

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 NINTENDO OF AMERICA INC.'S  
NOTICE OF PTO ORDER IN  
NINTENDO'S REQUESTS FOR RE-EXAMINATION OF ANASCAPE PATENTS**

Please take notice of the following recent action by the United States Patent and Trademark Office ("PTO") in the requests for re-examination filed by Nintendo against the asserted patents.

On August 1, 2007, the PTO granted Nintendo's request for *inter partes* re-examination of U.S. Patent No. 6,334,791. Litigation regarding this patent has 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 Nintendo that twelve prior art references raise at least thirteen substantial new questions of patentability for the claims of the patent. All claims of the '791 patent are now under *inter partes* re-examination.

Dated: August 6, 2007

Respectfully submitted,

By: /s/ James S. Blank

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Attorneys for Defendant and  
Counterclaimant Nintendo of America Inc.

**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 6<sup>th</sup> day of August, 2007.

/s/ James S. Blank

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