AO 120 (Rev. 3/04)

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REPORT ON THE FILING OR DETERMINATION OF AN ACTION REGARDING A PATENT OR TRADEMARK

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been X Patents or on the following ☐ Trademarks: filed in the U.S. District Court Delaware DOCKET NO. DATE FILED U.S. DISTRICT COURT 09cv628 DISTRICT OF DELAWARE 8/21/09 DEFENDANT PLAINTIFF **Xpoint Technologies** Microsoft Corporation, et al PATENT OR DATE OF PATENT HOLDER OF PATENT OR TRADEMARK TRADEMARK NO. OR TRADEMARK 5,913,028 6/15/1999 Xpoint Technologies Inc. 2 3 4 5 In the above—entitled case, the following patent(s)/ trademark(s) have been included: DATE INCLUDED INCLUDED BY ☐ Amendment ☐ Answer Cross Bill ☐ Other Pleading DATE OF PATENT PATENT OR HOLDER OF PATENT OR TRADEMARK TRADEMARK NO. OR TRADEMARK 2 3 4 5 In the above—entitled case, the following decision has been rendered or judgement issued: DECISION/JUDGEMENT

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

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August 24, 2009