

**IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

NETWORK-1 TECHNOLOGIES, INC.

Plaintiff,

- against -

GOOGLE LLC and YOUTUBE, LLC

Defendants.

14 Civ. 2396 (PGG-SN)

14 Civ. 9558 (PGG-SN)

**APPENDIX TO DEFENDANTS' STATEMENT OF MATERIAL FACTS IN SUPPORT
OF THEIR OPPOSITION TO NETWORK-1'S MOTION FOR SUMMARY JUDGMENT**

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| Exhibit No. | Description of Exhibit |
|--------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------|
| 19 ¹ | Excerpts of the Expert Report of Michael Mitzenmacher, Ph.D. Regarding Validity of U.S. Patent Nos. 8,010,988; 8,205,237; and 8,904,464 (Feb. 14, 2020) |
| 20 | Email Correspondence from Counsel for Audible Magic Regarding Confidentiality Designations (Oct. 16, 2020) |
| 21 | Declaration of Erling Wold (Oct. 12, 2020) |
| 22 | U.S. Patent No. 7,562,012 (July 14, 2009) |
| 23 | U.S. Patent No. 6,968,337 (Nov. 22, 2005) |
| 24 | U.S. Patent Pub. No. 2002/0133499 (Sep. 19, 2002) |
| 25 | U.S. Patent App. No. 09/706,227 (Nov. 3, 2000) |
| 26 | U.S. Provisional Patent App. No. 60/304,647 (July 10, 2001) |
| 27 | U.S. Provisional Patent App. No. 60/275,029 (March 13, 2001) |
| 28 | Excerpts of the Deposition of Ingemar Cox (June 12, 2015) |
| 29 | Excerpts of the Deposition of Dr. Trevor Darrell (July 10, 2020) |
| 30 | Excerpts of the Deposition of Audible Magic (Erling Wold, as Rule 30(b)(6) designee) (Sep. 4, 2019) |
| 31 | Exhibit 2 to the Deposition of Audible Magic (Sep. 4, 2019) |
| 32 | Exhibit 9 to the Deposition of Audible Magic (Sep. 4, 2019) |
| 33 | Exhibit 10 to the Deposition of Audible Magic (Sep. 4, 2019) |
| 34 | Exhibit 11 to the Deposition of Audible Magic (Sep. 4, 2019) |
| 35 | Exhibit 12 to the Deposition of Audible Magic (Sep. 4, 2019) |
| 36 | Excerpts of the Deposition of Jim Schrempp (Sep. 25, 2019) |

¹ Network-1 submitted Exhibits 1-18 to its Motion for Summary Judgment as attachments to the Declaration of Brian D. Ledahl dated September 11, 2020. Accordingly, Google has used Exhibits Nos. 19-67 to identify the exhibits submitted in this Appendix to Google's Statement of Material Facts in Opposition to Network-1's Motion for Summary Judgment.

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| 37 | Exhibit 1 to the Deposition of Jim Schrempp (Sep. 25, 2019) |
| 38 | Exhibit 3 to the Deposition of Jim Schrempp (Sep. 25, 2019) |
| 39 | Exhibit 4 to the Deposition of Jim Schrempp (Sep. 25, 2019) |
| 40 | Exhibit 5 to the Deposition of Jim Schrempp (Sep. 25, 2019) |
| 41 | Exhibit 6 to the Deposition of Jim Schrempp (Sep. 25, 2019) |
| 42 | Exhibit 7 to the Deposition of Jim Schrempp (Sep. 25, 2019) |
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| 44 | Exhibit 9 to the Deposition of Jim Schrempp (Sep. 25, 2019) |
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| 46 | Exhibit 11 to the Deposition of Jim Schrempp (Sep. 25, 2019) |
| 47 | Exhibit 12 to the Deposition of Jim Schrempp (Sep. 25, 2019) |
| 48 | Exhibit 13 to the Deposition of Jim Schrempp (Sep. 25, 2019) |
| 49 | Exhibit 14 to the Deposition of Jim Schrempp (Sep. 25, 2019) |
| 50 | Exhibit 15 to the Deposition of Jim Schrempp (Sep. 25, 2019) |
| 51 | Document Produced by Audible Magic stamped AUD_MAGIC_00000022 (Feb. 9, 1996) |
| 52 | Document Produced by Audible Magic stamped AUDMAG01764922 (Dec. 2000) |
| 53 | Document Produced by Audible Magic stamped AUDMAG00396656 (May 8, 2001) |
| 54 | Document Produced by Audible Magic stamped AUDMAG01764675 (May 16, 2001) |
| 55 | Excerpts of the Deposition of Patrick Breslin (Oct. 8, 2019) |
| 56 | Exhibit 1 to the Deposition of Patrick Breslin (Oct. 8, 2019) |
| 57 | Exhibit 2 to the Deposition of Patrick Breslin (Oct. 8, 2019) |
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| 60 | Exhibit 5 to the Deposition of Patrick Breslin (Oct. 8, 2019) |
| 61 | Exhibit 8 to the Deposition of Patrick Breslin (Oct. 8, 2019) |
| 62 | Excerpts of the Deposition of Sean Ward (Oct. 31, 2019) |
| 63 | Excerpts of Exhibit 2 to the Deposition of Sean Ward (Oct. 31, 2019) |
| 64 | Exhibit 4 to the Deposition of Sean Ward (Oct. 31, 2019) |
| 65 | Excerpts of the Deposition of Robert Kaye (Oct. 11, 2019) |
| 66 | Excerpts of Discovery Hearing Transcript (Nov. 7, 2019) |
| 67 | Excerpts of Google's Fourth Supp. Resp. & Obj. to Network-1's Interrogatory Nos. 1, 2, 5-7, 9-11, 13-15, & 19 (Sep. 30, 2019) |