

I. INTRODUCTION

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

II. EOLAS' UNOPPOSED REQUEST FOR RELIEF

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

2. Since March 5, 2010, Staples added new functionality to its accused products: namely the Carousel functionality included in the infringement contentions attached as Exhibit A hereto. Eolas provided Staples a copy of the infringement contentions attached as Exhibit A hereto, on June 28, 2011. On July 28, 2011, Staples indicated that it does not oppose Eolas' request for leave to supplement its infringement contentions for the '985 patent for Carousel functionality that it has added to its accused websites. Eolas will re-serve such contentions on Staples' counsel within three days of the date the Court grants this motion.

DATED: July 29, 2011

Respectfully submitted,

McKOOL SMITH P.C.

By: /s/ Mike McKool

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CERTIFICATE OF CONFERENCE

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

/s/ John Campbell
John Campbell

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 July 29, 2011.

/s/ John Campbell
John Campbell