

EXHIBIT 3

From: Christopher J. Mierzejewski
Sent: Thursday, June 09, 2011 2:28 PM
To: Ropes Google Group
Cc: Eolas; allengardner@potterminton.com
Subject: Eolas v. Adobe - Google Music

Counsel,

As you are aware, Google recently announced the Beta of Google Music. We made you aware on or about the day of announcement that videos available from the Google Music site appeared to show infringement of the patents in this case. We have since been able to experiment with Google Music, and believe that Google Music infringes the patents asserted in this case.

We intend to supplement the PICs in this case with PICs covering Google Music, which we are currently in the process of drafting. We will send you copies once they are completed so we can discuss the motion to supplement. We expect Google's production will be supplemented to include Google Music as an Accused Product.

Sincerely,
Christopher

Christopher J. Mierzejewski | McKool Smith
300 W. 6th Street, Suite 1700 | Austin, Texas 78701
telephone: 512.692.8740

NOTICE OF CONFIDENTIALITY:

The information contained in and transmitted with this e-mail is SUBJECT TO THE ATTORNEY-CLIENT and ATTORNEY WORK PRODUCT PRIVILEGE and is CONFIDENTIAL. It is intended only for the individual or entity designated above. You are hereby notified that any dissemination, distribution, copying, use or reliance upon the information contained in and transmitted with this e-mail by or to anyone other than the addressee designated above by the sender is unauthorized and strictly prohibited. If you have received this e-mail in error, please notify the sender by reply immediately. Any e-mail erroneously transmitted to you should be immediately destroyed.