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., 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.	§	

EOLAS' UNOPPOSED MOTION FOR EXTENSION OF TIME TO RESPOND TO MOVING DEFENDANTS' MOTION TO TRANSFER TO THE U.S. DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA PURSUANT TO 28 U.S.C. § 1404(a)

Plaintiffs Eolas Technologies Incorporated ("Eolas") files this unopposed motion for extension of time for Eolas to respond to Moving Defendants' Motion to Transfer to the U.S. District Court for the Northern District of California Pursuant to 28 U.S.C. § 1404(a) (hereinafter "Moving Defendants' Motion"). Defendants Adobe Systems, Inc., Amazon.com, Inc., Apple, Inc., Blockbuster, Inc., Ebay, Inc., The Go Daddy Group, Inc., Google, Inc., New Frontier Media, Inc., Playboy Enterprises International, Inc., Sun Microsystems, Inc., Yahoo!, Inc., YouTube, LLC, CDW Corporation and JPMorgan Chase & Co., Inc.¹ are collectively referred to

¹ CDW Corporation joined the Motion to Transfer (see dkt. 215) as did JPMorgan Chase & Co. (see dkt. 216).

as "Moving Defendants." Citigroup Inc., Frito-Lay, Inc., J.C. Penney Company, Inc., Office Depot, Inc., Perot Systems Corp., Rent-A-Center, Inc., Staples, Inc., and Texas Instruments Inc. are collectively referred to as "Non-Moving Defendants."

I.

On February 10, 2010 Moving Defendants filed their Motion (Dkt. 214). On February 11, 2010 CDW Corporation joined the Moving Defendants' Motion (*see* Dkt. 215) as did JPMorgan Chase & Co. (*see* Dkt. 216).

The current deadline for Eolas to respond to the Moving Defendants' Motion is February 25, 2010. Eolas respectfully requests leave to extend this deadline by two weeks, from February 25, 2010 until March 11, 2010. Neither Moving Defendants nor Non-Moving Defendants oppose this extension.

II.

This motion is not made for delay, and should not impact any other deadline applicable to this litigation. The status conference in this case is scheduled for March 1, 2010.

III.

Accordingly, Eolas respectfully requests that the Court grant the present motion and extend the deadline for Eolas to respond to Moving Defendants' Motion by two weeks, from February 25, 2010 until March 11, 2010.

Dated: February 16, 2010.

MCKOOL SMITH, P.C.

/s/ Mike McKool

Mike McKool

Lead Attorney

Texas State Bar No. 13732100

mmckool@mckoolsmith.com

Douglas Cawley

Texas State Bar No. 04035500

dcawley@mckoolsmith.com

Luke McLeroy

Texas State Bar No. 24041455

lmcleroy@mckoolsmith.com

McKool Smith, P.C.

300 Crescent Court, Suite 1500

Dallas, Texas 75201

Telephone: (214) 978-4000

Telecopier: (214) 978-4044

Sam F. Baxter

Texas State Bar No. 01938000

sbaxter@mckoolsmith.com

McKool Smith, P.C.

104 E. Houston St., Ste. 300

P.O. Box O

Marshall, Texas 75670

Telephone: (903) 923-9000

Telecopier: (903) 923-9095

Kevin L. Burgess

Texas State Bar No. 24006927

kburgess@mckoolsmith.com

Steven J. Pollinger

Texas State Bar No. 24011919

spollinger@mckoolsmith.com

Josh W. Budwin

Texas State Bar No. 24050347

jbudwin@mckoolsmith.com

MCKOOL SMITH, P.C.

300 West Sixth Street, Suite 1700

Austin, Texas 78701

Telephone: (512) 692-8700

Telecopier: (512) 692-8744

ATTORNEYS FOR PLAINTIFF EOLAS TECHNOLOGIES, INC.

CERTIFICATE OF SERVICE

The	undersigned	certifies	that	the	foregoing	document	was	filed	electronical	ly in
compliance	with Local R	ule CV-5	(a).	As s	such, this d	ocument w	as ser	ved or	n all counsel	who
have consen	ted to electron	nic service	e. Lo	cal I	Rule CV-5(a	a)(3)(A) on	Febru	ary 16	5, 2010.	

/s/ Josh Budwin Josh Budwin

CERTIFICATE OF CONFERENCE

I certify that I have discussed the substance of this motion with counsel for both Moving

Defendants and Non-Moving Defendants. Neither Moving Defendants nor Non-Moving

Defendants oppose the relief requested herein.

/s/ Josh Budwin	
-----------------	--