

I, Jeffrey F. Yee, declare

I am a member in good standing of the State Bar of California, and admitted *pro hac vice* in this Court in the above-captioned action. I am an attorney of Greenberg Traurig LLP, counsel for Frito-Lay, Inc. (“Frito-Lay”) in the above-captioned action. I am familiar with the above-captioned litigation, and I have personal knowledge of the following facts, and, if called upon, I am competent to testify about them.

1. Exhibit 1 is a true and correct copy of the first page of Eolas’s infringement contention claim charts regarding the ‘906 Patent and the ‘985 Patent served on March 5, 2010.

2. Exhibit 2 is a true and correct copy of a screenshot of www.fritolay.com showing a command menu that includes a command “View Page Source.”

3. Exhibit 3 is a true and correct copy of a screenshot of www.fritolay.com showing a separate window displaying source code with the use of the “View Page Source” command.

4. Exhibit 4 is a true and correct copy of a press release retrieved from <http://www.fritolay.com/about-us/press-release-20100315.html> on October 29, 2011.

5. Exhibit 5 is a true and correct copy of Plaintiff’s First Set of Interrogatories (Nos. 1-5) To Be Separately Answered By Each Defendant dated May 27, 2010.

6. Exhibit 6 is a true and correct copy of Plaintiff’s Second Set of Interrogatories (Nos. 6-8) To Be Separately Answered By Each Defendant dated September 16, 2010.

7. Exhibit 7 is a true and correct copy of Plaintiff’s Third Set of Interrogatories (No. 9) To Be Separately Answered By Each Defendant dated November 1, 2010.

8. Exhibit 8 is a true and correct copy of Plaintiff’s Fourth Set of Interrogatories (No. 10) To Be Separately Answered By Each Defendant dated April 1, 2011.

9. Exhibit 9 is a true and correct copy of Plaintiff's First Set of Interrogatories (Nos. 1-2) To Be Answered By Defendant Frito-Lay dated April 5, 2011.

10. Exhibit 10 is a true and correct copy of the first two pages of Eolas's infringement contention claim charts regarding the '906 Patent and the '985 Patent served on October 14, 2011.


11. Exhibit 11 is a true and correct copy of the error message received by directing a browser to <http://happiness.fritolay.com>.

12. Exhibit 12 is a true and correct copy of a press release retrieved from <http://www.fritolay.com/about-us/press-release-20110207.html> on November 2, 2011

13. Exhibit 13 is a true and correct copy of Docket No. 171 for Case No. 2:04-cv-00297-LED.

I declare under penalty of perjury according to the laws of the United States that the foregoing is true and correct to the best of my knowledge.

November 4, 2011



Jeffrey F. Yee

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A) on this November 4, 2011.

/s/ Douglas R. McSwane, Jr.
Douglas R. McSwane, Jr.