

# **EXHIBIT 12**

**REDACTED**

-----Original Message-----

**From:** Clarke, Robert  
**Sent:** Thursday, March 10, 2005 4:05 PM  
**To:** Rolla, Joseph; Spar, Bob  
**Cc:** Bahr, Robert  
**Subject:** claims and percentages

I asked Toby to run stats to answer Jim Toupin's questions re the claim numbers to exceed a combined threshold.

Using claim data for newly serialized 2004 applications, the following numbers represent certain thresholds:

81.6% of applications have 5 or fewer independent claims, 93% of applications have 6 or fewer independent claims.

87.23% of applications have 40 or fewer total claims, 93% of applications have 51 or fewer total claims.

So a 6/51 limit would impact 7% of new applications (without taking into account restrictions or related applications.).

In the attached file, in worksheet 2004 corps data, column "F" is the percentage of applications having first X (from column C) independent and second Y total (Column B) claims and Column "M" is the percentage of applications having Z total claims (column I). The attached file is "huge" since it has a row for each combination of independent and dependent claim. If info from a particular TC is desired, I have provided the data (without an analysis) as worksheet "ClaimcountsbyTC".



Claim Counts by TC  
for FYs 02-...