

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

EOLAS TECHNOLOGIES INCORPORATED §

PLAINTIFF, §

v. §

ADOBE SYSTEMS INC., §
AMAZON.COM, INC., APPLE INC., §
ARGOSY PUBLISHING, INC., §
BLOCKBUSTER INC., CDW CORP., §
CITIGROUP INC., EBAY INC., FRITO- §
LAY, INC., THE GO DADDY GROUP, §
INC., GOOGLE INC., J.C. PENNEY §
COMPANY, 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. §

CIVIL ACTION NO. 6:09-CV-446

JURY TRIAL DEMANDED

DEFENDANTS GOOGLE INC. AND YOUTUBE LLC'S
REBUTTAL TRIAL WITNESS LIST

Pursuant to the Court's Docket Control Order entered in this case, Defendants Google Inc. and YouTube LLC ("together, "Google") submit this Rebuttal trial Witness List.

Google's Rebuttal Trial Witness List in this matter is the same at its Trial Witness List, served on August 12, 2011, which is incorporated herein by reference. Google reserves the right to call any witness on that list, in addition to any other witness deposed by Eolas or identified

on Eolas' witness lists, identified on the Trial or Rebuttal witness lists of any other defendant in this case, necessitated by any joinder of the U.C. Regents or any reference to or arguments about the University of California, or necessitated by the Court's claim construction. Google further reserves the right to call any witness(es) necessary to authenticate any document or material that Google relies upon at trial where such authenticity is disputed by Eolas.

Dated: August 22, 2011

*/s/ Brandon H. Story, with permission by
Michael E. Jones*

James R. Batchelder (pro hac vice)
james.batchelder@ropesgray.com

Sasha G. Rao (pro hac vice)
sasha.rao@ropesgray.com

Mark D. Rowland
mark.rowland@ropesgray.com

Brandon Stroy (pro hac vice)
brandon.stroy@ropesgray.com

Rebecca R. Hermes (pro hac vice)
rebecca.hermes@ropesgray.com

Lauren N. Robinson (pro hac vice)
lauren.robinson@ropesgray.com

Han Xu (pro hac vice)
han.xu@ropesgray.com

ROPES & GRAY LLP
1900 University Avenue, 6th Floor
East Palo Alto, California 94303-2284
Telephone: (650) 617-4000
Facsimile: (650) 617-4090

Michael E. Jones (Bar No. 10929400)
mikejones@potterminton.com

Allen F. Gardner (Bar No. 24043679)
allengardner@potterminton.com

POTTER MINTON
A Professional Corporation
110 N. College, Suite 500
Tyler, TX 75702
Telephone: (903) 597-8311
Facsimile: (903) 593-0846

*ATTORNEYS FOR DEFENDANTS
GOOGLE INC. & YOUTUBE LLC*

CERTIFICATE OF SERVICE

I hereby certify that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via Electronic Mail and/or via the Court's CM/ECF system per Local Rule CV-5(a)(3), on this 22nd day of August, 2011.

/s/ Michael E. Jones