

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

Eolas Technologies Incorporated,	§	
	§	
Plaintiff,	§	Civil Action No. 6:09-CV-00446-LED
	§	
vs.	§	
	§	
Adobe Systems Inc., Amazon.com, Inc.,	§	JURY TRIAL
Apple Inc., Argosy Publishing, Inc.,	§	
Blockbuster Inc., CDW Corp.,	§	
Citigroup Inc., eBay Inc., Frito-Lay, Inc.,	§	
The Go Daddy Group, Inc., Google Inc.,	§	
J.C. Penney Company, Inc., JPMorgan	§	
Chase & Co., New Frontier Media, Inc.,	§	
Office Depot, Inc., Perot Systems Corp.,	§	
Playboy Enterprises International, Inc.,	§	
Rent-A-Center, Inc., Staples, Inc., Sun	§	
Microsystems Inc., Texas Instruments Inc.,	§	
Yahoo! Inc., and YouTube, LLC	§	
	§	
Defendants.	§	

**PLAINTIFFS’ NOTICE OF SUPPLEMENTAL AUTHORITY IN OPPOSITION TO
DEFENDANTS’ MOTION FOR SUMMARY JUDGMENT OF INVALIDITY
UNDER SECTION 102(B) (DKT 869)**

Plaintiffs The Regents of the University of California and Eolas Technologies Incorporated (collectively “Plaintiffs”) file this Notice of Supplemental Authority in Opposition to Defendants’ Motion for Summary Judgment of Invalidity Under Section 102(B) (Dkt 869).

Defendants’ motion is styled as one of anticipation under §102(b). Defendants argue the patents in suit are anticipated by Adobe Acrobat. Defendants’ own invalidity expert recently confirmed in his deposition that Adobe Acrobat cannot anticipate, even under his reading of the claims. Accordingly, Plaintiffs submit the deposition testimony of Defendants’ invalidity expert, Dr. Richard Philips, as Exhibit A.

DATED: January 12, 2012

MCKOOL SMITH, P.C.

/s/ Mike McKool

Mike McKool

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**EOLAS TECHNOLOGIES
INCORPORATED AND THE REGENTS
OF THE UNIVERSITY OF CALIFORNIA**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the above and foregoing document has been served on all counsel of record via the Court's ECF system on January 12, 2012.

/s/ Matt Rappaport
Matt Rappaport