

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

EOLAS TECHNOLOGIES  
INCORPORATED,

PLAINTIFF,

v.

ADOBE SYSTEMS INC., et al.,

DEFENDANTS.

§ Civil Action No. 6:09-CV-446-LED

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§ JURY TRIAL DEMANDED

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**DECLARATION OF LAUREN N. ROBINSON IN SUPPORT OF DEFENDANTS’  
OPPOSITION TO 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**

I, Lauren N. Robinson, declare as follows:

1. I am an associate at the law firm of Ropes and Gray LLP, counsel for defendants Google, Inc. and YouTube, LLC. I am admitted to practice law before this Court (*pro hac vice*) and all of the courts of the State of California.

2. I make this declaration of my own personal knowledge. If called to testify as to the truth of the matters stated herein, I could and would testify competently.

3. Attached hereto as Exhibit A is a true and correct copy of the September 27, 2005 Notice of Intent to Issue Ex Parte Reexamination Certificate from the reexamination file history of U.S. Patent No. 5,838,906 (Application No. 90/006,831).

4. Attached hereto as Exhibit B is a true and correct copy of an email exchange between Ed Reines, counsel for Amazon and Yahoo, and Josh Budwin, counsel for Eolas.

5. Attached hereto as Exhibit C is a true and correct copy of "United States Court of Appeals for the Federal Circuit, Median Time to Disposition in Cases Terminated After Hearing or Submission," available at [http://www.cafc.uscourts.gov/images/stories/the-court/statistics/Median\\_Dispositon\\_Time\\_for\\_Cases\\_Terminated\\_after\\_Hearing\\_or\\_Submission\\_Detailed\\_Table\\_of\\_Data\\_2001-2010.pdf](http://www.cafc.uscourts.gov/images/stories/the-court/statistics/Median_Dispositon_Time_for_Cases_Terminated_after_Hearing_or_Submission_Detailed_Table_of_Data_2001-2010.pdf).

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

Date: September 13, 2011

/s/ Lauren N. Robinson

Lauren N. Robinson