

**To:** Bruce Stewart [Redacted]  
**Cc:** Leslie Fithian [Redacted]  
**Subject:** Search Agreement  
**From:** Brian Croll [Redacted]

**Received(Date):** Fri, 4 May 2007 17:15:58 -0700

**Attachment:** SafariYahooSearchLicense.5.4.08.doc

**Date:** Fri, 04 May 2007 17:15:58 -0700

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Hello Bruce,

Thanks for a really productive call this morning.

Here is our proposal for the Safari agreement. Hope you have a great weekend.

Regards,

- Brian

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Ex. No.

UPX1034

1:20-cv-03010-APM

[Redacted]

**REDACTED FOR PUBLIC FILING & ABRIDGED**

APLGOOGDOJ-00641992

**LICENSE AGREEMENT  
between  
Yahoo!  
and  
Apple Inc.**

**#C56-07-00332**

This License Agreement ("Agreement") is entered into and effective as of \_\_\_\_\_, 2007 (the "Effective Date"), by and between Apple Inc., a California corporation having its principal place of business at One Infinite Loop, Cupertino, California 95014 ("Apple"), and Yahoo!, a Delaware corporation with offices at 701 First Avenue, Sunnyvale, CA 95014 ("Yahoo").

**RECITALS**

The parties desire to enter into an Agreement regarding access to Yahoo's Search service in certain Apple Software.

**Redacted**

### 3. LICENSE TO APPLE

- 3.1 Subject to the terms of this Agreement, Yahoo grants Apple a non-exclusive, non-transferable, royalty-free, worldwide license (a) to incorporate the Yahoo Search Settings into Apple Software; (b) to reproduce, have reproduced, and distribute (directly or indirectly through a chain of distribution) the Yahoo Search Settings as incorporated into Apple Software, including distribution of such Apple Software either alone, or bundled with other software or hardware; and (c) to enable end users of such Apple Software to send web search queries from the Apple Software to the Yahoo Search Service and receive results pages from the Yahoo Search Service. Apple will have no obligation to distribute Apple Software that incorporates the Yahoo Search Settings.
- 3.2 Apple agrees that when Apple distributes the Yahoo Search Settings in Apple Software pursuant to this Agreement, on first launch or set-up of such Apple Software, the Apple Software will provide a fair means for the user to choose the default search service that will appear to such user within the Apple Software, and will provide a readily available option for the user to change the default setting.

# Redacted

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**8. REVENUE SHARING**

8.1 Apple shall receive [Redacted] of Net Ad Revenue ("Revenue Share") recognized or received by Yahoo during the Term. [Redacted]

# Redacted