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Rosetta Stone v. Google (Joint Appendix)

Research Projects and Empirical Data

2-15-2004

# Vol. IX, Tab 46 - Ex. 38 - Email from Prashant Fuloria (Google Product Management Director)

Prashant Fuloria Google

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From: Prashant Fuloria
To: 'Karen Crow' <kcrow@google.com>;'Tim Armstrong'

<tim@google.com>;bisma

rck@google.com <bismatck@google.com>;tlsh@google.com <tish@google.com>

"Leshika Samarasinghe' <lashika@google.com>;efiller@google.com <afiller@google.com>;'Jessica Blueft' <jblueft@google.com>;'Ted ·Souder' ded@google.com>

Date: 20040215

Time: Sert: 2/15/2004 1:34:37 A Subject: RE: Trademark Folicy Changes

Here's what I understood 'Tim was talking about (Tim, please correct wrang):

Direct advertisers who have strong trademarks are able to derive special benefit from use of those trademarks as keywords (given our current

policy). By asking us to stop other advertisers from using their trademarked terms as keywords, these advertisers are able to get top spot for very little money (for queries containing their trademarked terms).

The example I gave on the Thursday morning was 1-800-Flowers. As of

Average CPC across all campaigns was \$1.44, but average CPC for the "Brand Names" campaign was only \$0.20. (This campaign included their trademarked

terms: 1 800 flower, 1-800-flowers, 1800 flower, 1800 flowers, 1800 flower, 1800flowers, 808 flower, 809 flowers, 800flower, 800flowers.)

- The "Brand Names" campaign accounted for 28% clicks, but only 4% cost.

You're right about needing to know conversions to estimate true ROL

by making the simple (though incorrect) assumption that conversion across all keywords is the same, the math indicates that 1-800-Flowers will see a 25% drop in ROI (25% tess clicks for the same amount of money). This is a significant change, and so, in this case, Mike Gottfried needs to know the impact to the client and what we can do to help. Eric Filler will work with someone on his team () think this will be Jessica Bluett) to provide this kind of analysis for some of the clients whom we think will be significantly impacted.

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G804-000038079 GOOG-RS-0002423



Hope this makes sense. Please let me know if you have questions. Thanksl

#### Prashant

----Original
Message---From: Karen Crow [mailto:kcrow@google.com]
Sent: Friday, February 13, 2004 4:05 PM
To: 'Prashant Fuloria'; 'Tim Armstrong'; bismarck@google.com; tish@google.com
Cc:
'Leshika Samarasinghe'
Subject: RE: Trademark Policy Changes

Tim,
As we discussed, Ted and I will work with the Ops learn to identify
the key
clients that we think will be impacted the most/most angry, so that
we can
take special care on communications, proactively developing keyword
list
additions to offset anticipated decline in clicks, etc.

However, I'm not clear on the ROI piece that you've mentioned. Very few of our Premium Advertisers use our back end conversion tracking system, so we don't have visibility into their actual conversion data. I'm sure that some of the angry advertisers might tell us that their ROIs have tanked as well, but we won't have emperical data to do analysis, measure impact/ trends, etc.

Can you clarify what you're looking for with the ROI stuff?

fee

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Confidential -- Access Limited by Confidentiality Agreement Confidential Attorney's Eyes Only G004-000038888 GOOG-RS-0002424 'Leshika Samarasingha' Subject: RE: Trademark Policy Changes

#### Tim, Karen:

Leshiks is the APMM who will provide us the product marketing support that we will need. She will work closely with Bismarck and me on this over the next few weeks.

#### Prashant

---Original Méssage---From: Tim Armstrong [mailto:@m@google.com]
Sent: Thursday, February 12, 2004 7:58 AM
To: bismarck@google.com; tish@google.com; kcrow@google.com
Cc: fuloria@google.com
Subject: Re: Trademark Policy Changes

#### Bismarck - .

I also left a message for Karen - this may turn out to change the ROI of a lot of major customers, so it would be helpful if you can be on call to help Karen if we need to do any emergency product/marketing projects - and also make sure the product people are helping us track the ad stats - thank you - I will check in when I get back to NYC tonight - TA

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HI Tish,

G004-000038081 GOOG-RS-0002425 I spoke with Prashant yesterday after the trademark meeting with Tim and the sales directors. Prashant has briefed me on the specifics of the meeting and the direction of the project.

Moving forward I will keep Tim and sales management abreast of the latest developments.

Thanks,

Bismarck

— Original Message ——
From: Tish Rowland < lish@google.com>
Date: Thu Feb 12 06:28:10 PST 2004
Subject: Trademark Folicy Changes
To: Bismarck Lepe < pismarck@google.com>
Cc: Prashant Fuloria < fuloria@google.com>, tim@google.com>

Bismarck,

Tim has asked that you take the lead (for Direct Sales) on the Trademark Policy Changes, Please work Prashant on these issues -

Thanksl

Tish Rowland

Google Inc

212-994-4924 direct

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G004-000038082 GOOG-RS-0002426

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<a href="mailto:shigoogle.com">"></a>, <br/>
<a href="mailto:shigoogle.com"></a>, <br/>
<a href="mailto:shigoogle.com"><a href="mailt "'Jessica Bluett" <jbluett@google.com>.; "Ted Souder" <led@google.com>;
Subject: RE: Trademark Policy Changes;
Date: Sua, 15 Feb 2004 01:34:37 -0800;
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G004-000038084 GDOG-RS-0002428