

EXHIBIT A

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

ANASCAPE, LTD.,
Plaintiff,

v.

MICROSOFT CORP., and NINTENDO OF
AMERICA, INC.

Defendants.

No. 9:06-cv-158-RC

Judge Ron Clark

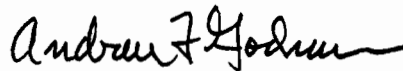
DECLARATION OF ANDREW T. GORHAM

I, Andrew T. Gorham, declare and state under the penalty of perjury as follows:

1. My name is Andrew T. Gorham. I am over the age of twenty-one (21) years, have never been convicted of a felony, and am fully competent to make this declaration. I have personal knowledge of matters set forth herein and know them to be true and correct. I am employed by the law firm of Parker, Bunt, and Ainsworth, P.C., which represents Plaintiff Anascape, Ltd. I have gained knowledge of the following matters in that capacity:

2. Attached as Exhibit B to this declaration is a true and correct copy of the information I received from the United States Patent and Trademark Office, on January 24, 2007, in response to my request for the latest statistics on *ex parte* and *inter partes* reexaminations.

3. I declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the foregoing is true and correct, and that this declaration was executed on January 29, 2007, in Tyler, Texas.



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