

EXHIBIT 5

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

Eolas Technologies Incorporated,

Plaintiff,

vs.

No. 6:09-cv-00446-LED (filed Oct. 6, 2009)

Adobe Systems Inc.; Amazon.com, Inc.; Apple
Inc.; CDW Corp.; Citigroup Inc.; eBay Inc.;
Frito-Lay, Inc.; The Go Daddy Group, Inc.;
Google Inc.; J.C. Penney Corporation, 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.

Adobe Systems Inc.; Amazon.com, Inc.; Apple
Inc.; CDW LLC; eBay Inc.; Frito-Lay, Inc.; The
Go Daddy Group, Inc.; Google Inc.; J.C. Penney
Corporation, Inc.; JPMorgan Chase & Co.; New
Frontier Media, Inc.; Office Depot, Inc.; Perot
Systems Corp.; Playboy Enterprises
International, Inc.; Rent-A-Center, Inc.; Staples,
Inc.; Oracle America, Inc. f/k/a Sun
Microsystems, Inc.; Texas Instruments Inc.;
Yahoo! Inc.; and YouTube, LLC,

Counterclaimants,

vs.

Eolas Technologies Incorporated,

Counterdefendant.

DEFENDANT GO DADDY'S TRIAL WITNESS LIST

Defendant The Go Daddy Group, Inc. (“Go Daddy”), pursuant to the Court’s Docket Control Order entered in this case, files this Trial Witness List for identification of trial witnesses. The designations of whether a witness “will be called to testify at trial” or “may be called to testify at trial, or who may be presented by deposition testimony” are based on information currently available to Go Daddy and may change based on events between the time of this filing and the time at which these witnesses may be called. Go Daddy further reserves the right to call any other witness deposed by Eolas, identified on Eolas’s witness list, identified on any other defendant’s witness list, or necessitated by the Court’s claim constructions. Go Daddy further reserves the right to call any witnesses necessary to authenticate materials Go Daddy relies upon at trial where the authenticity or date of the materials are disputed by Eolas. Go Daddy also reserves the right to object on any ground to the admissibility of the trial testimony of the witnesses on any party’s witness list and further reserves its right to move for the exclusion of such testimony.

At this time, Go Daddy identifies the following witnesses for trial:

A. Witnesses Who Will Be Called To Testify At Trial

1. Bruce Maggs
2. Richard Phillips
3. W. Christopher Bakewell
4. Nick Godici

B. Witnesses Who May Be Called To Testify At Trial, Or Who May Be Presented By Deposition Testimony

1. Apple Computer, Inc.
2. Bill Janssen

3. Charles E. Krueger
4. Cheong Ang
5. Chris McRae
6. Cory Brickner
7. Dale Dougherty
8. Dave Raggett
- 9. David Martin (inventor)**
10. Eric Bina
11. George Toye
12. Jim Stetson
13. Karl Jacob
14. Lary Hartman
15. Marc Andreessen
16. Mark Swords
17. Michael Doyle
18. Microsoft Corporation
19. Mozilla Foundation
20. Neal Wood
21. Pei Wei
22. Rachel Franklin
23. Ronald Hertz
24. Scott Silvey
25. Tim Berners-Lee
26. Tony Johnson
27. University of California

Respectfully Submitted,

DATED: August 12, 2011

By: */s/ Neil J. McNabney*

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*Attorneys for Defendant and
Counterclaimant The Go Daddy Group,
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CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on August 12, 2011.

/s/ Proshanto Mukherji

Proshanto Mukherji