

EXHIBIT A

From: DeBruine, Sean
Sent: Thursday, April 22, 2010 10:38 AM
To: Mehta, Sonal
Cc: Apple Elan WGM Service; Elan Apple Team
Subject: Supplemental Invalidity Contentions

Sonal,

In connection with the claim construction process, we recently examined the Boie '388 cited in the file history of the '352 patent. As you may know, that patent was discussed in Mr. Dezmelyk's deposition. During that review it became apparent that this reference anticipates at least some of the asserted claims of Apple's '659 patent. As such, Elan intends to supplement its infringement contentions to cite this prior art. I have attached our proposed Supplemental Invalidity Contentions, which adds new section II.B.14. Also attached is new Exhibit B-14, a claim chart showing where the asserted claim elements are disclosed in Boie.

Please let me know whether Apple will agree to this proposed amendment.

Thanks.



Invalidity Exh
B14.pdf



Elan's Supplemental
Invalidity...

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