

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] ORDER GRANTING NINTENDO OF AMERICA INC.’S RULE 50
MOTION FOR JUDGMENT AS A MATTER OF LAW**

Upon consideration of motion of Nintendo of America Inc. (“Nintendo”) for judgment as a matter of law, it is hereby **ORDERED and ADJUDGED:**

(1) Nintendo’s GameCube controller does not infringe the asserted claims of the ‘700 patent;

(2) Nintendo’s Wavebird wireless controller does not infringe the asserted claims of the ‘700 patent;

(3) Nintendo’s Wii Remote controller connected to the Wii Nunchuk controller does not infringe the asserted claims of the ‘700 patent;

(4) Nintendo’s Wii Classic controller connected to the Wii Remote controller does not infringe the asserted claims of the ‘700 patent; and

(5) The effective filing date of the asserted claims of the ‘700 patent is November 16, 2000; and

(6) Plaintiff Anascape is not entitled to collect damages from Nintendo.