Exhibit F

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF TEXAS

TYLER DIVISION

Eolas Technologies Incorporated,) *Plaintiff*,) vs.) Adobe Systems Inc.; Amazon.com, Inc.; Apple) 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*.)) Adobe Systems Inc.; Amazon.com, Inc.; Apple) Inc.; CDW LLC; 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.; Oracle America, Inc. f/k/a Sun) Microsystems, Inc.; Texas Instruments Inc.;) Yahoo! Inc.; and YouTube, LLC,) *Counterclaimants*,) vs.) Eolas Technologies Incorporated,) *Counterdefendant*.))	No. 6:09-cv-00446-LED (filed Oct. 6, 2009)

JOINT CLAIM CONSTRUCTION AND PREHEARING STATEMENT

In accordance with Patent Rule 4-3 and the Court's Docket Control Order, *see* Docket No. 249, the parties hereby submit their Joint Claim Construction and Prehearing Statement. In accordance with Patent Rule 4-2(c), the parties met and conferred on October 7, 21, and 28 for the purposes of narrowing the issues and finalizing preparation of a Joint Claim Construction and Prehearing Statement.

A.   Statement of the Parties

1.   Eolas' Statement

The parties dispute the construction of 21 claim terms, plus 54 additional terms defendants contend should be construed pursuant to § 112, ¶6.

Eolas proposed two of the twenty-one disputed terms for construction. Eolas proposed no terms for construction pursuant to § 112, ¶6.

Defendants proposed twenty of the twenty-one disputed terms for construction. Defendants offer 17 different constructions for these 21 terms. Defendants proposed all fifty-four terms for construction pursuant to § 112, ¶6. These 54 additional terms are found in 31 claims of the patents-in-suit. None of the 54 claim terms recite "means for."

During the meet and confer process, Eolas demonstrated to defendants that the claim terms they have put at issue arise in nearly all of the claims of the patents-in-suit. A reduction in the number of asserted claims will not result in a material reduction of the number of claim construction disputes as defendants suggest. Moreover, Eolas has granted the defendants several extensions of their document production deadlines and therefore, Eolas has not yet been afforded a chance to review the productions of the twenty-one defendants. In light of this, the defendants' suggestion that Eolas reduce the number of claims at issue is premature.

2.   Defendants' Statement

The Defendants disagree with Eolas's statement. As shown in Section C below, there are 15 groups of disputed terms for construction, and there is disagreement over whether § 112, ¶ 6 applies to 31 of the asserted claims.

The number of disputed issues is a result of two factors: First, Eolas is asserting all 61 claims of the two patents-in-suit against 21 unrelated Defendants. Second, different claim terms

are important to the different groups of Defendants. The Defendants generally fall into three different groups based on their accused products: browsers (e.g., Google's Chrome browser, Apple's Safari browser); software (e.g., Adobe's Flash player, Oracle's Java software); and websites (e.g., Amazon.com, Yahoo.com, and most other defendants).

The Defendants have asked Eolas to reduce the number of asserted claims, but Eolas has refused, notwithstanding the Court's statement to Eolas on August 31, 2010, "I assume plaintiff [Eolas] will narrow those down [the number of asserted claims] before we get too much farther down the road." Hr'g Tr. at 30:25–31:1 [Docket No. 413].

The Defendants have also asked Eolas to drop all infringement theories involving Microsoft products, but Eolas has refused, notwithstanding its prior settlement with Microsoft. As a result, Microsoft has filed a motion for a preliminary injunction against Eolas, which Judge Pallmeyer is scheduled to hear in Chicago on November 23, 2010. The Defendants believe that Eolas should be able to reduce the number of asserted claims, accused products, and/or defendants by no later than the decision on Microsoft's motion for a preliminary injunction. Otherwise, as stated in Section F below, the Defendants may request a prehearing conference after November 23, 2010 — but well in advance of the claim construction hearing on March 3, 2011 — to ask for this Court's assistance.

B.   Agreed-upon constructions

The chart below provides the construction of those claim terms, phrases, or clauses on which the parties agree:

Claim Term(s)	Agreed-Upon Construction
type information . . . utilized by said browser to identify and locate [an / said] executable application	the identify and locate functions are performed by the browser
with the browser application: … utilizing the type information to identify and locate an executable application	
utilize the browser to: … utilize the type information to identify and locate an executable application external to the file	
type information is utilized by the browser to identify and locate said executable application	
with the browser application: … identifying and locating an executable application	
executable application … is identified and located by the browser	
enable interactive processing of said object	allow the object to be processed based on the user's interaction
[enable / enabling] an end-user to directly interact with [said / the / an] object	allowing a user to directly interact with the object
interactively control[ling]	controlling through back-and-forth interactions between a user and the controllable application

C.   Disputed Claim Constructions

The chart below provides each party's proposed construction of each disputed claim term, phrase, or clause, to the extent that § 112, ¶ 6 does not apply to the claim in which the phrase appears. The parties dispute whether § 112, ¶ 6 applies to any claims. Eolas contends that § 112, ¶ 6 does not apply to any claims. Defendants contend that § 112, ¶ 6 applies to claims 6–10 and 13–14 of U.S. Patent No. 5,838,906 ("the '906 patent"), and claims 16–35 and 40–43 of U.S. Patent No. 7,599,985 ("the '985 patent").

Exhibit A provides Eolas' identification of intrinsic and extrinsic evidence supporting its proposed constructions, as required by P.R. 4-3(b), and Eolas' proposed corresponding structure(s)/act(s) to the extent that § 112, ¶ 6 is found to apply.

Exhibit B provides Defendants' identification of intrinsic and extrinsic evidence supporting their proposed constructions, as required by P.R. 4-3(b), and Defendants' proposed corresponding structure(s)/act(s) to the extent that § 112, ¶ 6 is found to apply.

Claim Term(s)	Eolas' Proposal	Defendants' Proposal
automatically [invoking / invoke] [the / said] executable application	automatically calling or activating the <u>executable application</u>[1].	in response to the browser parsing an embed text format, the executable application is launched to permit a user to interact with the object immediately, without any intervening activation of the object by the user
executable application is automatically invoked by the browser	<u>executable application</u> is automatically called or activated by the browser.	
workstation	a computer system connected to a network that serves the role of an information requester	a desktop or deskside computer with an operating system and hardware designed for technical or scientific applications that provides higher performance than a personal computer
network server	a computer system that serves the role of an information provider	a computer running software that is capable of executing applications responsive to requests from a client workstation, and that processes commands from a client workstation to locate and retrieve documents or files from storage
executable application	any computer program code, that is not the operating system or a utility, that is launched to enable an end-user to directly interact with data.	a compiled native binary program, designed to help users perform certain tasks, that remains discrete and separate from the browser application, and is not the operating system, a utility, or a library

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[1] Underlining in the proposed construction indicates that the underlined word has been separately construed or separately proposed for construction.

Claim Term(s)	Eolas' Proposal	Defendants' Proposal
object	text, images, sound files, video data, documents or other types of information that is presentable to a user of a computer system.	information capable of being retrieved and presented to a user of a computer system, which is not a program and which does not include source code or byte code
type information	any information used by the browser to identify and locate the executable application, and may include the name of an application associated with the object	a value needed by the browser to determine which executable application to launch for a given object. The value can specify either a particular application <u>or</u> data type, or both
file	a named collection of data.	a static document stored on a file system
[first] hypermedia document	a document that allows a user to click on images, sound icons, video icons, etc., that link to other objects of various media types, such as additional graphics, sound video, text, or hypermedia or hypertext documents	a document received by the browser that includes links (specified by the hypertext format) to graphics, sound, video or other media
[first] distributed hypermedia document	<u>[first] hypermedia document</u> that allows a user to access a remote data object over a network.	
file containing information to enable a browser application to display [, on] [said/the] [client workstation,] at least [a / said] portion of [a / said] distributed hypermedia document	the file contains information to allow the browser application to display at least part of a <u>distributed hypermedia document</u>.	
text format	text that initiates processing.	a predefined set of tags or symbols that specify the formatting of a document

Claim Term(s)	Eolas' Proposal	Defendants' Proposal
embed text format	<u>text format</u> for embedding an <u>object</u>.	a tag that specifies the object to be embedded at the location of the tag
embed text format, located at a first location in said first distributed hypermedia document	<u>embed text format</u> located at a first location in the <u>first distributed hypermedia document</u>.	embed text format located at the place in the received document where the embedded object will appear within the displayed document
embed text format [which] correspond[s/ing] to [a / said] first location in the document	<u>embed text format</u> which relates to a first location in the document.	embed text format located at the place in the received file where the embedded object will appear within the displayed document
distributed application	an application that may be broken up and performed among two or more computers.	application external to the browser, where application tasks that could be performed on a single computer are instead broken up and performed at the same time on both the client workstation and one or more computers that are remote to the client workstation
A computer program product . . . comprising a computer usable medium having computer readable program code physically embodied therein, said computer program product further comprising: computer readable program code for causing said client workstation to execute a browser application	the computer program product that includes a computer usable medium having computer readable program code for causing the client workstation to execute a browser application.	a physical item that is commercially available and includes the computer code necessary to run a browser application on a client workstation
computer readable media encoded with software	computer readable media having software.	a physical item that includes the computer code necessary to run a browser application on a client workstation

Claim Term(s)	Eolas' Proposal	Defendants' Proposal
pars[e/es/ed/ing]	to break an input into smaller pieces.	decomposing a string of text using a grammar and categorizing its components
identify[ing] an embed text format	identifying an embed text format.	detecting an embed text format during parsing of a hypermedia document
an embed text format . . . is identified	an embed text format is identified.	
specifies the location of at least a portion of [an / said] object	specifies the location of at least part of an object.	specifies the location of at least a portion of [an / said] object Where "specifies" has its common meaning: "to name or state explicitly or in detail." (See MERRIAM-WEBSTER'S COLLEGIATE DICTIONARY 9th Edition (1991))

D.   Anticipated length of time for the Claim Construction Hearing

The parties anticipate that the Claim Construction Hearing will require three hours. The Court previously scheduled the Claim Construction Hearing for March 3, 2011, starting at 9:30 a.m. *See* Docket No. 249.

E.   Identification of witnesses

No party proposes calling any witnesses, including experts, at the Claim Construction Hearing.

F.   Other issues

The Defendants may file a request for a prehearing conference after November 23, 2010, the date on which Judge Pallmeyer in Chicago is scheduled to hear Microsoft's motion for a preliminary injunction against Eolas. *See Microsoft Corp. v. Eolas Techs. Inc.*, No. 1:10-cv-03820 (N.D. Ill. filed June 18, 2010). The Defendants believe that the ruling by Judge Pallmeyer may provide an opportunity for the parties in this Court to narrow the scope of this case.

Eolas does not believe that such a hearing is necessary at this time.

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SIGNATURE ATTESTATION

I hereby certify that concurrence in the service of this document has been obtained from each of the other signatories shown above.

                            /s/ Shubham Mukherjee
                    Shubham Mukherjee, Attorney for one of the
                    Defendants

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on October 29, 2010.

_____/s/ Duy D. Nguyen_____
Duy D. Nguyen, Attorney for one of the Defendants

Exhibit G

Defendants' proposed corresponding structure(s)/act(s) for § 112, ¶ 6

In the Joint Claim Construction Statement (Oct. 29, 2010) [Docket No. 479], Defendants contended that § 112, ¶ 6 applies to certain elements in claims 6–10 and 13–14 of the '906 patent, and certain elements in claims 16–35 and 40–43 of the '985 patent. Exhibit B to the Joint Claim Construction Statement provided Defendants' proposed corresponding structure(s)/act(s). *See* Docket No. 479-2, at 223–41. On January 25, 2011, Eolas informed Defendants that "it will no longer assert the following claims against any Defendant in the above-captioned matter: U.S. Patent No. 5,838,906: Claims 4, 5, 9, and 10; U.S. Patent No. 7,599,985: Claims 12, 13, 14, 15, 32, 33, 34, 35, 44, 45, 46, and 47." Accordingly, reprinted below from Exhibit B of the Joint Claim Construction Statement are the claim elements for the remaining asserted claims that the Defendants contend are governed by § 112, ¶ 6, along with the structure(s) or act(s) that the Defendants contend correspond to those claim elements.

'906 Claim 6	**Corresponding structure(s) or act(s)**
computer readable program code for causing said client workstation to execute a browser application to parse a first distributed hypermedia document to identify text formats included in said distributed hypermedia document and to respond to predetermined text formats to initiate processes specified by said text formats;	The recited function includes the entire phrase that appears after "computer readable program code for causing said client workstation to". The corresponding structure includes at least the following: • NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A. Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c).
computer readable program code for causing said client workstation to utilize said browser to display, on said client workstation, at least a portion of a first hypermedia document received over said network from said server, wherein the portion of said first hypermedia document is displayed within a first browser-controlled window on said client workstation, wherein said first distributed hypermedia document includes an embed text format, located at a first location in said first distributed hypermedia document, that specifies the location of at least a portion of an object external to the first distributed hypermedia document, wherein said object has type information	The recited function includes the entire phrase that appears after "computer readable program code for causing said client workstation to". The corresponding structure includes at least the following: • NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B. Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c). • hypermedia document (212) with the following HTML tag at a "first location" in the

associated with it utilized by said browser to identify and locate an executable application external to the first distributed hypermedia document, and wherein said embed text format is parsed by said browser to automatically invoke said executable application to execute on said client workstation in order to display said object and <u>enable an end-user to directly interact with said object</u> within a display area created at said first location within the portion of said first distributed hypermedia document being displayed in said first browser-controlled window.	document: <EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]> • data object (216) There is no corresponding structure for at least the following: • "executable application . . . to display said object and enable an end-user to directly interact with said object within a display area created at said first location within the portion of said first distributed hypermedia document being displayed in said first browser-controlled window"
'906 Claim 7	**Corresponding structure(s) or act(s)**
wherein said executable application is a controllable application and further comprising: computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation via inter-process communications between said browser and said controllable application.	The recited function includes the entire phrase that appears after "computer readable program code for causing said client workstation to". The corresponding structure includes at least the following: • NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B There is no corresponding structure for at least the following: • "interactively control said controllable application"
computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation via inter-process communications between said browser and said controllable application.	The recited function includes the entire phrase that appears after "computer readable program code for causing said client workstation to". The corresponding structure includes at least the following: • NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B There is no corresponding structure for at least the following: • "interactively control said controllable application"
'906 Claim 8	**Corresponding structure(s) or act(s)**
wherein the communications to interactively	The recited function includes the entire phrase

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control said controllable application continue to be exchanged between the controllable application and the browser even after the controllable application program has been launched.	that appears after "wherein". The corresponding structure includes at least the following: • NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B There is no corresponding structure for at least the following: • "interactively control said controllable application" The corresponding acts include at least the following: • calling each of the following functions that appear in Appendix B one or more times after the "controllable application program" has been launched: send_client_msg and handle_client_msg
'906 Claim 13	**Corresponding structure(s) or act(s)**

wherein additional instructions for controlling said controllable application reside on said network server, wherein said computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation includes:
    computer readable program code for causing said client workstation to issue from the client workstation, one or more commands to the network server;
    computer readable program code for causing said network server to execute one or more instructions in response to said commands;
    computer readable program code for causing said network server to send information to said client workstation in response to said executed instructions; and
    computer readable program code for causing said client workstation to process said information at the client workstation to interactively control said controllable application.
	The recited function includes "controlling said controllable application" and each phrase that appears after the clauses "computer readable program code for causing said client workstation to" and "computer readable program code for causing said network server to".
	
	There is no corresponding structure.

computer readable program code for causing said client workstation to issue from the client workstation, one or more commands to the network server;	The recited function includes the entire phrase that appears after "computer readable program code for causing said client workstation to".

	There is no corresponding structure.
computer readable program code for causing said network server to execute one or more instructions in response to said commands;	The recited function includes the entire phrase that appears after "computer readable program code for causing said network server to".

There is no corresponding structure. |
| computer readable program code for causing said network server to send information to said client workstation in response to said executed instructions; and | The recited function includes the entire phrase that appears after "computer readable program code for causing said network server to".

There is no corresponding structure. |
| computer readable program code for causing said client workstation to process said information at the client workstation to interactively control said controllable application. | The recited function includes the entire phrase that appears after "computer readable program code for causing said client workstation to".

There is no corresponding structure. |
| **'906 Claim 14** | **Corresponding structure(s) or act(s)** |
| wherein said additional instructions for controlling said controllable application reside on said client workstation. | The recited function includes "controlling said controllable application".

There is no corresponding structure. |
| **'985 Claim 16** | **Corresponding structure(s) or act(s)** |
| software comprising computer executable instructions . . . and when the software is executed operable to:
  receive, at the client workstation from the network server over the network environment, at least one file containing information to enable a browser application to display at least a portion of a distributed hypermedia document within a browser-controlled window;
  cause the client workstation to utilize the browser to:
  respond to text formats to initiate processing specified by the text formats;
  display at least a portion of the document within the browser-controlled window;
  identify an embed text format corresponding to a first location in the document, the embed text format specifying the location of at least a portion of an object external to the file, with the object having type information associated with it;
  utilize the type information to identify and locate an executable application external to the file; and | The recited function includes the entire phrase that appears after "software comprising computer executable instructions . . . and when the software is executed operable to".

The corresponding structure includes at least the following:
• NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B. Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c).
• hypermedia document (212) with the following HTML tag at a "first location" in the document: <EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]>
• data object (216) |

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automatically invoke the executable application, in response to the identifying of the embed text format, to execute on the client workstation in order to display the object and enable an end-user to directly interact with the object while the object is being displayed within a display area created at the first location within the portion of the hypermedia document being displayed in the browser-controlled window.	There is no corresponding structure for at least the following: • "executable application . . . to display the object and enable an end-user to directly interact with the object while the object is being displayed within a display area created at the first location within the portion of the hypermedia document being displayed in the browser-controlled window"
'985 Claim 17	**Corresponding structure(s) or act(s)**
claim 16 where: the information to enable comprises text formats.	Same as for claim 16.
'985 Claim 18	**Corresponding structure(s) or act(s)**
claim 17 where: the text formats are HTML tags.	Same as for claim 17.
'985 Claim 19	**Corresponding structure(s) or act(s)**
claim 16 where: the information contained in the file received comprises at least one embed text format.	Same as for claim 16.
'985 Claim 20	**Corresponding structure(s) or act(s)**
communicating via the network server with at least one client workstation over said network in order to cause said client workstation to: receive, over said network environment from said server, at least one file containing information to enable a browser application to display at least a portion of a distributed hypermedia document within a browser-controlled window; execute, at said client workstation, a browser application, with the browser application: responding to text formats to initiate processing specified by the text formats; displaying, on said client workstation, at least a portion of the document within the browser-controlled window; identifying an embed text format which corresponds to a first location in the document, where the embed text format specifies the location of at least a portion of an object external to the file, where the object has type information associated with it;	The recited function includes the entire phrase that appears after "in order to cause said client workstation to". The corresponding acts includes at least the following: • the client workstation launches NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B (hereinafter the "browser application"). Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c). • the browser application retrieves over the network from the network server the hypermedia document (212) with the following HTML tag at a "first location" in the document: <EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT =

utilizing the type information to identify and locate an executable application external to the file; and automatically invoking the executable application, in response to the identifying of the embed text format, to execute on the client workstation in order to display the object and enable an end-user to directly interact with the object while the object is being displayed within a display area created at the first location within the portion of the hypermedia document being displayed in the browser-controlled window.	[height of window to display the object]> • the browser application performs the steps in Figure 7A (e.g., parsing the hypermedia document to identify the <EMBED> tag • the browser application performs the steps in Figure 7B (e.g., initialize the drawing area) • the browser application performs the steps in Figure 8A to identify and locate an executable application using the information TYPE = "application/x-vis" found in the <EMBED> tag There is no corresponding act for at least the following: • "the browser application . . . automatically invoking the executable application . . . to display the object and enable an end-user to directly interact with the object while the object is being displayed within a display area created at the first location within the portion of the hypermedia document being displayed in the browser-controlled window"
'985 Claim 21	**Corresponding structure(s) or act(s)**
The method of claim 20 where: the information to enable comprises text formats.	Same as for claim 20.
'985 Claim 22	**Corresponding structure(s) or act(s)**
The method of claim 21 where: the text formats are HTML tags.	Same as for claim 21.
'985 Claim 23	**Corresponding structure(s) or act(s)**
The method of claim 20 where: the information contained in the file received comprises at least one embed text format.	Same as for claim 20.
'985 Claim 24	**Corresponding structure(s) or act(s)**
A method for running an executable application in a computer network environment . . . the method comprising: enabling an end-user to directly interact with an object by utilizing said executable application to interactively process said object while the object is being displayed within a display area created at a first location within a portion of a hypermedia document being displayed in a browser-controlled window, wherein said network environment is a distributed hypermedia environment, wherein said client workstation receives, over said network environment from said	The recited function includes the entire phrase that appears after "the method comprising:". The corresponding acts includes at least the following: • the client workstation launches NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B (hereinafter the "browser application"). Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and

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server, at least one file containing information to enable said browser application to display, on said client workstation, at least said portion of said distributed hypermedia document within said browser-controlled window,

wherein said executable application is external to said file,

wherein said client workstation executes the browser application, with the browser application responding to text formats to initiate processing specified by the text formats,

wherein at least said portion of the document is displayed within the browser-controlled window,

wherein an embed text format which corresponds to said first location in the document is identified by the browser,

wherein the embed text format specifies the location of at least a portion of said object external to the file,

wherein the object has type information associated with it,

wherein the type information is utilized by the browser to identify and locate said executable application, and

wherein the executable application is automatically invoked by the browser, in response to the identifying of the embed text format.

Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c).

• the browser application retrieves over the network from the network server the hypermedia document (212) with the following HTML tag at a "first location" in the document: <EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]>

• the browser application performs the steps in Figure 7A (e.g., parsing the hypermedia document to identify the <EMBED> tag

• the browser application performs the steps in Figure 7B (e.g., initialize the drawing area)

• the browser application performs the steps in Figure 8A to identify and locate an executable application using the information TYPE = "application/x-vis" found in the <EMBED> tag

There is no corresponding act for at least the following:

• "enabling an end-user to directly interact with an object by utilizing said executable application to interactively process said object while the object is being displayed within a display area created at a first location within a portion of a hypermedia document being displayed in a browser-controlled window"

'985 Claim 25	**Corresponding structure(s) or act(s)**
25. The method of claim 24 where: the information to enable comprises text formats.	Same as for claim 24.
'985 Claim 26	**Corresponding structure(s) or act(s)**
26. The method of claim 25 where: the text formats are HTML tags.	Same as for claim 25.
'985 Claim 27	**Corresponding structure(s) or act(s)**
27. The method of claim 24 where: the information contained in the file received comprises at least one embed text format.	Same as for claim 24.
'985 Claim 28	**Corresponding structure(s) or act(s)**
software comprising an executable application . . . operable to: cause the client workstation to display an object and enable an end-user to directly interact with said object while the object is	The recited function includes the entire phrase that appears after "software comprising an executable application . . . operable to". The corresponding structure includes at least

being displayed within a display area created at a first location within a portion of a hypermedia document being displayed in a browser-controlled window,	the following: • NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B. Some of the
wherein said network environment is a distributed hypermedia environment,	modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of
wherein said client workstation receives, over said network environment from said server, at least one file containing information to enable said browser application to display, on said client workstation, at least said portion of said distributed hypermedia document within said browser-controlled window,	HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c). • hypermedia document (212) with the following HTML tag at a "first location" in the document: <EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display
wherein said executable application is external to said file,	the object] HEIGHT = [height of window to display the object]>
wherein said client workstation executes said browser application, with the browser application responding to text formats to initiate processing specified by the text formats,	• data object (216) There is no corresponding structure for at least the following:
wherein at least said portion of the document is displayed within the browser-controlled window,	• "cause the client workstation to display an object and enable an end-user to directly interact with said object while the object is being
wherein an embed text format which corresponds to said first location in the document is identified by the browser,	displayed within a display area created at a first location within a portion of a hypermedia document being displayed in a browser-
wherein the embed text format specifies the location of at least a portion of said object external to the file,	controlled window"
wherein the object has type information associated with it,	
wherein the type information is utilized by the browser to identify and locate said executable application, and	
wherein the executable application is automatically invoked by the browser, in response to the identifying of the embed text format.	
'985 Claim 29	**Corresponding structure(s) or act(s)**
29. The method of claim 28 where: the information to enable comprises text formats.	The recited function includes the entire phrase that appears after "software comprising an executable application . . . operable to". The corresponding structure includes at least the following: • NCSA Mosaic version 2.4 for X-Windows

with the modifications to the source code shown in Appendix A and Appendix B (hereinafter the "browser application"). Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c).

   • hypermedia document (212) with the following HTML tag at a "first location" in the document: <EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]>

   • data object (216)

   The corresponding acts includes at least the following:

   • the client workstation launches the browser application

   • the browser application retrieves over the network from the network server the hypermedia document (212) with the following HTML tag at a "first location" in the document: <EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]>

   • the browser application performs the steps in Figure 7A (e.g., parsing the hypermedia document to identify the <EMBED> tag

   • the browser application performs the steps in Figure 7B (e.g., initialize the drawing area)

   • the browser application performs the steps in Figure 8A to identify and locate an executable application using the information TYPE = "application/x-vis" found in the <EMBED> tag

   There is no corresponding act for at least the following:

   • "cause the client workstation to display an object and enable an end-user to directly interact with said object while the object is being displayed within a display area created at a first

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	location within a portion of a hypermedia document being displayed in a browser-controlled window"
'985 Claim 30	**Corresponding structure(s) or act(s)**
30. The method of claim 29 where: the text formats are HTML tags.	Same as for claim 29.
'985 Claim 31	**Corresponding structure(s) or act(s)**
31. The method of claim 28 where: the information contained in the file received comprises at least one embed text format.	Same as for claim 29.
'985 Claim 40	**Corresponding structure(s) or act(s)**
communicating via the network server with at least one remote client workstation over said computer network environment in order to cause said client workstation to: receive, over said computer network environment from the network server, at least one file containing information to enable a browser application to display at least a portion of a distributed hypermedia document within a browser-controlled window; execute, at said client workstation, a browser application, with the browser application: responding to text formats to initiate processing specified by the text formats; displaying, on said client workstation, at least a portion of the document within the browser-controlled window; identifying an embed text format which corresponds to a first location in the document, where the embed text format specifies the location of at least a portion of an object; identifying and locating an executable application associated with the object; and automatically invoking the executable application, in response to the identifying of the embed text format, in order to enable an end-user to directly interact with the object while the object is being displayed within a display area created at the first location within the portion of the hypermedia document being displayed in the browser-controlled window,	The recited function includes the entire phrase that appears after "in order to cause said client workstation to:" The corresponding acts includes at least the following: • the client workstation launches NCSA Mosaic version 2.4 for X-Windows with the modifications to the source code shown in Appendix A and Appendix B (hereinafter the "browser application"). Some of the modifications to the source code in Appendix A are also described in Figure 7A (flowchart for "HTMLparse" routine in the modified version of HTMLparse.c), Figure 7B (flowchart for routines in the modified version of HTMLformat.c), and Figure 8A (flowchart for "HTMLwidget" routine in the modified version of HTMLwidget.c). • the browser application retrieves over the network from the network server the hypermedia document (212) with the following HTML tag at a "first location" in the document: <EMBED TYPE = "application/x-vis" HREF = [URL address for data object (216)] WIDTH = [width of window to display the object] HEIGHT = [height of window to display the object]> • the browser application performs the steps in Figure 7A (e.g., parsing the hypermedia document to identify the <EMBED> tag • the browser application performs the steps in Figure 7B (e.g., initialize the drawing area) • the browser application performs the steps in Figure 8A to identify and locate an executable application using the information TYPE = "application/x-vis" found in the <EMBED> tag

wherein the executable application is part of a distributed application, and wherein at least a portion of the distributed application is for execution on the network server.	There is no corresponding act for at least the following: • "automatically invoking the executable application, in response to the identifying of the embed text format, in order to enable an end-user to directly interact with the object while the object is being displayed within a display area created at the first location within the portion of the hypermedia document being displayed in the browser-controlled window, wherein the executable application is part of a distributed application, and wherein at least a portion of the distributed application is for execution on the network server."
'985 Claim 41	**Corresponding structure(s) or act(s)**
41. The method of claim 40 where: the information to enable comprises text formats.	Same as for claim 40.
'985 Claim 42	**Corresponding structure(s) or act(s)**
42. The method of claim 41 where: the text formats are HTML tags.	Same as for claim 41.
'985 Claim 43	**Corresponding structure(s) or act(s)**
43. The method of claim 40 where: the information contained in the file received comprises at least one embed text format.	Same as for claim 40.

Exhibit H

Eolas Contends That No Claim Limitations In Any Of The Asserted Claims Of The Patents In Suit Should Be Governed By 35 U.S.C. § 112(6). It Provides The Identified Corresponding Structure Below In The Alternative Only.

No.	Claim	Term Allegedly Governed by 112(6)	Corresponding Structure
1.	claim 6 of the '906 patent	computer readable program code for causing said client workstation to execute a browser application to parse a first distributed hypermedia document to identify text formats included in said distributed hypermedia document and to respond to predetermined text formats to initiate processes specified by said text formats;	Figs. 4-7; 8:36-11:17; 12:50-14:63
2.	claim 9 of the '906 patent		
3.	claim 10 of the '906 patent		
4.	claim 6 of the '906 patent	computer readable program code for causing said client workstation to utilize said browser to display, on said client workstation, at least a portion of a first hypermedia document received over said network from said server, wherein the portion of said first hypermedia document is displayed within a first browser-controlled window on said client workstation, wherein said first distributed hypermedia document includes an embed text format, located at a first location in said first distributed hypermedia document, that specifies the location of at least a portion of an object external to the first distributed hypermedia document, wherein said object has type information associated with it utilized by said browser to identify and locate an executable application external to the first distributed hypermedia document, and wherein said embed text format is parsed by said browser to automatically invoke said executable application to execute on said client workstation in order to display said object and enable an end-user to directly interact with said object within a display area created at said first location within the portion of said first distributed hypermedia document being displayed in said first browser-controlled window.	Figs. 4-8; 8:36-11:17; 12:50-16:8
5.	claim 10 of the '906 patent		
6.	claim 7 of the '906 patent	wherein said executable application is a controllable application and further comprising: computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation via interprocess communications between said browser and said controllable application.	Figs. 5-6, 8, 10; 6:63-7:6; 8:56-12:49; 14:64-16:7; 16:28-16:46

No.	Claim	Term Allegedly Governed by 112(6)	Corresponding Structure
7.	claim 7 of the '906 patent	computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation via inter-process communications between said browser and said controllable application.	Figs. 5-6, 8, 10; 6:63-7:6; 8:56-12:49; 14:64-16:7; 16:28-16:46
8.	claim 9 of the '906 patent		
9.	claim 10 of the '906 patent		
10.	claim 8 of the '906 patent	wherein the communications to interactively control said controllable application continue to be exchanged between the controllable application and the browser even after the controllable application program has been launched.	Figs. 5-6, 8, 10; 6:63-7:6; 8:56-12:49; 14:64-16:7; 16:28-16:46
11.	claim 13 of the '906 patent	wherein additional instructions for controlling said controllable application reside on said network server, wherein said computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation includes: computer readable program code for causing said client workstation to issue from the client workstation, one or more commands to the network server; computer readable program code for causing said network server to execute one or more instructions in response to said commands; computer readable program code for causing said network server to send information to said client workstation in response to said executed instructions; and computer readable program code for causing said client workstation to process said information at the client workstation to interactively control said controllable application.	Figs. 4-6; 1:45-60; 5:24-5:38; 6:50-7:6; 8:36-12:50
12.	claim 9 of the '906 patent		
13.	claim 10 of the '906 patent	wherein additional instructions for controlling said controllable application reside on said network server, wherein said computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation includes: computer readable program code for causing said client workstation to issue, from the client workstation, one or more commands to the network server; computer readable program code for causing said network server to execute one or more instructions in response to said commands; computer readable program code for causing said network server to send information to said client workstation in response to said executed instructions; and	Figs. 4-6; 1:45-60; 5:24-5:38; 6:50-7:6; 8:36-12:50

No.	Claim	Term Allegedly Governed by 112(6)	Corresponding Structure
		computer readable program code for causing said client workstation to process said information at the client workstation to interactively control said controllable application; and wherein said additional instructions for controlling said controllable application reside on said client workstation.	
14.	claim 13 of the '906 patent	computer readable program code for causing said client workstation to issue from the client workstation, one or more commands to the network server;	Figs. 4-6; 1:45-60; 5:24-5:38; 6:50-7:6; 8:36-12:50
15.	claim 9 of the '906 patent		
16.	claim 10 of the '906 patent		
17.	claim 13 of the '906 patent	computer readable program code for causing said network server to execute one or more instructions in response to said commands;	Figs. 4-6; 1:45-60; 5:24-5:38; 6:50-7:6; 8:36-12:50
18.	claim 9 of the '906 patent		
19.	claim 10 of the '906 patent		
20.	claim 13 of the '906 patent patent	computer readable program code for causing said network server to send information to said client workstation in response to said executed instructions;	Figs. 4-6; 1:45-60; 5:24-5:38; 6:50-7:6; 8:36-12:50
21.	claim 9 of the '906 patent		
22.	claim 10 of the '906 patent		
23.	claim 13 of the '906 patent	computer readable program code for causing said client workstation to process said information at the client workstation to interactively control said controllable application.	Figs. 5-6, 8, 10; 6:63-7:6; 8:56-12:49; 14:64-16:7; 16:28-16:46
24.	claim 9 of the '906 patent		

No.	Claim	Term Allegedly Governed by 112(6)	Corresponding Structure
25.	claim 10 of the '906 patent		
26.	claim 14 of the '906 patent patent	wherein said additional instructions for controlling said controllable application reside on said client workstation.	Figs. 5-6, 8, 10; 6:63-7:6; 8:56-12:49; 14:64-16:7; 16:28-16:46
27.	claim 9 of the '906 patent	computer readable program code for causing said client workstation to utilize said browser to display, on said client workstation, at least a portion of a first hypermedia document received over said network from said server, wherein the portion of said first hypermedia document is displayed within a first browser-controlled window on said client workstation, wherein said first distributed hypermedia document includes an embed text format, located at a first location in said first distributed hypermedia document, that specifies the location of at least a portion of an object external to the first distributed hypermedia document, wherein said object has type information associated with it utilized by said browser to identify and locate an executable application external to the first distributed hypermedia document, and wherein said embed text format is parsed by said browser to automatically invoke said executable application to execute on said client workstation in order to display said object and enable interactive processing of said object within a display area created at said first location within the portion of said first distributed hypermedia document being displayed in said first browser-controlled window; wherein said executable application is a controllable application and further comprising: computer readable program code for causing said client workstation to interactively control said controllable application of said client workstation via inter-process communications between said browser and said controllable application; wherein the communications to interactively control said controllable application continue to be exchanged between the controllable application and the browser even after the controllable application program has been launched; and wherein additional instructions for controlling said controllable application reside on said network server, wherein said computer readable program code for causing said client workstation to interactively control said controllable application on said client workstation includes: computer readable program code for causing said client workstation to issue, from the client workstation, one or	Figs. 4-8, 10; 6:63-7:6; 8:36-16:46

No.	Claim	Term Allegedly Governed by 112(6)	Corresponding Structure
		more commands to the network server; computer readable program code for causing said network server to execute one or more instructions in response to said commands; computer readable program code for causing said network server to send information to said client workstation in response to said executed instructions; and computer readable program code for causing said client workstation to process said information at the client workstation to interactively control said controllable application.	
28.	claim 16 of the '985 patent	software comprising computer executable instructions . . . and when the software is executed operable to: receive, at the client workstation from the network server over the network environment, at least one file containing information to enable a browser application to display at least a portion of a distributed hypermedia document within a browser-controlled window; cause the client workstation to utilize the browser to: respond to text formats to initiate processing specified by the text formats; display at least a portion of the document within the browser-controlled window; identify an embed text format corresponding to a first location in the document, the embed text format specifying the location of at least a portion of an object external to the file, with the object having type information associated with it; utilize the type information to identify and locate an executable application external to the file; and automatically invoke the executable application, in response to the identifying of the embed text format, to execute on the client workstation in order to display the object and enable an end-user to directly interact with the object while the object is being displayed within a display area created at the first location within the portion of the hypermedia document being displayed in the browser-controlled window.	Figs. 4-8, 10; 8:20-10:62; 12:51-16:7; 16:28-46
29.	claim 17 of the'985 patent	claim 16 where: the information to enable comprises text formats. The method of claim 20 where: the information to enable comprises text formats.	Figs. 7-8; 12:31-37; 12:51-13:2; 13:36-16:7.
30.	claim 21 of the'985 patent	The method of claim 24 where: the information to enable comprises text formats. The method of claim 28 where: the information to enable comprises	

No.	Claim	Term Allegedly Governed by 112(6)	Corresponding Structure
31.	claim 25 of the'985 patent	text formats. The method of claim 32 where: the information to enable comprises text formats. The method of claim 40 where: the information to enable comprises text formats.	
32.	claim 29 of the'985 patent		
33.	claim 33 of the'985 patent		
34.	claim 41 of the'985 patent		
35.	claim 18 of the'985 patent	claim 17 where: the text formats are HTML tags. The method of claim 21 where: the text formats are HTML tags. The method of claim 25 where: the text formats are HTML tags. The method of claim 29 where: the text formats are HTML tags. The method of claim 33 where: the text formats are HTML tags. The method of claim 41 where: the text formats are HTML tags.	Figs. 7-8; 12:31-37; 12:51-13:2; 13:36-16:7
36.	claim 22 of the'985 patent		
37.	claim 26 of the'985 patent		
38.	claim 30 of the'985 patent		
39.	claim 34 of the'985 patent		
40.	claim 42 of the'985 patent		
41.	claim 19 of the'985 patent	claim 16 where: the information contained in the file received comprises at least one embed text format. The method of claim 20 where: the information contained in the file received comprises at least one embed text format. The method of claim 24 where: the information contained in the file	Figs. 7-8; 12:31-37; 12:51-13:2; 13:36-16:7
42.	claim 23 of the'985 patent		

No.	Claim	Term Allegedly Governed by 112(6)	Corresponding Structure
43.	claim 27 of the'985 patent	received comprises at least one embed text format. The method of claim 28 where: the information contained in the file received comprises at least one embed text format.	
44.	claim 31 of the'985 patent	The method of claim 32 where: the information contained in the file received comprises at least one embed text format.	
45.	claim 35 of the'985 patent	The method of claim 40 where: the information contained in the file received comprises at least one embed text format.	
46.	claim 43 of the'985 patent		
47.	claim 20 of the'985 patent	communicating via the network server with at least one client workstation over said network in order to cause said client workstation to: receive, over said network environment from said server, at least one file containing information to enable a browser application to display at least a portion of a distributed hypermedia document within a browser-controlled window; execute, at said client workstation, a browser application, with the browser application: responding to text formats to initiate	Figs. 4-8, 10; 8:20-10:62; 12:51-16:7; 16:28-46
48.	claim 24 of the'985 patent	A method for running an executable application in a computer network environment . . . the method comprising: enabling an end-user to directly interact with an object by utilizing said executable application to interactively process said object while the object is being displayed within a display area created at a first location within a portion of a hypermedia document being displayed in a browser-controlled window, wherein said network environment is a distributed hypermedia environment, wherein said client workstation receives, over said network environment from said server, at least one file containing information to enable said browser application to display, on said client workstation, at least said portion of said distributed hypermedia document within said browser-controlled window, wherein said executable application is external to said file, wherein said client workstation executes the browser application, with the browser application responding to text formats to initiate processing specified by the text formats, wherein	Figs. 4-8, 10; 8:20-10:62; 12:51-16:7; 16:28-46

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No.	Claim	Term Allegedly Governed by 112(6)	Corresponding Structure
		at least said portion of the document is displayed within the browser-controlled window, wherein an embed text format which corresponds to said first location in the document is identified by the browser, wherein the embed text format specifies the location of at least a portion of said object external to the file, wherein the object has type information associated with it, wherein the type information is utilized by the browser to identify and locate said executable application, and wherein the executable application is automatically	
49.	Claim 28 of the '985 patent	software comprising an executable application . . . operable to: cause the client workstation to display an object and enable an end-user to directly interact with said object while the object is being displayed within a display area created at a first location within a portion of a hypermedia document being displayed in a browser controlled window, wherein said network environment is a distributed hypermedia environment, wherein said client workstation receives, over said network environment from said server, at least one file containing information to enable said browser application to display, on said client workstation, at least said portion of said distributed hypermedia document within said browser-controlled window, wherein said executable application is external to said file, wherein said client workstation executes said browser application, with the browser application responding to text formats to initiate processing specified by the text formats, wherein at least said portion of the document is displayed within the browser-controlled window, wherein an embed text format which corresponds to said first location in the document is identified by the browser, wherein the embed text format specifies the location of at least a portion of said object external to the file, wherein the object has type information associated with it, wherein the type information is utilized by the browser to identify and locate said executable application, and wherein the executable application is automatically invoked by the browser, in response to the identifying of the embed text format.	Figs. 4-8, 10; 8:20-10:62; 12:51-16:7; 16:28-46
50.	claim 32 of the '985 patent	communicating via a network server with at least one client workstation over said computer network environment in order to cause said client workstation to: receive at said client workstation, over said computer network environment from said server, at least	Figs. 4-8, 10; 8:20-10:62; 12:51-16:7; 16:28-46

No.	Claim	Term Allegedly Governed by 112(6)	Corresponding Structure
		one file containing information to enable a browser application to display, on said client workstation, at least a portion of a distributed hypermedia document within a browser-controlled window; utilize an executable application external to said file to enable an end-user to directly interact with an object while the object is being displayed within a display area created at a first location within the portion of the distributed hypermedia document being displayed in the browser-controlled window, with said network server coupled to said computer network environment, wherein said computer network environment has at least said client workstation and said network server coupled to the computer network environment, wherein said computer network environment is a distributed hypermedia environment, wherein said client workstation executes the browser application, with the browser application responding to text formats to initiate processing specified by the text formats, wherein at least said portion of the document is displayed within the browser-controlled window, wherein an embed text format which corresponds to said first location in the document is identified by the browser, wherein the embed text format specifies the location of at least a portion of said object external to the file, wherein the object has type information associated with it, wherein the type information is utilized by the browser to identify and locate said executable application, and wherein the executable application is automatically invoked by the browser, in response to the identifying of the embed text format.	
51.	claim 40 of the '985 patent	communicating via the network server with at least one remote client workstation over said computer network environment in order to cause said client workstation to: receive, over said computer network environment from the network server, at least one file containing information to enable a browser application to display at least a portion of a distributed hypermedia document within a browser-controlled window; execute, at said client workstation, a browser application, with the browser application: responding to text formats to initiate processing specified by the text formats; displaying, on said client workstation, at least a portion of the document within the browser-controlled window; identifying an embed text format which corresponds to a first location in the document, where the embed text format specifies the location of at least a portion of an object; identifying and locating an executable	Figs. 4-8, 10; 8:20-10:62; 12:51-16:7; 16:28-46

No.	Claim	Term Allegedly Governed by 112(6)	Corresponding Structure
		application associated with the object; and automatically invoking the executable application, in response to the identifying of the embed text format, in order to enable an end-user to directly interact with the object while the object is being displayed within a display area created at the first location within the portion of the hypermedia document being displayed in the browser-controlled window, wherein the executable application is part of a distributed application, and wherein at least a portion of the distributed application is for execution on the network server.	

Exhibit I

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Re: *Eolas Technologies Incorporated v. Adobe Systems, Inc., et. al*; Civil Action No.
        6:09-CV-00446-LED; United District Court of Texas; Eastern District

Counsel,

Pursuant to the Court's December 21, 2010 Order (dkt. 536) and in the interest of narrowing the number of claims at issue in this case, Eolas states that it will no longer assert the following claims against any Defendant in the above-captioned matter:

U.S. Patent No. 5,838,906: Claims 4, 5, 9, and 10

U.S. Patent No. 7,599,985: Claims 12, 13, 14, 15, 32, 33, 34, 35, 44, 45, 46, and 47

Eolas expects that by dropping these asserted claims, defendants will comply with their discovery obligations, and correct the numerous discovery shortcomings Eolas has identified. Eolas further expects that the Defendants will follow through on their promise to reduce the number of prior art references currently being asserted against Eolas.

These claims are being dropped without prejudice, and Eolas reserves the right to assert any or all claims of the Patents-in-Suit against any products or combinations of products made, used, offered for sale, sold, or imported into the United States by defendants that are not identified in Eolas' P.R. 3-1 infringement contentions.

If you have any questions, please feel free to contact me.

Sincerely,

Josh Budwin

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