Inc. v. AOL, Inc. et al.

Dear Ken:

I am writing in regards to I/P Engine's responses to Google's First Set of Requests for Admission and First Set of Interrogatories. The fact that a response is not mentioned below does not mean that the response is acceptable. Rather, we are trying to streamline discovery by raising certain issues first.

I. Insufficiencies in Plaintiff's Response to Request for Admission No. 3

Request for Admission No. 3 states, "Admit that you have no actual knowledge of whether GOOGLE was aware of the PATENTS-IN-SUIT before the complaint in this action was filed." Plaintiff responded based "[o]n information and belief." In limiting its response to information and belief, Plaintiff's wholly ignores Google's demand for actual knowledge of any awareness of the patents. Plaintiff must provide a response based on actual knowledge.

Also in its response to Request for Admission No. 3, Plaintiff included information concerning AOL's possible knowledge of the '420 patent. Please explain whether and, if so, how AOL's possible knowledge of the patent is in any way related to Plaintiff's allegation that Google had pre-suit knowledge of the '420 patent.

**quinn emanuel urquhart & sullivan, llp**

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## II. Responding to Interrogatories By Producing Documents

For Interrogatory Nos. 1, 2, 6, 10, and 11, Plaintiff responded that under Rule 33(d), it “will produce documents from which information responsive to this Interrogatory may be derived or ascertained.”

Initially, for Interrogatory Nos. 1 and 10, relying on documents is not a sufficient response. With respect to Interrogatory No. 1, we need Plaintiff to identify its claimed conception and/or reduction to practice dates for the various claims at issue, not just the documents it may rely on for that. Plaintiff must supplement its response to provide what the Interrogatory requests – the date of conception and a date of reduction to practice of each claim at issue, among other facts.

With respect to Interrogatory No. 10, we do not believe that documents alone would identify the ways that Plaintiff believes its invention improved on the prior art in a non-obvious and unpredictable way. Rather, this Interrogatory calls for a narrative response.

Moreover, to the extent that Plaintiff intends on relying on produced documents to respond to Interrogatory Nos. 1, 2, 6, 10, and 11, it must identify by Bates number those documents that are responsive. Based on your responses and an initial review of Plaintiff’s productions to date, however, it does not appear that Plaintiff has produced documents containing information responsive to these Interrogatories. To the extent that Plaintiff is intending on relying on documents yet to be produced that Plaintiff is withholding merely because there were obtained from third parties, we believe this is not in compliance with the Federal Rules. Google expects production of all documents in Plaintiff’s possession no matter how obtained.

## III. Additional Issues with Plaintiff’s Interrogatory Responses

In response to Interrogatory No. 7, Plaintiff incorporated its Preliminary Disclosures of Asserted Claims and Pre-Discovery Infringement Contentions as to Google. Since service of Plaintiff’s Preliminary Disclosures, Google has produced technical documents for each of its accused systems. Please let us know when Google can expect supplemented infringement contentions based on its technical production.

In response to Interrogatory No. 9, Plaintiff failed to give a definite priority date for each claim of each of the Patents-in-Suit or to identify portions of the specification in any earlier application that support the priority date of either patent. Plaintiff must provide its asserted priority date for each claim of each Patent-in-Suit and identify supporting portions of any earlier applications.

Please provide responses to each of these concerns no later than Thursday.

Very truly yours,

A handwritten signature in blue ink that reads "Margaret P. Kammerud". The signature is written in a cursive style with a long horizontal stroke at the end.

Margaret P. Kammerud