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14
 15 **UNITED STATES DISTRICT COURT**
 16
 17 **FOR THE NORTHERN DISTRICT OF CALIFORNIA**
 18
 19 **SAN JOSE DIVISION**

20 In re) Case No. 05 CV 01114 JW
 21)
 22 ACACIA MEDIA TECHNOLOGIES) **DECLARATION OF ALAN P. BLOCK IN**
 23 CORPORATION) **SUPPORT OF PLAINTIFF ACACIA**
 24) **MEDIA TECHNOLOGIES**
 25) **CORPORATION'S MOTION FOR**
 26) **RECONSIDERATION AND**
 27) **CLARIFICATION OF THE COURT'S**
 28) **JULY 12, 2004 MARKMAN ORDER**
)
) **DATE:** September 8-9, 2005
) **TIME:** 9:00 a.m.
) **CTRM:** Hon. James Ware

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 Court's July 12, 2004
6 Markman Order.

7 3. Attached hereto as Exhibit 2 is a true and correct copy of U.S. Patent No. 5,132,992.

8 4. Attached hereto as Exhibit 3 is a true and correct copy of U.S. Patent No. 6,144,702.

9 5. Attached hereto as Exhibit 4 is a true and correct copy of *Phillips v. AWH Corp.*,
10 2005 U.S. App. LEXIS 13954.

11 6. Attached hereto as Exhibit 5 is a true and correct copy of U.S. Patent No. 5,253,275.

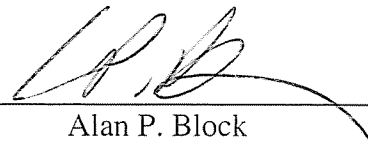
12 7. Attached hereto as Exhibit 6 is a true and correct copy of selected sections of
13 M.P.E.P, Seventh Edition, July 1998, obtained from [http://www.uspto.gov/web/offices/pac/
14 mpep/indexold.htm](http://www.uspto.gov/web/offices/pac/mpep/indexold.htm).

15 8. Attached hereto as Exhibit 7 is a true and correct copy of the cover page and page 18
16 of Defendants' Responsive Claim Construction Brief Regarding United States Patent No. 6,144,702.

17 9. Attached hereto as Exhibit 8 is a true and correct copy of selected documents from
18 the file history of U.S. Patent No. 6,144,702.

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

21 Executed this 29th day of July, 2005, at Los Angeles, California.

22
23 
24 Alan P. Block