

EXHIBIT 6



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BY E-MAIL

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Eolas Technologies Inc. v. Adobe Systems, Inc., et al.
Case No. 6:09-cv-446-LED (E.D. Tex.)

Dear Christopher:

Thank you for your e-mail of Monday, June 27th, 2011 regarding ‘Current Discovery Summary from Google & YouTube.’ The primary purpose of this response is to provide you with applicable status updates and clarifications on the referenced items, and to identify the few places in which your summary doesn’t quite comport with our understanding. To the extent that your email accurately summarizes our understanding on a given point, no further comment is provided below.

1) 30(b)(1) depositions

As requested, Google is looking into the availability of Mr. Carlos Pizano and Mr. Joel Webber for half-day depositions. We note that Mr. Webber is located in Atlanta, GA, and we would like to know if you will agree to a deposition by videoconference for this witness. For any additional personal depositions that Eolas may seek from Google, we would appreciate the earliest possible notice, particularly given people’s complicated summer travel schedules.

(2) 30(b)(6) depositions

Eolas has already taken seven depositions pursuant to the four 30(b)(6) notices of deposition that Eolas served on Google (dated Jan. 25th, 2011, Mar. 15th, 2011, Mar. 23rd, 2011, and Apr. 20th, 2011). These deposition notices contain 166 topics. From Google’s perspective, Eolas’ 30(b)(6) notices seek an enormous breadth of information, especially in light of the large number of Google products accused of infringement in this case.

Google is doing its best to identify knowledgeable witnesses who can cover as many of these topics as possible. Further, Google has attempted to work with Eolas to identify which topics are of top priority to Eolas. At this time, Google can identify that Mr. Mark Martel is available for a deposition on July 15th, 2011. Google will be designating Mr. Martel for at least the following topics: 32, 35-41, 123-24, and 126. Google can also identify that Mr. Gideon Wald will be made available for a deposition in the near future. Google will be designating Mr. Wald for at least the following topics: 62 and 65-71.

As previously discussed, most recently during our telephone conversation on June 28th, 2011, Google proposes to designate the transcripts of Mr. Sundar Pichai (deposition taken Apr. 22nd, 2011) and Mr. Brian Rakowski (deposition taken Mar. 18th, 2011) from this case for topics 113, 114, and 116 in Eolas's Mar. 23rd, 2011 30(b)(6) notice of deposition. Further, Google proposes that topics 110, 111, 112, and 115 in Eolas's Mar. 23rd, 2011 30(b)(6) notice of deposition are best answered by documents produced by Google, including: GOOGLE_01972792, GOOGLE_04136337, GOOGLE_04136338, GOOGLE_04136347, RGGOOGL_0000128, RGGOOGL_0000129, and RGGOOGL_0000130. Please let us know your thoughts about this.

Further, while Google reserves the right to designate a witness for these topics if Google is able to identify an appropriate witness, Google has so far been unable to identify a witness with adequate knowledge to cover even a reasonable fraction of the information sought in topics 42, 43, 44, 45, 46, 48, 50, 51, 133, 134, and 135. When applied to Google, these topics are extraordinarily broad. Topics 42, 43, 44, 45, 46, 48, 50, and 51 cover five different technologies (Flash, Shockwave, QuickTime, HTML5, and AJAX) across the large number of accused products. When applied to Google, many of these topics also implicate several different high-level concepts associated with wide swaths of information within Google. For example, "benefits" can be viewed very differently by employees in different roles within a company. Similarly, topics 133, 134, and 135 also encompass numerous high-level concepts, again across the large number of accused products. Perspectives on "value," "benefits," and "harm" can be very different across different sectors of Google.

For these reasons, we believe that covering even the majority of these topics would require deposing a huge number of Google designees, a process that we expect neither Eolas nor Google would find efficient. Google therefore proposes that these topics be addressed in the depositions of Google's experts, who can synthesize the large amount of information relevant to this broad array of information. If you have a different perspective, though, and believe that another discovery vehicle would be more efficient, we would be happy to discuss.

(3) Production of intermediate spreadsheet

Google is collecting the intermediate spreadsheet discussed at the deposition of Mr. Kaustuv, and we expect to produce it shortly.

(4) Oracle v. Google case materials

We have provided you with the Daubert briefing from the *Oracle v. Google* case, which is publicly available. As to damages reports, which are not public, Google believes that production of such reports is not properly compelled—a position Google understands is buttressed by rulings in this district on motions to compel production of such reports or similar information. The fundamental differences in the patented technologies in the two cases further support that result here. Aside from relevance, we also have conveyed to you our concerns about providing any non-public information from this case without Oracle's consent. As described in your e-mail, Google has proposed a three-way conference call with counsel for Oracle to clear any potential confidentiality issues and awaits information from Eolas regarding scheduling of that call. On a related topic, it is not our understanding that previous counsel for Google agreed to produce these damages reports.

(5) IV/IIF documents

As your June 27 email touches on, the parties agreed in meet-and-confer that Google will examine additional documents related to IV/IIF, Google will produce the subset of these additional documents, if any, that appears probative, and the parties will then meet-and-confer regarding whether any further production is warranted. We are informed, though, that IV is separately negotiating with Eolas over the scope of IV-related documents/information to be produced in this matter, so please update us on the status of those negotiations before further steps are taken on this issue.

(6) Google Music

Google is reviewing Eolas's proposed amended PICs for Google Music. Google will respond to Eolas shortly regarding whether Google intends to oppose Eolas's motion to supplement as to Google Music.

(7) Skyhook case documents

Google has looked into the availability of the e-mails cited by Eolas as having been made public in the *Skyhook* case in Massachusetts Superior Court. As counsel for Google currently understands the situation, Google does not have the versions of the e-mails that were actually made public by the Massachusetts Superior Court. Further, Google does not believe the e-mails are relevant to this matter. Eolas may seek to obtain the e-mails made public directly from the Massachusetts Superior Court.

(8) Additional Google agreements

Google has located some additional agreements. We are currently in the process of reviewing these agreements, and we expect any additional relevant, responsive agreements to be produced shortly.

(9) "Dashboard" information

Google has produced a large amount of financial and usage information, some of which was obtained from internal Google "dashboards" maintained by various Google employees over a range of time periods. Google believes such productions were comprehensive, but Google remains willing to consider additional specific requests to the extent that Eolas can identify missing information with particularity. Google's production of such information remains contingent on the availability of the particular data requested by Eolas.

Thanks again for your efforts to work through these issues cooperatively.

Very truly yours,



Rebecca R. Hermes

cc: Counsel of record for Eolas Technologies Inc. *(by e-mail)*