

# **EXHIBIT 5**

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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**TABLE 13A: EX PARTE REEXAMINATION  
(FY 2001 - FY 2005)**

ACTIVITY	2001	2002	2003	2004	2005
<b>Requests filed, total</b>	<b>296</b>	<b>272</b>	<b>392</b>	<b>441</b>	<b>524</b>
By patent owner	144	121	136	166	166
By third party	150	140	239	268	358
Commissioner ordered	2	11	17	7	-
<b>Determinations on requests, total</b>	<b>342</b>	<b>272</b>	<b>381</b>	<b>419</b>	<b>535</b>
Requests granted:					
By examiner	263	262	360	408	509
By petition	2	1	1	-	-
Requests denied	77	9	20	11	26
<b>Requests known to have related litigation</b>	<b>80</b>	<b>52</b>	<b>109</b>	<b>138</b>	<b>176</b>
<b>Filings by discipline, total</b>	<b>296</b>	<b>272</b>	<b>392</b>	<b>441</b>	<b>524</b>
Chemical	90	87	124	130	138
Electrical	89	78	118	156	188
Mechanical	117	107	150	155	198

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