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 13 ACACIA MEDIA TECHNOLOGIES CORPORATION

14
 15 UNITED STATES DISTRICT COURT
 16 FOR THE NORTHERN DISTRICT OF CALIFORNIA
 17 SAN JOSE DIVISION

18 In re 19 ACACIA MEDIA TECHNOLOGIES 20 CORPORATION) Case No. 05 CV 01114 JW)) DECLARATION OF ALAN P. BLOCK IN) SUPPORT OF PLAINTIFF ACACIA) MEDIA TECHNOLOGIES) CORPORATION'S REPLIES TO MOTION) FOR RECONSIDERATION AND) CLARIFICATION)) DATE: September 8-9, 2005) TIME: 9:00 a.m.) CTRM: Hon. James Ware))
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HENNIGAN, BENNETT & DORMAN LLP
 LAWYERS
 LOS ANGELES, CALIFORNIA

HENNIGAN, BENNETT & DORMAN LLP
LAWYERS
LOS ANGELES, CALIFORNIA

1 I, Alan P. Block, hereby declare as follows:

2 1. I am a member of the law firm of Hennigan, Bennett & Dorman LLP, counsel of
3 record for plaintiff Acacia Media Technologies Corporation in this case. I have personal knowledge
4 of the facts stated herein and, if called as a witness, I could and would testify competently thereto.

5 2. Attached hereto as Exhibit 1 is a true and correct copy of the case of *Network*
6 *Commerce, Inc. v. Microsoft Corp.*, ___ F.3d ___, 2005 U.S. App. LEXIS 19355 (Fed. Cir. 2005).

7 3. Attached hereto as Exhibit 2 is a true and correct copy of the case of *Free Motion*
8 *Fitness, Inc. v. Cybex International, Inc.*, ___ F.3d ___, 2005 U.S. App. LEXIS 19886 (Fed. Cir.
9 2005).

10 4. Attached hereto as Exhibit 3 is a true and correct copy of selected pages of the
11 Deposition of Dr. Andrew Lippman taken on August 31, 2005.

12 5. Attached hereto as Exhibit 4 is a true and correct copy of a chart relating to the term
13 "sequence encoder" which was used by Mr. Weiss during his testimony on September 8, 2005.

14 6. Attached hereto as Exhibit 5 is a true and correct copy of a chart relating to the term
15 "identification encoder" which was used by Mr. Weiss during his testimony on September 8, 2005.

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

18 Executed this 28th day of September, 2005, at Los Angeles, California.

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20 _____ /s/
21 Alan P. Block

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