



Eolas Technologies, Inc. (“Eolas”) moves for leave to file a response brief to Defendant Adobe’s Motion for Partial Summary Judgment of Noninfringement Based on Its License Defense. On August 17, 2011, Adobe, Inc. (“Adobe”) sought leave to file Defendant Adobe’s Motion for Partial Summary Judgment of Noninfringement Based on Its License Defense and exceed the collective 60-page limit for summary judgment briefing. Dkt. No. 871. The Court granted Adobe’s motion for leave. Dkt. No. 893.

Eolas hereby requests leave to file an opposition brief to Defendant Adobe’s Motion for Partial Summary Judgment of Noninfringement Based on Its License Defense and exceed the collective 60-page limit for responses to summary judgment motions. L.R. 7(a)(3). Eolas requests leave to file an 11-page response brief—the same length as Adobe’s 11-page summary judgment motion.

Dated: September 28, 2011.

**MCKOOL SMITH, P.C.**

/s/ Mike McKool

Mike McKool

Lead Attorney

Texas State Bar No. 13732100

[mmckool@mckoolsmith.com](mailto:mmckool@mckoolsmith.com)

Douglas Cawley

Texas State Bar No. 04035500

[dcawley@mckoolsmith.com](mailto:dcawley@mckoolsmith.com)

Holly Engelmann

Texas State Bar No. [24040865](#)

[hengelmann@mckoolsmith.com](mailto:hengelmann@mckoolsmith.com)

[J.R. Johnson](#)

Texas State Bar No. [24070000](#)

[jjohnson@mckoolsmith.com](mailto:jjohnson@mckoolsmith.com)

**MCKOOL SMITH, P.C.**

300 Crescent Court, Suite 1500

Dallas, Texas 75201

Telephone: (214) 978-4000

Telecopier: (214) 978-4044

Kevin L. Burgess

Texas State Bar No. 24006927

[kburgess@mckoolsmith.com](mailto:kburgess@mckoolsmith.com)

Josh W. Budwin

Texas State Bar No. 24050347

[jbudwin@mckoolsmith.com](mailto:jbudwin@mckoolsmith.com)

Gretchen K. Curran

Texas State Bar No. 24055979

[gcurran@mckoolsmith.com](mailto:gcurran@mckoolsmith.com)

Matthew B. Rappaport

Texas State Bar No. 24070472

[mrappaport@mckoolsmith.com](mailto:mrappaport@mckoolsmith.com)

**MCKOOL SMITH, P.C.**

300 West Sixth Street, Suite 1700

Austin, Texas 78701

Telephone: (512) 692-8700

Telecopier: (512) 692-8744

Robert M. Parker  
Texas State Bar No. 15498000  
[rmparker@pbatyler.com](mailto:rmparker@pbatyler.com)  
Robert Christopher Bunt  
Texas Bar No. 00787165  
[rcbunt@pbatyler.com](mailto:rcbunt@pbatyler.com)  
Andrew T. Gorham  
Texas State Bar No. 24012715  
[tgorham@pbatyler.com](mailto:tgorham@pbatyler.com)  
**PARKER, BUNT & AINSWORTH, P.C.**  
100 E. Ferguson, Suite 1114  
Tyler, Texas 75702  
(903) 531-3535  
(903) 533-9687- Facsimile

**ATTORNEYS FOR PLAINTIFF  
EOLAS TECHNOLOGIES INC.  
AND THE REGENTS OF THE  
UNIVERSITY OF CALIFORNIA**

**CERTIFICATE OF CONFERENCE**

Counsel for Eolas has conferred with counsel for Adobe regarding the relief requested in this Motion. Defendant is unopposed to the relief requested in this Motion

*/s/ John B. Campbell* \_\_\_\_\_  
John B. Campbell

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was filed electronically in compliance with Local Rule CV-5(a). As such, this document was served on all counsel who have consented to electronic services pursuant to Local Rule CV-5(a)(3)(A), on September 28, 2011.

*/s/ John B. Campbell* \_\_\_\_\_  
John B. Campbell