

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

Eolas Technologies Incorporated,	§	
	§	
Plaintiff,	§	Civil Action No. 6:09-CV-00446-LED
	§	
	§	
vs.	§	
	§	
Adobe Systems Inc., Amazon.com, Inc.,	§	JURY TRIAL
Apple Inc., Argosy Publishing, 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.	§	

JOINT MOTION TO ENTER STIPULATIONS OF THE PARTIES

Plaintiff Eolas Technologies Incorporated (“Eolas”) and Defendants Adobe Systems, Inc., Amazon.com, Inc., Apple Inc., CDW LLC, Citigroup Inc., eBay Inc., Frito-Lay, Inc., The Go Daddy Group, Inc., Google Inc., J.C. Penney Corporation, Inc., JPMorgan Chase & Co., New Frontier Media, Inc., Office Depot, Inc., Perot Systems Corp., Playboy Enterprises International, Inc., Rent-A-Center, Inc., Staples, Inc., Oracle America, Inc. (formerly known as Sun Microsystems Inc.), Texas Instruments Inc., Yahoo! Inc., and YouTube, LLC (together “the Parties”) move the Court to enter the following stipulations, in order to ease the burdens of the Parties associated with the filing of Eolas’ Second Amended Complaint.

Eolas is filing its Second Amended Complaint for the sole reason of identifying the correct corporate entity for Defendant J.C. Penney in this lawsuit. Through J.C. Penney Corporation, Inc.'s counsel, J.C. Penney Corporation, Inc. has stated, and the public record for J. C. Penney Company, Inc. shows, that the correct corporate entity in this lawsuit is J.C. Penney Corporation, Inc. and not J.C. Penney Company, Inc.

As such, the parties stipulate as follows:

1. Eolas will file its Second Amended Complaint. Eolas' Second Amended Complaint will not amend any existing claim or assert any new claim over those asserted in Eolas' First Amended Complaint. Eolas' Second Amended Complaint will only name the corporate entity "J.C. Penney Corporation, Inc." where Eolas' First Amended Complaint named the corporate entity "J.C. Penney Company, Inc." Simultaneous with the filing of its Second Amended Complaint, Eolas will dismiss J.C. Penney Company, Inc. from this action.
2. Service of Eolas' Second Amended Complaint is deemed made on J.C. Penney Corporation, Inc. as of the date it is filed with the Court. No new summons or service are required.
3. Each Defendant's Answer to the Second Amended Complaint is deemed filed. Each Defendant's Answer to Plaintiff's First Amended Complaint shall serve as that Defendant's Answer to Plaintiff's Second Amended Complaint. Such Answers are found at Dkts. 294-297, 301-304, 316, 317, 321, 449-452, 454-460, which includes J.C. Penney Corporation, Inc.'s Answer to the First Amended Complaint, previously filed as Dkt. 296. No other Answer to Plaintiff's Second Amended Complaint is necessary to be filed by any Defendant.

4. Eolas' replies to any counterclaims in each Defendants' Answer to the Second Amended Complaint are deemed filed. Such replies are found at Dkts. 326, 327, 328, 334, 336, 340, 341, 342, 343, 347, 349 and 483 through 492.
5. All past discovery, notices, and pleadings served on J.C. Penney Company, Inc. are deemed served on J.C. Penney Corporation, Inc.
6. All past discovery extensions granted in this case to J.C. Penney Company, Inc. are deemed granted to J.C. Penney Corporation, Inc.

The Parties respectfully request that the Court grant their Motion.

DATED: December 1, 2010

Respectfully submitted,

McKool Smith, P.C.

/s/ Josh Budwin

Mike McKool

Lead Attorney

Texas State Bar No. 13732100

mmckool@mckoolsmith.com

Douglas Cawley

Texas State Bar No. 04035500

dcawley@mckoolsmith.com

McKool Smith, P.C.

300 Crescent Court, Suite 1500

Dallas, Texas 75201

Telephone: (214) 978-4000

Telecopier: (214) 978-4044

Sam F. Baxter

Texas State Bar No. 01938000

sbaxter@mckoolsmith.com

McKool Smith, P.C.

104 E. Houston St., Ste. 300

P.O. Box O

Marshall, Texas 75670

Telephone: (903) 923-9000

Telecopier: (903) 923-9095

Kevin L. Burgess

Texas State Bar No. 24006927

kburgess@mckoolsmith.com

Steven J. Pollinger

Texas State Bar No. 24011919

spollinger@mckoolsmith.com

Josh W. Budwin

Texas State Bar No. 24050347

jbudwin@mckoolsmith.com

Matthew B. Rappaport

Texas State Bar No. 24070472

mrappaport@mckoolsmith.com

McKool Smith, P.C.

300 West Sixth Street, Suite 1700

Austin, Texas 78701

Telephone: (512) 692-8700

Telecopier: (512) 692-8744

ATTORNEYS FOR PLAINTIFF

EOLAS TECHNOLOGIES INC.

By: /s/ Jason W. Wolff (w/permission)

David J. Healey

Healey@fr.com

FISH & RICHARDSON P.C.

1 Houston Center

1221 McKinney Street, Suite 2800

Houston, TX 77010

Telephone: (713) 654-5300

Facsimile: (713) 652-0109

OF COUNSEL:

Frank E. Scherkenbach

Scherkenbach@fr.com

FISH & RICHARDSON P.C.

225 Franklin Street

Boston, MA 02110-2804

Telephone: (617) 542-5070

Facsimile: (617) 542-8906

Jason W. Wolff

Wolff@fr.com

Joseph P. Reid (pro hac vice)

Reid@fr.com

FISH & RICHARDSON P.C.

12390 EI Camino Real

San Diego, CA 92130

Telephone: (858) 678-5070

Facsimile: (858) 678-5099

ATTORNEYS FOR DEFENDANT

ADOBE SYSTEMS INC.

By: /s/ Joseph H. Lee (w/permission)
Douglas Lumish (pro hac vice)
doug.lumish@weil.com
Jared Bobrow (pro hac vice)
jared.bobrow@weil.com
Joseph H. Lee (pro hac vice)
joseph.lee@weil.com
Parker C. Ankrum (pro hac vice)
parker.ankrum@weil.com
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065
Telephone: (650) 802-3000
Facsimile: (650) 802-3100

Christian J. Hurt (Bar No. 24059987)
christian.hurt@weil.com
WEIL, GOTSHAL & MANGES LLP
700 Louisiana, Suite 1600
Houston, TX 77002
Telephone: (713) 546-5000
Facsimile: (713) 224-9511
Otis W. Carroll, Jr. (Bar No. 03895700)
fedserv@icklaw.com
Deborah J. Race (Bar No. 16448700)
drace@icklaw.com
IRELAND CARROLL & KELLEY
6101 S. Broadway, Suite 500
Tyler, TX 75703
Telephone: (903) 561-1600
Facsimile: (903) 581-1071
**ATTORNEYS FOR DEFENDANT AND
COUNTERCLAIMANT
AMAZON.COM, INC.**

By: /s/ Richard A. Cederoth (w/permission)

David T. Pritikin (pro hac vice)

dpritikin@sidley.com

Richard A. Cederoth (pro hac vice)

rcederoth@sidley.com

Shubham Mukherjee (pro hac vice)

smukherjee@sidley.com

SIDLEY AUSTIN LLP

One South Dearborn Street

Chicago, IL 60603

Telephone: (312) 853-7000

Facsimile: (312) 853-7036

Teague I. Donahey (pro hac vice)

tdonahey@sidley.com

SIDLEY AUSTIN LLP

555 California Street, Suite 2000

San Francisco, CA 94104

Telephone: (415) 772-1200

Facsimile: (415) 772-7400

Theodore W. Chandler (pro hac vice)

tchandler@sidley.com

SIDLEY AUSTIN LLP

555 West Fifth Street, Suite 4000

Los Angeles, CA 90013

Telephone: (213) 896-6000

Facsimile: (213) 896-6600

Duy D. Nguyen (pro hac vice)

ddnguyen@sidley.com

SIDLEY AUSTIN LLP

1801 Page Mill Road, Suite 110

Palo Alto, CA 94304

Telephone: (650) 565-7000

Facsimile: (650) 565-7100

Eric M. Albritton (Bar No. 00790215)

ema@emafirm.com

ALBRITTON LAW FIRM

P.O. Box 2649

Longview, TX 75606

Telephone: (903) 757-8449

Facsimile: (903) 758-7397

**ATTORNEYS FOR DEFENDANT AND
COUNTERCLAIMANT APPLE INC.**

By: /s/ Thomas L. Duston (w/permission)

Thomas L. Duston (pro hac vice)

tduston@marshallip.com

Anthony S. Gabrielson (pro hac vice)

agabrielson@marshallip.com

Scott A. Sanderson (pro hac vice)

ssanderson@marshallip.com

**MARSHALL, GERSTEIN & BORUN
LLP**

6300 Willis Tower

233 South Wacker Drive

Chicago, IL 60606-6357

Telephone: (312) 474-6300

Facsimile: (312) 474-0448

Eric H. Findlay (Bar No. 00789886)

efindlay@findlaycraft.com

Brian Craft (Bar No. 04972020)

bcraft@findlaycraft.com

FINDLAY CRAFT, LLP

6760 Old Jacksonville Highway

Suite 101

Tyler, TX 75703

Telephone: (903) 534-1100

Facsimile: (903) 534-1137

**ATTORNEYS FOR DEFENDANT AND
COUNTERCLAIMANT CDW LLC**

By: /s/ M. Scott Fuller (w/permission)
Edwin R. DeYoung (Bar No. 05673000)
edeyoung@lockelord.com

Roy W. Hardin (Bar No. 08968300)
rhardin@lockelord.com

Roger Brian Cowie (Bar No. 00783886)
rcowie@lockelord.com

M. Scott Fuller (Bar No. 24036607)
sfuller@lockelord.com

Galyn Gafford (Bar No. 24040938)
ggafford@lockelord.com

**LOCKE LORD BISSELL & LIDDELL
LLP**

2200 Ross Avenue, Suite 2200

Dallas, TX 75201-6776

Telephone: (214) 740-8000

Facsimile: (214) 740-8800

Alexas D. Skucas (pro hac vice)
askucas@kslaw.com

KING & SPALDING LLP

1185 Avenue of the Americas

New York, NY 10036-4003

Telephone: (212) 556-2100

Facsimile: (212) 556-2222

Eric L. Sophir (pro hac vice)
esophir@kslaw.com

KING & SPALDING LLP

1700 Pennsylvania Ave. NW, Suite 200

Washington, D.C. 20006-4707

Telephone: (202) 626-8980

Facsimile: (202) 626-3737

**ATTORNEYS FOR DEFENDANT
CITIGROUP INC.**

By: /s/ Joseph H. Lee (w/permission)
Douglas Lumish (pro hac vice)
doug.lumish@weil.com
Jared Bobrow (pro hac vice)
jared.bobrow@weil.com
Joseph H. Lee (pro hac vice)
joseph.lee@weil.com
Parker C. Ankrum (pro hac vice)
parker.ankrum@weil.com
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065
Telephone: (650) 802-3000
Facsimile: (650) 802-3100

Christian J. Hurt (Bar No. 24059987)
christian.hurt@weil.com
WEIL, GOTSHAL & MANGES LLP
700 Louisiana, Suite 1600
Houston, TX 77002
Telephone: (713) 546-5000
Facsimile: (713) 224-9511

Otis W. Carroll, Jr. (Bar No. 03895700)
fedserv@icklaw.com
Deborah J. Race (Bar No. 16448700)
drace@icklaw.com
IRELAND CARROLL & KELLEY
6101 S. Broadway, Suite 500
Tyler, TX 75703
Telephone: (903) 561-1600
Facsimile: (903) 581-1071
**ATTORNEYS FOR DEFENDANT AND
COUNTERCLAIMANT EBAY INC.**

By: /s/ Jeffrey F. Yee (w/permission(
Jeffrey K. Joyner (pro hac vice)
joynerj@gtlaw.com
Jeffrey F. Yee (pro hac vice)
yeej@gtlaw.com

GREENBERG TRAUIG LLP
2450 Colorado Avenue, Suite 400E
Santa Monica, CA 90404
Telephone: (310) 586-7700
Facsimile: (310) 586-7800

Christopher M. Joe (Bar No. 00787770)
chrisjoe@bjciplaw.com
Brian Carpenter (Bar No. 03840600)
brian.carpenterb@bjciplaw.com
Eric W. Buether (Bar No. 03316880)
eric.buethere@bjciplaw.com

BUETHER JOE & CARPENTER, LLP
1700 Pacific, Suite 2390
Dallas, TX 75201
Telephone: (214) 466-1270
Facsimile: (214) 635-1842

**ATTORNEYS FOR DEFENDANT AND
COUNTERCLAIMANT FRITO-LAY,
INC.**

By: /s/ Neil J. McNabney (w/permission(
Thomas M. Melsheimer (Bar No.
13922550)

txm@fr.com

Neil J. McNabney (Bar No. 24002583)

njm@fr.com

J. Nicholas Bunch (Bar No. 24050352)

bunch@fr.com

FISH & RICHARDSON P.C.

1717 Main Street, Suite 5000

Dallas, TX 75201

Telephone: (214) 747-5070

Facsimile: (214) 747-2091

Proshanto Mukherji (pro hac vice)

pvm@fr.com

FISH & RICHARDSON P.C.

225 Franklin Street

Boston, MA 02110

Telephone: (617) 542-5070

Facsimile: (617) 542-8906

**ATTORNEYS FOR DEFENDANT AND
COUNTERCLAIMANT THE GO
DADDY GROUP, INC.**

By: /s/ Scott T. Weingaertner
(w/permission)

Scott T. Weingaertner (pro hac vice)

sweingaertner@kslaw.com

Robert F. Perry (pro hac vice)

rperry@kslaw.com

Christopher C. Carnaval (pro hac vice)

ccarnaval@kslaw.com

Mark H. Francis (pro hac vice)

mfrancis@kslaw.com

KING & SPALDING LLP

1185 Avenue of the Americas

New York, NY 10036-4003

Telephone: (212) 556-2100

Facsimile: (212) 556-2222

Michael E. Jones (Bar No. 10929400)

mikejones@potterminton.com

Allen F. Gardner (Bar No. 24043679)

allengardner@potterminton.com

POTTER MINTON

A Professional Corporation

110 N. College, Suite 500 (75702)

P.O. Box 359

Tyler, TX 75710

Telephone: (903) 597-8311

Facsimile: (903) 593-0846

ATTORNEYS FOR DEFENDANT
GOOGLE INC.

By: /s/ Jeffrey F. Yee (w/permission)
Jeffrey K. Joyner (pro hac vice)
joynerj@gtlaw.com
Jeffrey F. Yee (pro hac vice)
yeej@gtlaw.com

GREENBERG TRAUIG LLP
2450 Colorado Avenue, Suite 400E
Santa Monica, CA 90404
Telephone: (310) 586-7700
Facsimile: (310) 586-7800

Christopher M. Joe (Bar No. 00787770)
chrisjoe@bjciplaw.com
Brian Carpenter (Bar No. 03840600)
brian.carpenterb@bjciplaw.com
Eric W. Buether (Bar No. 03316880)
eric.buethere@bjciplaw.com

BUETHER JOE & CARPENTER, LLP
1700 Pacific, Suite 2390
Dallas, TX 75201
Telephone: (214) 466-1270
Facsimile: (214) 635-1842

**ATTORNEYS FOR DEFENDANT AND
COUNTERCLAIMANT J.C. PENNEY
COMPANY, INC.**

By: /s/ Stephen K. Shahida (w/permission)
Stephen K. Shahida (pro hac vice)
sshahida@mwe.com

MCDERMOTT WILL & EMERY LLP
600 13th Street, N.W.
Washington, DC 20005-3096
Telephone: (202) 756-8327
Facsimile: (202) 756-8087

Trey Yarbrough (Bar No. 22133500)
trey@yw-lawfirm.com
Debra Elaine Gunter (Bar No. 24012752)
debby@yw-lawfirm.com

YARBROUGH WILCOX, PLLC

100 E. Ferguson Street
Suite 1015
Tyler, TX 75702

Telephone: (903) 595-3111
Facsimile: (903) 595-0191

**ATTORNEYS FOR DEFENDANT AND
COUNTERCLAIMANT JPMORGAN
CHASE & CO.**

By: /s/ Michael Simons (w/permission)
Michael Simons (Bar No. 24008042)
msimons@akingump.com

**AKIN GUMP STRAUSS HAUER &
FELD LLP**

300 West 6th Street, Suite 2100
Austin, TX 78701

Telephone: (512) 499-6253

Facsimile: (512) 499-6290

**ATTORNEY FOR DEFENDANT NEW
FRONTIER MEDIA, INC.**

By: /s/ Suzanne M. Wallman (w/permission)

Kenneth J. Jurek

kjurek@mwe.com

Suzanne M. Wallman

swallman@mwe.com

Brett E. Bachtell

bbachtell@mwe.com

MCDERMOTT WILL & EMERY LLP

227 West Monroe Street

Chicago, IL 60606

Telephone: (312) 372-2000

Facsimile: (312) 984-7700

David M. Stein (Bar No. 00797494)

dstein@mwe.com

MCDERMOTT WILL & EMERY LLP

18191 Von Karman Avenue, Suite 500

Irvine, CA 92612-7108

Telephone: (949) 851-0633

Facsimile: (949) 851-9348

J. Thad Heartfield (Bar No. 09346800)

thad@jth-law.com

THE HEARTFIELD LAW FIRM

2195 Dowlen Road

Beaumont, TX 77706

Telephone: (409) 866-3318

Facsimile: (409) 866-5789

**ATTORNEYS FOR DEFENDANT AND
COUNTERCLAIMANT OFFICE
DEPOT, INC.**

By: /s/ Douglas M. Kubehl (w/permission)

Barton E. Showalter (Bar No. 00788408)

bart.showalter@bakerbotts.com

Douglas M. Kubehl (Bar No. 00796909)

doug.kubehl@bakerbotts.com

David O. Taylor (Bar No. 24042010)

david.taylor@bakerbotts.com

BAKER BOTTS L.L.P.

2001 Ross Avenue

Dallas, TX 75201-2980

Telephone: (214) 953-6500

Facsimile: (214) 953-6503

Scott Partridge (Bar No. 00786940)

scott.partridge@bakerbotts.com

Roger Fulghum (Bar No. 00790724)

roger.fulghum@bakerbotts.com

BAKER BOTTS L.L.P.

One Shell Plaza

910 Louisiana

Houston, TX 77002-4995

Telephone: (713) 229-1234

Facsimile: (713) 229-1522

Kevin Meek (Bar No. 13899600)

kevin.meek@bakerbotts.com

Paula Heyman (Bar No. 24027075)

paula.heyman@bakerbotts.com

BAKER BOTTS L.L.P.

1500 San Jacinto Center

Austin, TX 78701-4075

Telephone: (512) 322-2500

Facsimile: (512) 322-2501

Shannon Dacus (Bar No. 00791004)

Shannond@rameyflock.com

RAMEY & FLOCK, P.C.

100 East Ferguson, Suite 500

Tyler, TX 75702

Telephone: (903) 597-3301

Facsimile: (903) 597-2413

**ATTORNEYS FOR DEFENDANT AND
COUNTERCLAIMANT PEROT
SYSTEMS CORP.**

By: /s/ Gentry C. McLean (w/permission)

David B. Weaver (Bar No. 00798576)

dweaver@velaw.com

Avelyn M. Ross (Bar No. 24027871)

aross@velaw.com

Gentry C. McLean (Bar No. 24046403)

gmclean@velaw.com

VINSON & ELKINS LLP

2801 Via Fortuna, Suite 100

Austin, TX 78746-7568

Tel: (512) 542-8400

Fax: (512) 236-3218

ATTORNEYS FOR DEFENDANT

PLAYBOY ENTERPRISES

INTERNATIONAL, INC.

By: /s/ Jeffrey F. Yee (w/permission)
Jeffrey K. Joyner (pro hac vice)
joynerj@gtlaw.com
Jeffrey F. Yee (pro hac vice)
yeej@gtlaw.com

GREENBERG TRAUIG LLP
2450 Colorado Avenue, Suite 400E
Santa Monica, CA 90404
Telephone: (310) 586-7700
Facsimile: (310) 586-7800

Christopher M. Joe (Bar No. 00787770)
chrisjoe@bjciplaw.com
Brian Carpenter (Bar No. 03840600)
brian.carpenterb@bjciplaw.com
Eric W. Buether (Bar No. 03316880)
eric.buethere@bjciplaw.com

BUETHER JOE & CARPENTER, LLP
1700 Pacific, Suite 2390
Dallas, TX 75201
Telephone: (214) 466-1270
Facsimile: (214) 635-1842
**ATTORNEYS FOR DEFENDANT AND
COUNTERCLAIMANT RENT-A-
CENTER, INC.**

By: /s/ Daniel V. Williams (w/permission)
Mark G. Matuschak (pro hac vice)
mark.matuschak@wilmerhale.com
Donald R. Steinberg (pro hac vice)
donald.steinberg@wilmerhale.com
**WILMER CUTLER PICKERING HALE
AND DORR LLP**
60 State Street
Boston, MA 02109
Telephone: (617) 526-6000
Facsimile: (617) 526-5000

Kate Hutchins (pro hac vice)
kate.hutchins@wilmerhale.com
**WILMER CUTLER PICKERING HALE
AND DORR LLP**
399 Park Avenue
New York, NY 10011
Telephone: (212) 230-8800
Facsimile: (212) 230-8888

Daniel V. Williams, (pro hac vice)
daniel.williams@wilmerhale.com
**WILMER CUTLER PICKERING HALE
AND DORR LLP**
1875 Pennsylvania Avenue NW
Washington, DC 20006
Telephone: (202) 663-6000
Facsimile: (202) 663-6363

Michael E. Richardson (Bar No. 24002838)
mrichardson@brsfirm.com
BECK REDDEN & SECREST
1221 McKinney, Suite 4500
Houston, TX 77010
Telephone: (713) 951-6284
Facsimile: (713) 951-3720
**ATTORNEYS FOR DEFENDANT
STAPLES, INC.**

By: /s/ Kathryn B. Riley w/permission

Mark D. Fowler (pro hac vice)

mark.fowler@dlapiper.com

DLA PIPER US LLP

2000 University Avenue

East Palo Alto, CA 94303-2215

Telephone: (650) 833-2000

Facsimile: (650) 833-2001

Kathryn B. Riley (pro hac vice)

kathryn.riley@dlapiper.com

DLA PIPER US LLP

401 B Street, Suite 1700

San Diego, CA 92101

Telephone: (619) 699-2700

Facsimile: (619) 764-6692

Eric H. Findlay (Bar No. 00789886)

efindlay@findlaycraft.com

FINDLAY CRAFT, LLP

6760 Old Jacksonville Highway

Suite 101

Tyler, TX 75703

Telephone: (903) 534-1100

Facsimile: (903) 534-1137

**ATTORNEYS FOR DEFENDANT AND
COUNTERCLAIMANT ORACLE
AMERICA, INC. (FORMERLY
KNOWN AS SUN MICROSYSTEMS,
INC.)**

By: /s/ Amanda A. Abraham (w/permission)

Carl R. Roth (Bar No. 17312000)

cr@rothfirm.com

Brendan C. Roth (Bar No. 24040132)

br@rothfirm.com

Amanda A. Abraham (Bar No. 24055077)

aa@rothfirm.com

THE ROTH LAW FIRM, P.C.

115 N. Wellington, Suite 200

Marshall, TX 75670

Telephone: (903) 935-1665

Facsimile: (903) 935-1797

**ATTORNEYS FOR DEFENDANT AND
COUNTERCLAIMANT TEXAS
INSTRUMENTS INCORPORATED**

By: /s/ Joseph H. Lee (w/permission)
Douglas Lumish (pro hac vice)
doug.lumish@weil.com
Jared Bobrow (pro hac vice)
jared.bobrow@weil.com
Joseph H. Lee (pro hac vice)
joseph.lee@weil.com
Parker C. Ankrum (pro hac vice)
parker.ankrum@weil.com
WEIL, GOTSHAL & MANGES LLP
201 Redwood Shores Parkway
Redwood Shores, CA 94065
Telephone: (650) 802-3000
Facsimile: (650) 802-3100

Christian J. Hurt (Bar No. 24059987)
christian.hurt@weil.com
WEIL, GOTSHAL & MANGES LLP
700 Louisiana, Suite 1600
Houston, TX 77002
Telephone: (713) 546-5000
Facsimile: (713) 224-9511

Otis W. Carroll, Jr. (Bar No. 03895700)
fedserv@icklaw.com
Deborah J. Race (Bar No. 16448700)
drace@icklaw.com
IRELAND CARROLL & KELLEY
6101 S. Broadway, Suite 500
Tyler, TX 75703
Telephone: (903) 561-1600
Facsimile: (903) 581-1071
**ATTORNEYS FOR DEFENDANT AND
COUNTERCLAIMANT YAHOO! INC.**

By: /s/ Scott T. Weingaertner
(w/permission)

Scott T. Weingaertner (pro hac vice)

sweingaertner@kslaw.com

Robert F. Perry (pro hac vice)

rperry@kslaw.com

Christopher C. Carnaval (pro hac vice)

ccarnaval@kslaw.com

Mark H. Francis (pro hac vice)

mfrancis@kslaw.com

KING & SPALDING LLP

1185 Avenue of the Americas

New York, NY 10036-4003

Telephone: (212) 556-2100

Facsimile: (212) 556-2222

Michael E. Jones (Bar No. 10929400)

mikejones@potterminton.com

Allen F. Gardner (Bar No. 24043679)

allengardner@potterminton.com

POTTER MINTON

A Professional Corporation

110 N. College, Suite 500 (75702)

P.O. Box 359

Tyler, TX 75710

Telephone: (903) 597-8311

Facsimile: (903) 593-0846

ATTORNEYS FOR DEFENDANT

YOUTUBE, LLC

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 services on this the 1st day of December, 2010. Local Rule CV-5(a)(3)(A).

/s/ Josh Budwin

Josh Budwin