

Exhibit 9

Josh Budwin

From: Josh Budwin
Sent: Monday, July 12, 2010 10:36 AM
To: 'David Healey'
Cc: Joseph P. Reid; Jason Wolff; Eolas
Subject: RE: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No. 6:09-cv-446 (E.D. Tex)
 David -

I realized my email was less precise than I intended. It was only intended to address the specific product issues raised in Jason's letter. The second paragraph should read:

For example, Eolas is not seeking—nor has it asked Adobe to produce—any documents or things related to the operation of versions of the accused products (e.g. source code) only sold before October 2003. Should Adobe wish to produce documents or things related to the operation of versions of the accused products only sold before October 2003, as discussed in Jason's letter, then Adobe does so according to its own volition.

Of course, Eolas does request other documents dated prior to October 2003 such as: (i) documents related to Adobe's requested re-examination of the '906 patent, (ii) documents referencing the patents in suit, Eolas or the litigation with Microsoft and (iii) business plans, studies, etc. related to the implementation of the accused features of the accused products.

We can clarify on Wednesday's call.

From: David Healey [mailto:Healey@fr.com]
Sent: Monday, July 12, 2010 10:16 AM
To: Josh Budwin
Cc: Joseph P. Reid; Jason Wolff; Eolas
Subject: Re: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No. 6:09-cv-446 (E.D. Tex)

Let's add it to the call.

David Healey

713-385-6566

Sent from my handheld device.

On Jul 12, 2010, at 9:45 AM, Josh Budwin
 <jbudwin@McKoolSmith.com<mailto:jbudwin@McKoolSmith.com>> wrote:

David -

In our call on Wednesday, let's also discuss Jason's June 28 letter regarding document production. We think we can provide you some direction to help you further limit your document search and production.

For example, Eolas is not seeking—nor has it asked Adobe to produce—any documents or things dated on or before October 2003. Should Adobe wish to produce documents or things dated on or before October 2003, as discussed in Jason's letter, then Adobe does so according to its own volition.

Thank you.

From: David Healey [mailto:Healey@fr.com]
Sent: Thursday, July 08, 2010 4:26 PM
To: David Healey; Josh Budwin; <mailto:tdonahey@sidley.com>
 tdonahy@sidley.com<mailto:tdonahey@sidley.com>
Cc: Eolas; <mailto:Eolas-Defendants@Sidley.com> Eolas-
 Defendants@Sidley.com<mailto:Eolas-Defendants@Sidley.com>
Subject: RE: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No. 6:09-cv-446 (E.D. Tex)

Josh,

If your call on the protective order is at 4pm Monday, I suggest 3pm for our call.

This is the relief we seek:

Adobe respectfully requests that the Court conduct a prompt case management conference to

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establish deadlines for Eolas to: (1) supplement its infringement contentions to provide the specificity required by the Patent Local Rules, (2) specify for each claim whether or not it includes a Microsoft product, process, instrumentality or system to satisfy any element of that asserted claim; (3) provide clear parameters for document production (including whether and when the Court might entertain potential procedures for cost shifting to keep document production as focused as possible); and (4) strike Eolas's contentions because they do not comply with the Patent Rules.

Further, we ask that the Motion be taken up on an expedited basis, meaning your side ordered to answer and a hearing set on an expedited (not emergency but expedited) basis. We need to meet and confer on this timing issue as well.

David Healey
 Fish & Richardson, P.C.
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 1221 McKinney, Suite 2800
 Houston, Texas 77010
 Healey@fr.com<mailto:Healey@fr.com>
 713-654-5300 – Main
 713-652-0109 – Fax
 713-654-5310 - Direct
 713-385-6566 - Cell

From: David Healey
 Sent: Thursday, July 08, 2010 4:17 PM
 To: Josh Budwin; <mailto:tdonahey@sidley.com> tdonahy@sidley.com<mailto:tdonahey@sidley.com>
 Cc: Eolas; <mailto:Eolas-Defendants@Sidley.com> Eolas-Defendants@Sidley.com<mailto:Eolas-Defendants@Sidley.com>
 Subject: RE: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No. 6:09-cv-446 (E.D. Tex)

Josh,

I am available before or after your call on the protective order to meet and confer on Adobe's motion, which I emailed you about earlier today.

Thanks

David Healey
 Fish & Richardson, P.C.
 One Houston Center
 1221 McKinney, Suite 2800
 Houston, Texas 77010
 <mailto:Healey@fr.com>Healey@fr.com<mailto:Healey@fr.com>
 713-654-5300 - Main
 713-652-0109 - Fax
 713-654-5310 - Direct
 713-385-6566 - Cell

-----Original Message-----

From: Josh Budwin [mailto:jbudwin@McKoolSmith.com]
 Sent: Thursday, July 08, 2010 1:07 PM
 To: <mailto:tdonahey@sidley.com> tdonahy@sidley.com<mailto:tdonahey@sidley.com>
 Cc: Eolas; <mailto:Eolas-Defendants@Sidley.com> Eolas-Defendants@Sidley.com<mailto:Eolas-Defendants@Sidley.com>
 Subject: Re: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No. 6:09-cv-446 (E.D. Tex)

Let's do Monday afternoon. What time is best for you?

----- Original Message -----

From: Donahey, Teague <<mailto:TDonahey@Sidley.com>TDonahey@Sidley.com<mailto:TDonahey@Sidley.com>>
 To: Josh Budwin
 Cc: Eolas; Eolas Defendants <<mailto:Eolas-Defendants@Sidley.com>Eolas-Defendants@Sidley.com<mailto:Eolas-Defendants@Sidley.com>>
 Sent: Thu Jul 08 13:02:25 2010
 Subject: RE: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No. 6:09-cv-446 (E.D. Tex)

Josh: Attached is Defendants' revised protective order proposal based on our meet and confer discussions. We got the sense during our discussion that the parties are not that far apart in principle. Hopefully we can wrap this up soon. Are you available for a follow-up call on this tomorrow or Monday? Thanks.

Teague

Teague I. Donahey
 Sidley Austin LLP

8/2/2010

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-----Original Message-----

From: Josh Budwin [mailto:jbudwin@McKoolSmith.com]
Sent: Thursday, June 24, 2010 6:57 AM
To: Donahey, Teague
Cc: Eolas; Eolas Defendants
Subject: RE: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No. 6:09-cv-446 (E.D. Tex)

We'll speak with you then.

If you have edits/comments to our redline, can you please send us your counter-proposal as far in advance of the call as possible?

Thanks.

-----Original Message-----

From: Donahey, Teague [mailto:TDonahey@Sidley.com]
Sent: Wednesday, June 23, 2010 8:02 PM
To: Josh Budwin
Cc: Eolas; Eolas Defendants
Subject: RE: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No. 6:09-cv-446 (E.D. Tex)

Josh: Let's shoot for 1:00 pm Central on Friday. We can use this call in #:

877-455-8688
Code: 416156

-----Original Message-----

From: Josh Budwin [mailto:jbudwin@McKoolSmith.com]
Sent: Wednesday, June 23, 2010 1:22 PM
To: Donahey, Teague
Cc: Eolas; Eolas Defendants
Subject: RE: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No. 6:09-cv-446 (E.D. Tex)

Friday generally looks good -- please suggest a time and provide a dial-in number.

Thanks.

-----Original Message-----

From: Donahey, Teague [mailto:TDonahey@Sidley.com]
Sent: Wednesday, June 23, 2010 3:21 PM
To: Josh Budwin
Cc: Eolas; Eolas Defendants
Subject: RE: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No. 6:09-cv-446 (E.D. Tex)

Josh: We should be in a position to discuss with you on Friday. Does that work?

-----Original Message-----

From: Josh Budwin [mailto:jbudwin@McKoolSmith.com]
Sent: Wednesday, June 23, 2010 11:48 AM
To: Donahey, Teague
Cc: Eolas; Eolas Defendants
Subject: RE: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No. 6:09-cv-446 (E.D. Tex)

Counsel -

I wanted to follow-up again on these PO issues. When is everyone available to meet and confer on it.

-----Original Message-----

From: Josh Budwin
Sent: Thursday, June 17, 2010 3:52 PM
To: '<mailto:TDonahey@Sidley.com>TDonahey@Sidley.com<mailto:TDonahey@Sidley.com>'
Cc: Eolas; '<mailto:eolas-defendants@sidley.com>eolas-defendants@sidley.com<mailto:eolas-defendants@sidley.com>'
Subject: RE: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No. 6:09-cv-446 (E.D. Tex)

8/2/2010

Counsel -

Now that we've exchanged drafts of the PO, is there a time next week we can all meet and confer on it?

Thanks.

-----Original Message-----

From: Josh Budwin

Sent: Friday, June 11, 2010 3:34 PM

To: '<mailto:TDonahey@Sidley.com>TDonahey@Sidley.com<mailto:TDonahey@Sidley.com>'

Cc: Eolas; '<mailto:eolas-defendants@sidley.com>eolas-defendants@sidley.com<mailto:eolas-defendants@sidley.com>'

Subject: RE: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No.

6:09-cv-446 (E.D. Tex)

Teague et al. -

See attached.

-----Original Message-----

From: Josh Budwin

Sent: Thursday, June 10, 2010 7:22 PM

To: '<mailto:TDonahey@Sidley.com>TDonahey@Sidley.com<mailto:TDonahey@Sidley.com>'

Cc: Eolas; '<mailto:eolas-defendants@sidley.com>eolas-defendants@sidley.com<mailto:eolas-defendants@sidley.com>'

Subject: Re: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No.

6:09-cv-446 (E.D. Tex)

We have been working on it.

Thanks.

----- Original Message -----

From: Donahey, Teague <<mailto:TDonahey@Sidley.com>TDonahey@Sidley.com<mailto:TDonahey@Sidley.com>>

To: Josh Budwin

Cc: Eolas; <mailto:eolas-defendants@sidley.com> eolas-defendants@sidley.com<mailto:eolas-defendants@sidley.com> <<mailto:eolas-defendants@sidley.com>eolas-defendants@sidley.com<mailto:eolas-defendants@sidley.com>>

Sent: Thu Jun 10 19:06:55 2010

Subject: FW: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No.

6:09-cv-446 (E.D. Tex)

Josh: When do you expect to get back to us on this? We wanted to make sure this hasn't fallen through the cracks.

Thanks,

Teague

From: Donahey, Teague

Sent: Friday, May 21, 2010 9:37 AM

To: Josh Budwin (jbudwin@mckoolsmith.com<mailto:jbudwin@mckoolsmith.com>)

Cc: Eolas@McKoolSmith.com<mailto:Eolas@McKoolSmith.com>; <mailto:eolas-defendants@sidley.com> eolas-defendants@sidley.com<mailto:eolas-defendants@sidley.com>

Subject: Eolas Technologies Inc. v. Adobe Systems, Inc., et al., No.

6:09-cv-446 (E.D. Tex)

Josh:

As you know the 22 Defendants have been working hard to develop a consensus on a Protective Order for the parties' production of confidential materials in this matter. In advance of today's meet and confer, we wanted to forward you our draft. We look forward to discussing this with you later today.

Teague

8/2/2010

Teague I. Donahey
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