Exhibit 1

Adobe
345 Park Avenue
San Jose, [illegible]0-2704
Phone 408 [illegible]000
Fax 408 537.6000

15 October 2003

Commissioner for Patents
Attention: Hon. Steven Kunin
Deputy Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

RE: Potential Director-Ordered Reexamination of U.S. Patent No. 5,838,906 pursuant to 35 U.S.C. §303(a)

Dear Deputy Commissioner Kunin:

As a leading company in the software industry, we are writing to you with regard to U.S. Patent No. 5,838,906, Doyle. We urge the Director of the United States Patent and Trademark Office to exercise his authority pursuant to 35 U.S.C. §303(a), and initiate a Director Ordered Reexamination of it. We have reviewed the Criteria for Initiating a Director Ordered Reexamination, dated August 3, 2000, and, while we agree that such reexamination orders should be rare, we believe the present circumstances regarding the Doyle patent meet the stringent criteria.

In particular, we believe that (a) there is "compelling reason" to order reexamination, and (b) at least one claim in the Doyle patent is *prima facie* unpatentable over patents or printed publications. With regard to critera (b), it has come to our attention that patents or publications have been cited to you under the provisions of 35 U.S.C. §301. It is our further understanding that such art raises a substantial new question of patentability, sufficient to justify a reexamination of said Doyle patent.

By this letter, we would like to focus your attention on the first criteria, in particular, the "compelling reason" requirement. Specifically, we believe that "a significant concern about the patentability of the claimed subject matter has been expressed by a substantial segment of the industry, and that there is substantial media publicity adverse to the patent alleging conspicuous unpatentability of the claims."

The Doyle patent has been the subject of widespread concern within the industry to which it pertains. That community includes, in particular, companies, organizations, and individuals that develop web browsers and technology solutions that work within web browsers. In addition, significant concerns have been expressed within the broader community of owners and users of web sites on the Internet regarding changes that would have to be implemented in web browsers to avoid infringing the Doyle patent. Further still, the negative implications of the Doyle patent have been the subject of significant media publicity. In support of this, we direct your attention to recent news articles

appearing in the software trade press that discuss the widespread impact of changes to the Internet.

We would note that the Doyle patent is the subject of litigation in the Northern District of Illinois, brought by the assignee, Eolas, Inc. against Microsoft Corp., and that Microsoft has been found to have infringed the current claims. Furthermore, Microsoft has recently announced that they will make changes to their browser to deal with this alleged infringement, and that such changes will affect an enormous segment of the Internet-using community.

Accordingly, we believe that the rare circumstances justifying a Director-ordered Reexamination of the Doyle patent have been met. As it is our understanding that it is your authority to review potential Director-Ordered Reexaminations on behalf of the Director, and make recommendations to him with regard to ordering them, we respectfully request that you favorably consider such a request and recommend to the Director that he order the reexamination of U.S. Patent No. 5,838,906.

Respectfully submitted,

MeMe Jacobs Rasmussen
Associate General Counsel
Adobe Systems Incorporated