

EXHIBIT B

From: Josh Budwin <jbudwin@McKoolSmith.com>
Sent: Friday, August 26, 2011 1:47 PM
To: Reines, Edward; John B. Campbell
Cc: 'defendants-eolas@ropesgray.com'; Eolas
Subject: RE: Eolas v. Adobe et al

Ed -

We are happy to discuss. Since your email of 1:53pm CT today requests for the first time an indefinite postponement of the rebuttal reports which are due Monday (and a response by 4pm CT today), we propose extending the deadline for rebuttal reports one week to September 6, 2011 (since Monday, September 5, 2011 is a holiday) so we have time to discuss your concerns. Please send us a draft proposed motion. Of course, we disagree with the posturing in your emails below.

Thanks.

-----Original Message-----

From: Reines, Edward [mailto:edward.reines@weil.com]
Sent: Friday, August 26, 2011 1:53 PM
To: Josh Budwin; John B. Campbell
Cc: 'defendants-eolas@ropesgray.com'; EOLAS Attorneys
Subject: RE: Eolas v. Adobe et al

Josh,

We propose extending the rebuttal report deadline sufficiently far out that we have time to receive and process Eolas' position regarding its scripts-related and user-touch infringement positions as set out in my email Tuesday. We had asked for a response by yesterday given the rebuttal report date and we received no answers at all. Given the claim construction ruling and its substantial impact on Eolas' infringement case-as acknowledged by Eolas' proffered motion for reconsideration--we believe this is reasonable and fair. Please respond by 4pm CT today so we can take whatever action we believe necessary if we cannot come to an agreement. Of course, we are happy to discuss.

Best,

Ed

-----Original Message-----

From: Reines, Edward
Sent: Thursday, August 25, 2011 3:48 PM
To: jbudwin@McKoolSmith.com
Cc: 'defendants-eolas@ropesgray.com'; EOLAS Attorneys
Subject: RE: Eolas v. Adobe et al

Josh, I know from your email activity it has been a busy day, but please advise as to when we can expect a response to our below email. This is obviously time sensitive. Thanks much, Ed

-----Original Message-----

From: Reines, Edward
Sent: Tuesday, August 23, 2011 6:50 PM
To: jbudwin@McKoolSmith.com
Cc: defendants-eolas@ropesgray.com; EOLAS Attorneys
Subject: Eolas v. Adobe et al

Josh,

In light of Judge Davis's Claim Construction Order, and given the upcoming events, we request that Eolas promptly confirm that the following categories of features, and methods using them, are no longer accused of infringement:

- Features where a script or a portion of a script is alleged to satisfy the "executable application" limitation, such as for example what Eolas has labeled "search suggest" and "product carousels" using JavaScript, given the Court's construction of "executable application," "in order to display said object . . . within a display area created at said first location," and "automatically" invoking the executable application.
- Features where a script or a portion of a script is alleged to satisfy the "embed text format" limitation, given the Court's ruling that the "embed text format location in the document is where the displayed object will appear."
- Features where a user-click is required before the alleged "executable application" is launched, such as for example the accused products that utilize Flash technology with a user-click, given the Court's construction of "automatically invoking the executable application."
- Browsers where Eolas' infringement theory is based upon the above mentioned theories.

Whether there ever was a basis to assert infringement against these types of products and methods using them, there is no legitimate basis now. In that regard, we reserve all rights. Please provide a complete response by Thursday, August 25 COB given the upcoming deadlines.

Best,

Ed

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