

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
TYLER DIVISION**

EOLAS TECHNOLOGIES	§	Civil Action No. 6:09-CV-446-LED
INCORPORATED,	§	
	§	
PLAINTIFF,	§	
	§	JURY TRIAL DEMANDED
v.	§	
	§	
ADOBE SYSTEMS INC., et al.,	§	
	§	
DEFENDANTS.	§	
	§	

**DECLARATION OF HAN XU IN SUPPORT OF GOOGLE’S OPPOSITION TO  
EOLAS’ MOTION FOR LEAVE TO SUPPLEMENT ITS P.R. 3-1  
INFRINGEMENT CONTENTIONS WITH RESPECT TO GOOGLE MUSIC AND  
GOOGLE+**

I, Han Xu, declare as follows:

1. I am an attorney with the law firm of Ropes & Gray LLP, counsel for defendants Google Inc. and YouTube, LLC in the above captioned matter. I make this declaration in support of Google's Opposition to Eolas' Motion for Leave to Supplement its P.R. 3-1 Infringement Contentions With Respect to Google Music and Google+, filed herewith. Unless otherwise stated, the matters contained in this declaration are of my own personal knowledge and, if called as a witness, I could and would testify competently to the matters set forth herein.

2. Attached as Exhibit A is a true and correct copy of a screen capture of the Music Beta by Google website taken on August 10, 2011.

3. Attached as Exhibit B is a true and correct copy of a screen capture of the Google+ website taken on August 10, 2011.

4. Attached as Exhibit C is a true and correct copy of *Davis-Lynch, Inc. v. Weatherford Int'l, Inc.*, No. 6:07-CV-559, 2009 WL 81874 (E.D. Tex. April 24, 2009).

5. Attached as Exhibit D is a true and correct copy of *Power-One, Inc. v. Artesyn Technologies, Inc.*, No. 2:05-CV-463, 2007 WL 2986671 (E.D. Tex, Oct. 11, 2007).

6. Attached as Exhibit E is a true and correct copy of *EON Corp. IP Holdings, LLC v. Sensus USA Inc.*, No. 6:09-cv-116, 2010 WL 346218 (E.D. Tex. January 21, 2010).

I declare under penalty of perjury that the foregoing is true and correct.

Dated: August 10, 2011



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Han Xu  
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*Attorney for Google Inc. and YouTube, LLC*