

# Exhibit 4

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**VIA E-MAIL**

June 4, 2007

Mr. Luke F. McLeroy  
McKool Smith  
300 Crescent Court  
Suite 1500  
Dallas, TX 75201

Re: Anascape v. Microsoft and Nintendo

Dear Luke:

This is in response to your May 10 letter.

Having carefully considered Anascape's request to produce the entire Howard Cheng notebook, Nintendo maintains its position that the balance of the notebook not already produced is neither relevant nor reasonably calculated to lead to the discovery of admissible evidence under the Local Rules, the Local Patent Rules or the Federal Rules. Moreover, the balance of the notebook in no way refers or relates to either of the two purported areas of relevance identified in your May 10 letter, namely, "Mr. Cheng's and Nintendo's opinions of the novelty of Mr. Armstrong's inventions" or "any steps Mr. Cheng and Nintendo undertook to avoid willfully infringing Mr. Armstrong's patents;" the only documents of Mr. Cheng referring or relating to Mr. Armstrong, his patents, or Anascape are the already produced notebook pages, which represent the entirety of Mr. Cheng's interactions with Mr. Armstrong. Accordingly, Nintendo will oppose any motion by Anascape to compel the production of the entire notebook.

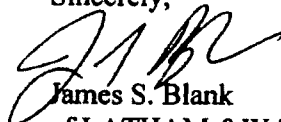
With respect to the penultimate paragraph of your May 10 letter, we confirm that Nintendo has produced all non-privileged documents regarding Nintendo's analysis, valuation, or discussion of Mr. Armstrong's prototype controllers and inventions which Nintendo has located as a result of a reasonable and diligent search and further confirm that Nintendo is not aware of any non-privileged documents that have not already been produced that fall within that category. Nintendo's search for these categories of documents encompassed not only a search of Nintendo of America's hard and electronic files but also a search of the files (the vast majority of which are in Japanese) of its parent, Nintendo Co., Ltd., which is not even a party to this litigation.

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Please contact me if you have any questions.

Sincerely,

A handwritten signature in black ink, appearing to read 'J. Blank', written over the printed name.

James S. Blank  
of LATHAM & WATKINS LLP