



James S. Blank  
[james.blank@lw.com](mailto:james.blank@lw.com)  
LATHAM & WATKINS LLP  
885 Third Avenue  
New York, New York 10022  
Telephone: (212) 906-1274  
Facsimile: (212) 751-4864

Robert J. Gunther, Jr. (*admitted pro hac vice*)  
[robert.gunther@wilmerhale.com](mailto:robert.gunther@wilmerhale.com)  
WILMER CUTLER PICKERING HALE AND  
DORR LLP  
399 Park Avenue  
New York, New York 10022  
Telephone: (212) 230-8800  
Facsimile: (212) 230-8888

Robert W. Faris  
[rwf@nixonvan.com](mailto:rwf@nixonvan.com)  
Joseph s. Presta  
[jsp@nixonvan.com](mailto:jsp@nixonvan.com)  
NIXON & VANDERHYE, P.C.  
1100 North Glebe Road  
8<sup>th</sup> Floor  
Arlington, VA 22201  
Telephone: (703) 816-4000  
Facsimile: (703) 816-4100

Lawrence L. Germer  
[llgermer@germer.com](mailto:llgermer@germer.com)  
Texas Bar No. 07824000  
GERMER GERTZ L.L.P.  
550 Fannin, Suite 400  
Beaumont, Texas 77704  
Telephone: (409) 654-6700  
Facsimile: (409) 835-2115

**ATTORNEYS FOR DEFENDANT AND  
COUNTERCLAIMANT  
NINTENDO OF AMERICA INC.**

**CERTIFICATE OF SERVICE**

This is to certify that a true and correct copy of the foregoing document has been served the following counsel of record in the manner indicated this 2nd day of November, 2007.

*Via ECF/Notice of Electronic Filing*

Luke McLeroy  
McKool Smith, P.C.  
505 E. Travis, suite 105  
Marshall, Texas 75670

Christopher J. Carraway  
Klarquist Sparkman, LLP  
One World Trade Center, Suite 1600  
121 S.W. Salmon Street  
Portland, Oregon 97204

/s/ James S. Blank  
James S. Blank (*admitted pro hac vice*)