

IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF TEXAS  
LUFKIN DIVISION

ANASCAPE, LTD.	§	
	§	Hon. Ron Clark
Plaintiff,	§	
	§	
v.	§	Civil Action No. 9:06-CV-00158-RC
	§	
MICROSOFT CORPORATION, and	§	
NINTENDO OF AMERICA, INC.,	§	
	§	
Defendants.	§	

**DEFENDANT MICROSOFT CORPORATION'S NOTICE OF PTO ORDERS IN  
MICROSOFT'S REQUESTS FOR RE-EXAMINATION OF ANASCAPE PATENTS**

Please take notice of the following recent actions by the United States Patent and Trademark Office ("PTO") in the requests for re-examination filed by Microsoft against the asserted Anascape patents. In the last few days, three additional Anascape patents have been placed into re-examination by the PTO.

On July 27, 2007, the PTO granted Microsoft's request for the *ex parte* re-examination of U.S. Patent No. 6,135,886. Litigation regarding this patent has not been stayed. A true and correct copy of the PTO communication ordering re-examination is attached as Exhibit A. In the communication, the PTO agrees with Microsoft that nine prior art references raise substantial new questions of patentability for the claims of the patent. *See* Exh. A, pp. 5-14. All nineteen claims of the patent are now under re-examination. *See* Exh. A, p. 6.

On July 26, 2007, the PTO granted Microsoft's request for the *inter partes* re-examination of U.S. Patent No. 6,400,303. Litigation regarding this patent is presently stayed. A true and correct copy of the PTO communication ordering re-examination is attached as Exhibit B. In the communication, the PTO agrees with Microsoft that fifteen prior art references

raise over twenty-seven separate substantial new questions of patentability for the claims of the patent. *See* Exh. B, p. 5. All claims of the patent are now under re-examination. *See* Exh. B, p. 15.

Also on July 26, 2007, the PTO granted Microsoft's request for the *ex parte* re-examination of U.S. Patent No. 6,208,271. Litigation regarding this patent is presently stayed. A true and correct copy of the PTO communication ordering re-examination is attached as Exhibit C. In the communication, the PTO agrees with Microsoft that thirteen prior art references raise substantial new questions of patentability for the claims of the patent. *See* Exh. C, pp. 6-12. All claims of the patent are now under re-examination. *See* Exh. C, p. 12.

The following charts identify the current status of each of the re-examinations sought by Microsoft for the twelve asserted patents, the first chart showing the patents for which litigation has not been stayed.

<b><i>Patent No. (Not Stayed)</i></b>	<b><i>Status of Re-examination (as of 7/23/07)</i></b>
6,102,802	<i>All claims rejected. (7/12/07)</i>
6,343,991	<i>All claims rejected. (7/18/07)</i>
5,999,084	<i>Ex parte re-examination ordered. (2/23/07)</i>
6,906,700	<i>Inter partes re-examination ordered. (7/13/07)</i>
6,135,886	<i>Ex parte re-examination ordered. (7/27/07)</i>
6,222,525	Request for re-examination pending.

<b><i>Patent No. (Stayed)</i></b>	<b><i>Status of Re-examination (as of 7/23/07)</i></b>
6,347,997	<i>All asserted claims rejected. (7/17/07)</i>
6,351,205	<i>Inter partes re-examination ordered. (6/15/07)</i>
6,400,303	<i>Inter partes re-examination ordered. (7/26/07)</i>
6,563,415	<i>Inter partes re-examination ordered. (6/4/07)</i>
6,208,271	<i>Ex parte re-examination ordered. (7/26/07)</i>
6,344,791	Request for re-examination pending.

Respectfully submitted,

Dated: July 30, 2007

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**CERTIFICATE OF SERVICE**

I hereby certify that all counsel of record who have consented to electronic service are being served with a copy of this document via the Court's CM/ECF system per Local Rule CV-5(a)(3) on this the 30th day of July, 2007. Any other counsel of record will be served by first-class mail.

/s/ J. Christopher Carraway \_\_\_\_\_