

I. INTRODUCTION

Eolas moves the Court for leave to supplement its P.R. 3-1 infringement contentions with respect to Google and its newly added Google Instant functionality as discussed herein. Google 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 Google on March 5, 2010.

2. Since March 5, 2010, Google added new functionality to its accused products: namely the Google Instant 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 Google's newly added Google Instant Functionality to counsel for Google. Counsel for Google has indicated that it does not oppose Eolas' request for leave to supplement its infringement contentions for the '985 patent for the Google Instant functionality it recently added to its accused website. Eolas will re-serve such contentions on Google's counsel within three days of the date the Court grants this motion.

Dated: September 28, 2010.

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CERTIFICATE OF CONFERENCE

Counsel for Eolas has conferred with counsel for Google 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
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