

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

ANASCAPE, LTD.

Plaintiff,

v.

MICROSOFT CORPORATION, and
NINTENDO OF AMERICA, INC.,

Defendants.

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Hon. Ron Clark

Civil Action No. 9:06-CV-00158-RC

[PROPOSED TEXT]

**ORDER GRANTING DEFENDANTS’ JOINT MOTION FOR PARTIAL SUMMARY
JUDGMENT OF INVLAIDITY OF CLAIMS 19-20, 22-23 OF THE ‘700 PATENT**

This Court, having considered all papers filed in connection with DEFENDANTS’
JOINT MOTION FOR PARTIAL SUMMARY JUDGMENT OF INVALIDITY OF CLAIMS
19-20, 22-23 OF THE ‘700 PATENT, hereby GRANTS the motion under Fed. R. Civ. P. 56, and
ORDERS, that:

- (1) the effective filing date of claims 19-20, 22-23 of the ’700 Patent is the patent’s actual filing date of November 16, 2000,
- (2) the 1998-99 Sony controllers identified in the Motion are prior art to these claims, and
- (3) this prior art anticipates (invalidates) these claims under 35 U.S.C. § 102.

PROPOSED ORDER