

Exhibit 22

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May 25, 2010

VIA ELECTRONIC MAIL

Josh W. Budwin
McKool Smith, PC
300 West 6th Street, Suite 1700
Austin, TX 78701

Re: *Eolas Technologies Incorporated v. Adobe Systems, Inc., et al.*,
Civil Action No. 6:09-CV-00446-LED (E.D. Tex.)

Dear Josh:

I write on behalf of Google and other defendants regarding Plaintiff's document production. Eolas initially produced documents bates-numbered as EOLASTX-0000000001 through EOLASTX-0000009875 as its purported Patent Rule 3-2(b) and (c) Disclosures. (See March 5, 2010 Letter from J. Budwin to C. Carnaval.) However, it appears that the complete file history for the '906 patent includes approximately 640 non-patent literature pages in the initial application, 810 non-patent literature pages in the first re-examination, and 153,000 non-patent literature pages in the second re-examination (which resulted in amended claims asserted in this lawsuit). In addition, it appears that the complete file history for the '985 patent contains in excess of 638,000 non-patent literature pages. There was also an interference proceeding involving the '906 patent. Eolas' production should have therefore ranged near a million pages, instead of under 10,000 pages. Given that this material was readily available to Eolas before filing suit, there appears to be no justification for delaying production of the complete patent prosecution, re-examination and interference records.

In addition, all disclosures, pleadings, deposition and trial transcripts, and other documents from the Microsoft litigation should have been produced, including but not limited to material involving (1) prior art, (2) validity or invalidity for any asserted patent, (3) standing to sue, (4) ownership of any asserted patent, (5) licensing of any asserted patent, (6) claim construction of any asserted patent; (7) infringement or non-infringement and other statements or representations relating to the alleged scope of any asserted patent. These documents are within Eolas' possession, custody and control – to the extent that Eolas requires Microsoft's consent to produce any documents it is Eolas' immediate obligation to request such consent.

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The documents from the prosecution histories, re-examination and interference proceedings along with documents from the Microsoft litigation are unquestionably relevant to this case. Moreover, defendants' deadline for invalidity contentions is fast approaching and every additional day that Eolas delays production of these highly relevant materials results in extreme prejudice to defendants. For example, defendants are unable to review and evaluate prior art from the prosecution history or Microsoft litigation. Moreover, many of the documents from the Microsoft case are relevant to the pending motion to transfer and fall within the scope of venue discovery requests made by defendants.

It is unknown why Eolas has delayed the production of these documents until now, but Google and other defendants request the immediate production of this material so there is time to review it before the deadline for serving invalidity contentions as well as before defendants' anticipated deadline for filing a reply in support of their motion to transfer. Additional delay will compound the prejudice against defendants by further hindering their ability to respond to the motion to transfer and preparation of invalidity contentions.

Eolas has previously intimated that it is "holding back" on document production because the parties have not yet finalized certain production issues or jointly moved for entry of a Protective Order, but these issues should not preclude the immediate production of the aforementioned materials. Plaintiff and Defendants have already produced documents in this case and there is no reason why these issues should suddenly prevent the production of documents.

As you are aware, Google and other defendants have requested transfer of venue to the Northern District of California, where discovery should be conducted. However, given that the Court's Docket Control Order imposes deadlines irrespective of the transfer motion, Google and other defendants are forced to pursue that discovery at this time, and do so without prejudice to the pending transfer motion.

Please confirm that Eolas will produce the requested documents immediately. If Eolas refuses to produce this material, Google and other defendants request a meet-and-confer call to discuss this matter.

Very truly yours,



Mark H. Francis

cc: Counsel of record (*via e-mail*)