

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS

TYLER DIVISION

Eolas Technologies Incorporated,

Plaintiff,

vs.

Civil Action No. 6:09-CV-446-LED

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
Corporation, 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.

JURY TRIAL DEMANDED

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 Corporation,
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.

DECLARATION OF EDWARD R. REINES IN SUPPORT OF DEFENDANTS' MOTION
FOR SUMMARY JUDGMENT OF INVALIDITY
FOR LACK OF WRITTEN DESCRIPTION

I, Edward R. Reines, hereby declare:

1. I am an attorney with the law firm of Weil, Gotshal & Manges LLP, counsel of record for Yahoo! Inc. (“Yahoo”) and Amazon.com, Inc. (“Amazon”) (collectively, “Defendants”) in the above-captioned matter. I submit this declaration based on personal knowledge following a reasonable investigation. If called upon as a witness, I could competently testify to the truth of each statement herein.
2. I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.
3. Attached hereto as **Exhibit A** is a true and correct copy of the United States Patent 5,838,906 dated November 17, 1998.
4. Attached hereto as **Exhibit B** is a true and correct copy of the United States Patent 7,599,985 dated October 6, 2009.
5. Attached hereto as **Exhibit C** is a true and correct copy of Applicants’ Response from the U.S. Patent 5,838,906 Prosecution History dated August 6, 1996.
6. Attached hereto as **Exhibit D** is a true and correct copy of excerpts to the Deposition of Michael Doyle dated June 30, 2011.
7. Attached hereto as **Exhibit E** is a true and correct copy of Applicants’ Response in the U.S. Patent 7,599,985 Prosecution History dated February 5, 2009.
8. Attached hereto as **Exhibit F** is a true and correct copy of excerpts to the Deposition of Cheong Ang dated July 7, 2011.
9. Attached hereto as **Exhibit G** is a true and correct copy of Declaration of Edward W. Felten dated September 27, 2007 accompanying Applicants’ Response in U.S. Patent 5,838,906 Reexamination.
10. Attached hereto as **Exhibit H** is a true and correct copy of excerpts to the Expert Report of David Martin dated July 20, 2011.

11. Attached hereto as **Exhibit I** is a true and correct copy of excerpts to the Microsoft trial transcript dated July 9, 2003 before the Honorable James B. Zagel regarding Case No. 99 C 626 in the United States District Court Northern District of Illinois Eastern Division.

12. Attached hereto as **Exhibit J** is a true and correct copy of the Notice of Intent to Issue Reexamination Certificate dated September 27, 2005 regarding U.S. Patent 5,838,906.

13. Attached hereto as **Exhibit K** is a true and correct copy of excerpts to the Expert Report of Richard L. Phillips dated July 20, 2011.

14. Attached hereto as **Exhibit L** is a true and correct copy of the Applicants' Response from the U.S. Patent 5,838,906 prosecution history dated June 2, 1997.

15. Attached hereto as **Exhibit M** is a true and correct copy of Applicants' Response from the U.S. Patent 7,599,985 Prosecution History dated March 11, 2005.

Executed: August 17, 2011

/s/ Edward R. Reines
Edward R. Reines
Attorney for Defendants Yahoo! Inc. and
Amazon.com, Inc.