

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.	§	

**SUPPLEMENTAL DECLARATION OF  
RICHARD D. MC LEOD IN SUPPORT OF DEFENDANTS'  
MOTION TO AMEND THEIR INVALIDITY CONTENTIONS**

I, Richard D. Mc Leod, declare:

- I am over 18 years of age and make this declaration based on my own knowledge, personal experience and belief. I am competent to make this declaration, and if called as a witness could testify as to the facts set forth below. I am an attorney with the law firm of Klarquist Sparkman, LLP, counsel of record for Microsoft Corporation (“Microsoft”) in the above-captioned matter. If called upon as a witness, I could competently testify to the truth of each statement herein.
- Attached hereto as Exhibit 12 is a true and correct copy of an e-mail I received on March 28, 2008.

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

Executed this 11<sup>th</sup> day of April, 2008, at Portland, Oregon.



---

Richard D. McLeod

**CERTIFICATE OF SERVICE**

The undersigned certifies that the foregoing document was served electronically on all counsel who have consented to electronic service in compliance with Local Rule CV-5(a)(7)(C). Pursuant to Fed. R. Civ. P. 5 (d) and Local CV-f, all other counsel of record not deemed to have consented to electronic service were served with a true and correct copy of the foregoing by certified mail, return receipt requested, on this the 11<sup>TH</sup> day of April, 2008.

By: /s/ Derrick W. Toddy