

Exhibit H

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., Blockbuster Inc., CDW Corp.,	§	
Citigroup Inc., eRay 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.	§	

DECLARATION OF DEFENDANT J. C. PENNEY CORPORATION, INC.

I, Salil R. Virkar, provide this declaration on behalf of Defendant J. C. Penney Corporation, Inc. ("Defendant"), and declare as follows on its behalf:

1. I have personal knowledge of the facts set forth herein. If called to do so, I could and would testify competently thereto.
2. I am employed by J. C. Penney Corporation, Inc. I make this declaration on behalf of Defendant.
3. I joined Defendant in 2005. My job title is Senior Managing Counsel, and my responsibilities include Corporate Compliance.
4. Defendant is incorporated in the State of Delaware.

5. Defendant is headquartered in Plano, Texas with an address of 6501 Legacy Dr., Plano, Texas 75024 ("Headquarters").

6. Defendant has other facilities located nationwide.

7. Defendant has retail stores located in all states except Hawaii.

8. Defendant has employees, operations, facilities and documents in Plano, Texas, at its Headquarters.

9. Specifically, Defendant has approximately 4,500 employees at its Headquarters and approximately 17,200 employees in the State of Texas.

10. Electronic and/or physical documents related to the operation of Defendant's accused website are maintained at its facilities located in Plano, Texas or by outside vendors retained by Defendant at its or its vendors' facilities located in Lenexa, Kansas, Columbus, Ohio, and Minneapolis, Minnesota.

11. Defendant's websites listed in Plaintiff Eolas' infringement contentions are hosted on servers physically located at Lenexa, Kansas, Columbus, Ohio, and Minneapolis, Minnesota.

12. The design, maintenance, development and strategic planning of the websites and products listed in Plaintiff Eolas' infringement contentions occur in Defendant's facility located in Plano, Texas or those of its vendors.

13. The following chart lists the names and locations of Defendant's employees involved in the design, maintenance, development and strategic planning of the accused websites listed in Plaintiff Eolas' infringement contentions:

Emulovee Name	Job DescriutionlTitle	Location
John Moser	Site Operations Director	Plano, Texas
Marlene Miller	Store Revenue Businesses Director	Plano, Texas
Kate A Coultas	PR Manager - Brand	Plano, Texas

14. The accused websites listed in Plaintiff Eolas' infringement contentions were or are accessible via the internet.

I declare the foregoing to be true and correct statement of Defendant and do so under the penalty of perjury on this 19th day of May, 2010.

A handwritten signature in black ink, appearing to read "Saul R. Virkar", is written over a solid horizontal line.

SAUL R. VIRKAR