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**Amendment Five to Information Services Agreement
between
Google, Inc.
and
Apple Inc. ("Amendment 5")**

The Information Services Agreement dated Redacted 2002 (the "Agreement") entered into between Apple Inc. (formerly doing business as "Apple Computer, Inc.", "Apple") and Google, Inc. (formerly doing business as Google Technology, Inc.) ("Google"), including Amendments 1, 2, 3, and 4, is hereby amended, effective as of _____, 2009 (the "Amendment 5 Effective Date"), as follows:

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CONFIDENTIAL

- 1 -

Ex. No.
UPX0675

1:20-cv-03010-APM

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3. Section 2.4 of the Agreement will be replaced in its entirety with the following:

Apple agrees to pre-set the Services as the Default search service in the web search box provided by Apple within Apple web browser software designed for use on iPhones, iPods or Product X (if available) through July 14, 2010. Except as expressly set forth in this Section 2.4, Apple will have the option but not the obligation to pre-set the Services as the Default search service in the Software. The term "Default", as used herein, means the Services will automatically be used for web searches initiated from the web search box in the Apple web browser software unless the End User selects a different search provider. If Apple provides a non-Google default search service in the web search box of some units of the Software but not others (e.g., only in some locations, product lines or versions), the Default revenue share will still apply to any units in which it is pre-set as the Default.

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IN WITNESS WHEREOF, the parties have executed this Amendment through their duly authorized representatives.

GOOGLE, INC.:

APPLE INC.:

By:
(signature)

By:
(signature)

Printed Name:

Printed Name:

Title:

Title:

Date:

Date: