

# Exhibit 16

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August 23, 2010

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Re: *Eolas Technologies Incorporated v. Adobe Systems, Inc., et. al*; Civil Action No. 6:09-CV-00446-LED; United District Court of Texas; Eastern District

Ladies and Gentlemen:

This letter is in response to a July 27, 2010 request by Adobe to confirm a discussion in a July 14, 2010 meet and confer. We informed Adobe at that time that Eolas' claims do not breach its obligations under the license agreement between Eolas and Microsoft. To confirm, we provide the following representation to all defendants:

Eolas is asserting claims 1, 4, 5, 6, 9, and 10 of the '906 patent (and their dependent claims) and claims 1, 16 and 36 of the '985 patent (and their dependent claims) against the defendants only for, and is seeking damages only for, acts of infringement wherein the "browser application" limitation is satisfied by something other than Microsoft Internet Explorer.

Eolas is asserting claims 4, 5, 9 and 10 of the '906 patent (and their dependent claims) against the defendants only for, and is seeking damages only for, acts of infringement wherein the "executing, on the network server" or "said network server to execute" limitations are satisfied by something other than Microsoft server software.

Eolas is asserting claims 20, 32, 40 and 44 of the '985 patent (and their dependent claims) against the defendants only for, and is seeking damages only for, acts of infringement wherein the "communicating via a/the network server" limitation is satisfied by something other than Microsoft server software.

Despite our suggestion that defendants serve discovery if they wish to confirm our position on this issue, no defendant has done so.

Sincerely,

  
Doug Cawley

cc: All other counsel of record:

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