

# **EXHIBIT 10**

DECLARATION OF J. CHRISTOPHER CARRAWAY IN SUPPORT  
OF DEFENDANT MICROSOFT'S MOTION TO STAY PROCEEDINGS PENDING  
COMPLETION OF THE REEXAMINATION OF THE PATENTS-IN-SUIT



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Inter Partes Reexamination Filing Data - June 30, 2006

1. Total requests filed since start of *inter partes* reexam on 11/29/99 ..... 152

2. Number of filings by discipline

a. Chemical Operation	39	26%
b. Electrical Operation	48	31%
c. Mechanical Operation	65	43%

3. Annual Reexam Filings

<u>Fiscal Yr.</u>	<u>No.</u>	<u>Fiscal Yr.</u>	<u>No.</u>	<u>Fiscal Yr.</u>	<u>No.</u>	<u>Fiscal Yr.</u>	<u>No.</u>
2000	0	2002	4	2004	27	2006	40
2001	1	2003	21	2005	59		

4. Number known to be in litigation.....40.....26%

5. Decisions on requests ..... 145

a. No. granted .....	136.....	93%
(1) By examiner	136	
(2) By Director (on petition)	0	
b. No. not granted .....	9.....	7%
(1) By examiner	7	
(2) Reexam vacated	2	

6. Overall reexamination pendency (Filing date to certificate issue date)

a. Average pendency	29.5
(mos.)	
b. Median pendency	31.2
(mos.)	

7. Total *inter partes* reexamination certificates issued (1999 - present)..... 3

a. Certificates with all claims confirmed	0	0%
b. Certificates with all claims canceled	3	100%
c. Certificates with claims changes	0	0%