

HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT SEATTLE

MICROSOFT CORPORATION, a  
Washington corporation,

Plaintiff,

v.

IMMERSION CORPORATION, a  
Delaware corporation,

Defendant.

No. CV7-936RSM

**DECLARATION OF BLAKE  
MARKS-DIAS IN SUPPORT OF  
PLAINTIFF MICROSOFT'S REPLY  
BRIEF IN SUPPORT OF MOTION  
FOR PARTIAL SUMMARY  
JUDGMENT REGARDING  
DEFENDANT IMMERSION'S  
AFFIRMATIVE DEFENSES**

**Exhibits A & B Filed Under Seal**

**Noted For: July 25, 2008  
ORAL ARGUMENT REQUESTED**

Blake Marks-Dias declares as follows:

1. I am one of the attorneys for Plaintiff Microsoft Corporation in the above-captioned action. I am over the age of 18, competent to testify, and make this declaration based upon personal knowledge.

2. Attached as Exhibit A to this Declaration is a true and correct copy of the deposition excerpts of Martin Smith's May 20, 2008 deposition, cited in Microsoft's Reply Brief in Support of Motion for Partial Summary Judgment Regarding Defendant Immersion's Affirmative Defenses.

DECL. OF BLAKE MARKS-DIAS IN SUPPORT OF MICROSOFT'S  
REPLY BRIEF IN SUPP. OF MT. FOR PARTIAL SUM. JUDGMENT  
RE IMMERSION'S AFFIRM DEFENSES (No. CV7-936RSM) - 1  
4820-1798-6562.01  
20363.00411

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**CERTIFICATE OF SERVICE**

The undersigned certifies that on the 25<sup>th</sup> day of July, 2008, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system which will send notification of such filing to the following:

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and on

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Executed at Seattle, Washington this 25<sup>th</sup> day of July, 2008.



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HONORABLE RICARDO S. MARTINEZ

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**FILED UNDER SEAL**

EXHIBITS A & B FILED UNDER SEAL (No. CV7-936RSM) - 1

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