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

Eolas Technologies Incorporated,	§	
	§	
Plaintiff,	§	Civil Action No. 6:09-CV-00446-LED
	§	
VS.	§	
	§	
Adobe Systems Inc., Amazon.com, Inc.,	§	JURY TRIAL
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.	§	

ORDER

Before the Court is Plaintiff Eolas' Motion to Reconsider Construction of "Executable Application" in Memorandum Opinion and Order (Dkt. No. 914) or, In the Alternative, to Certify the Question for Interlocutory Appeal. Having considered the motion, the Court is of the opinion that it is well-taken and should be GRANTED.

Therefore, the Court hereby reconsiders its construction of the term "executable application," and ORDERS that the term be construed, in accordance with Federal Circuit's holding, to mean "any computer program code, that is not the operating system or a utility, that is launched to enable an end user to directly interact with data."