

**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION**

**EOLAS TECHNOLOGIES, INC. AND THE
REGENTS OF THE UNIVERSITY OF
CALIFORNIA,**

Plaintiffs,

v.

ADOBE SYSTEMS INC., ET AL.,

Defendants.

Civil Action No. 6:09-CV-446 LED

JURY TRIAL DEMANDED

ADOBE SYSTEMS INCORPORATED'S NOTICE OF TIME ESTIMATE FOR TRIAL

Defendant Adobe Systems Incorporated ("Adobe") hereby notifies the Court and the parties that it requests the follow amount of time at jury selection and trial. If Adobe is tried alone, and the prior Eolas litigation with Microsoft from 1999 to 2007 and willfulness are at issue at trial, Adobe estimates it will need 22 hours for the following purposes: (1) voir dire, 30 minutes, (2) opening statements, 60 minutes, (3) direct and cross examinations, 19.5 hours, (4) closing arguments, 60 minutes.

If Adobe is tried with another party, it is likely that there will be a reduction of time on examinations for purposes of invalidity. However, if for example Adobe is tried with various Adobe technology customers using Scene7 (e.g. J.C. Penny Corporation, Inc., Staples, Inc., CDW, Inc.), there will likely be an equivalent increase in time because direct and cross examinations of Adobe related witnesses will be longer as the parties attempt to bolster liability and indemnity related issues requiring Adobe to respond in kind.

Dated: January 9, 2012

Respectfully submitted,

FISH & RICHARDSON P.C.

By: /s/ David J. Healey

David J. Healey

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ADOBE SYSTEMS INCORPORATED

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a true and correct copy of the above and foregoing document has been served on January 9, 2012 to all counsel of record who are deemed to have consented to electronic service via the Court's CM/ECF system per Local Rule CV-5(a)(3).

/s/ David J. Healey _____

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