

# EXHIBIT 47

**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 ANTHONY M. GARZA**

I, Anthony M. Garza, declare and state under the penalty of perjury as follows:

1. My name is Anthony M. Garza. 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 understand that this declaration is submitted in support of Anascape, Ltd.'s Omnibus Surreply to (1) Microsoft Corporation's Motion for Partial Summary Judgment of "3-D Graphics Controller" Claims [Dkt. No. 203] and (2) Nintendo's Motion for Summary Judgment of Non-Infringement of U.S. Patent No. 6,906,700 [Dkt. No. 202] ("Surreply"). I am an Associate at the law firm of McKool Smith, P.C., attorneys representing Plaintiff Anascape, Ltd., ("Anascape") having day-to-day conduct of this litigation, and have gained knowledge of the following matters in that capacity:

2. Attached as Exhibit 48 to the Surreply is a true and correct copy of a submission to the Patent Office during the pendency of the prosecution of U.S. Patent No. 6,906,700 ("the '700 Patent"), dated Mar. 11, 2003.

3. Attached as Exhibit 49 to the Surreply is a true and correct copy of a Notice of Allowability from the file history of the '700 Patent, dated December 16, 2002.

4. Attached as Exhibit 50 to the Surreply is a true and correct copy of an excerpt from the Expert Witness Report of Robert Dezmelyk, dated February 11, 2008.

5. Attached as Exhibit 51 to the Surreply is a true and correct copy of an excerpt of the Expert Witness Report of Stephen Bristow, dated February 11, 2008.

6. Attached as Exhibit 52 to the Surreply is a true and correct copy of an excerpt of United States Patent No. 6,343,322, issued January 29, 2002.

7. Attached as Exhibit 53 to the Surreply is a true and correct copy of an excerpt of United States Patent No. 6,412,073, issued June 25, 2002.

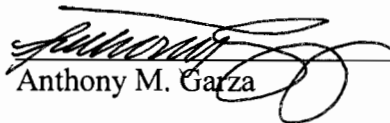
8. Attached as Exhibit 54 to the Surreply is a true and correct copy of an excerpt of United States Patent No. 6,345,278, issued February 5, 2002.

9. Attached as Exhibit 55 to the Surreply is a true and correct copy of an excerpt of United States Patent No. 6,149,055, issued November 21, 2000.

10. Attached as Exhibit 56 to the Surreply is a true and correct copy of excerpts from Anascape's Preliminary Infringement Contentions, served on Defendants on December 28, 2006.

11. Attached as Exhibit 57 to the Surreply is a true and correct copy of excerpts from Defendants' Joint Motion for Partial Summary Judgment of Invalidity of Claims 19-20, 22-23 of the '700 Patent, and the appendix to that Motion.

12. 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 March 25, 2008, in Dallas, Texas.

  
Anthony M. Garza