

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
TYLER DIVISION

Eolas Technologies Incorporated,	§	
	§	
Plaintiff,	§	Civil Action No. 6:09-cv-446
	§	
	§	
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 LEAVE TO SUPPLEMENT ITS P.R. 3-1
INFRINGEMENT CONTENTIONS WITH RESPECT TO STAPLES NEWLY ADDED
AUTOCOMPLETE FUNCTIONALITY**

I. INTRODUCTION

Eolas moves the Court for leave to supplement its P.R. 3-1 infringement contentions with respect to Staples and its newly added AutoComplete functionality as discussed herein. Staples does not oppose this request. This request does not extend to any other defendants in this action.

II. EOLAS' UNOPPOSED REQUEST FOR RELIEF

1. Eolas served its P.R. 3-1 infringement contentions against Staples on March 5, 2010.

2. Since March 5, 2010, Staples added new functionality to its accused products: namely the AutoComplete functionality included in the infringement contentions attached as Exhibit A hereto. Prior to filing this Motion, Eolas provided a copy of the infringement contentions for Staples' newly added AutoComplete functionality to counsel for Staples. Counsel for Staples has indicated that it does not oppose Eolas' request for leave to supplement its infringement contentions for the '985 patent for AutoComplete functionality it recently added to its accused website. Eolas will re-serve such contentions on Staples' counsel within three days of the date the Court grants this motion.

Dated: September 28, 2010.

McKool Smith, P.C.

/s/ Mike McKool

Mike McKool

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**ATTORNEYS FOR PLAINTIFF
EOLAS TECHNOLOGIES, INC.**

CERTIFICATE OF CONFERENCE

Counsel for Eolas has conferred with counsel for Staples regarding the relief requested in this Motion. Defendant is unopposed to the relief requested in this Motion.

/s/ Josh Budwin
Josh Budwin

CERTIFICATE OF SERVICE

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic service. Local Rule CV-5(a)(3)(A) on September 28, 2010.

/s/ Josh Budwin
Josh Budwin