

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.	§	

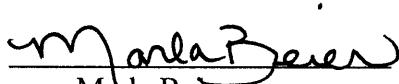
DECLARATION OF MARLA BEIER

I, Marla Beier, declare that:

1. I am over 18 years of age and make this declaration based on my own knowledge, personal experience and belief; and I am competent to make this declaration.
2. I am a legal assistant for the firm of Klarquist Sparkman, LLP, co-counsel for Microsoft Corporation in this action.
3. Attached hereto as Exhibit 1 is a true and correct copy of the February 11, 2008 expert report of Mark Baldwin, entitled “Viability and Value of Game Controller Features.”
4. Attached hereto as Exhibit 2 is a true and correct copy of an advertising flyer published in 1993 for the Logitech “CyberMan 3D Controller.”
5. Attached hereto as Exhibit 3 is a true and correct copy of PCT Publication No. WO 93/18475, with a publication date of September 16, 1993, entitled “Six Degrees Of Freedom Controller With Tactile Feedback.”
6. Attached hereto as Exhibit 4 is a true and correct copy of excerpts from the claims of US Patent No. 6,906,700, dated June 15, 2005, entitled “3d Controller With Vibration.”
7. Attached hereto as Exhibit 5 is a true and correct copy of excerpts from the prosecution history of U.S. Patent Application No. 09/715,532, which issued as U.S. Patent No. 6,906,700.

8. I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed on this 3rd day of March, 2008, in Portland, Oregon.


Marla Beier