

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 REEXAMINATION OF ANASCAPE PATENTS**

Please take notice of the following actions by the United States Patent and Trademark Office ("PTO") in the requests for reexamination filed by Microsoft against the asserted Anascape patents.

On October 9, 2007, the PTO granted Microsoft's request for the *ex parte* reexamination of U.S. Patent No. 6,222,525. Litigation regarding this patent has not been stayed. A true and correct copy of the PTO communication ordering reexamination is attached as Exhibit A. In the communication, the PTO agrees with Microsoft that nine prior art references raise twenty-five separate substantial new questions of patentability for the claims of the patent. *See* Exh. A, pp. 7-37. All asserted claims of the patent are now under reexamination.

On August 2, 2007, the PTO granted Microsoft's request for the *inter partes* reexamination of U.S. Patent No. 6,344,791. Litigation regarding this patent is presently stayed. A true and correct copy of the PTO communication ordering reexamination is attached as Exhibit B. In the communication, the PTO agrees with Microsoft that seventeen prior art references

raise twenty-six substantial new questions of patentability. *See* Exh. B, pp. 3-29. All claims of the patent are now under reexamination.

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

<i>Patent No. (Not Stayed)</i>	<i>Reexam Request No.</i>	<i>Status of Reexamination (as of 10/9/07)</i>
6,102,802	90/008,373	<i>All claims rejected (ex parte reexamination). (7/12/07)</i>
6,343,991	95/000,223	<i>All claims rejected (inter partes reexamination). (7/18/07)</i>
5,999,084	90/008,379	<i>Ex parte reexamination ordered. (2/23/07)</i>
6,906,700	95/000,221	<i>Inter partes reexamination ordered. (7/13/07)</i>
6,135,886	90/008,480	<i>Ex parte reexamination ordered. (7/27/07)</i>
6,222,525	90/008,767	<i>Ex parte reexamination ordered. (10/9/07)</i>

<i>Patent No. (Stayed)</i>	<i>Reexam Request No.</i>	<i>Status of Reexamination (as of 10/9/07)</i>
6,347,997	95/000,214	<i>All five asserted claims rejected (inter partes reexamination). (7/17/07)</i> N.B.: On Oct. 1, 2007, Anascape filed a response cancelling four of the five asserted claims, and amending the fifth claim.
6,351,205	95/000,226	<i>Inter partes reexamination ordered. (6/15/07)</i>
6,400,303	95/000,220	<i>Inter partes reexamination ordered. (7/26/07)</i>
6,563,415	95/000,230	<i>Inter partes reexamination ordered. (6/4/07)</i>
6,208,271	90/008,477	<i>Ex parte reexamination ordered. (7/26/07)</i>
6,344,791	95/000,222	<i>Inter partes reexamination ordered. (8/2/07)</i>

Respectfully submitted,

Dated: October 12, 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 12th day of October, 2007. Any other counsel of record will be served by first-class mail.

/s/ Stephen J. Joncus _____