

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.	§	

**[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 Classic controller connected to the Wii Remote controller does not infringe the asserted claims of the ‘700 patent;
- (5) The effective filing date of the asserted claims of the ‘700 patent is November 16, 2000;
- (6) Each of the asserted claims of the ‘700 patent is either anticipated or rendered obvious by the prior art;
- (7) None of the asserted claims of the ‘700 patent satisfies the written description requirement of 35 U.S.C. § 112; and

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

