

Heisei 24 (Mi) No.1
2-1 Yaesu 2-chome, Chuo-ku, Tokyo
Corporate Reorganizing Company: Elpida Memory, Inc.

Proof of Reorganization Claims Form
(under Article 138, Paragraph 1 of the Corporate Reorganization Law)

Filing Date : October 31, 2012

Address : 77 Massachusetts Avenue, Cambridge, MA 02139-4307, USA

Name : Massachusetts Institute of Technology

Name of Representative: Vice President & General Counsel/ R. Gregory Morgan

Address of Agent:

Kowa-Shibakoen Building 4F, 1-11, Shibakoen 1-chome, Minato-ku, Tokyo 105-0011

Name: Attorney at Law/ Katsunori Takechi

Amount of Claims Filed: Total US\$ 71,000,000

Amount of Voting Rights:

Same as above; provided, however, that the amount after applying Article 136, Paragraphs 2 and 3 of the Corporate Reorganization Law shall be excluded.

Content and Cause of Claim:

Please see the attached Exhibit. We note that the by filing this Form MIT has no intention to consent that MIT's claims to recover damages arising after the Commencement Date of the Corporate Reorganization Procedure will be excluded from Common Benefit Claims under the Corporate Reorganization Law. We also note that MIT retains the right to enforce such claims as Common Benefit Claims and may separately exercise such right.

MIT EXHIBIT 2001ET
IPR2015-01087

Exhibit

The claims filed by MIT are those rights to recover damages caused by the Corporate Reorganization Company, which infringed the following patent right (hereinafter “the Patent Right”) co-owned by MIT and the University of Maryland (hereinafter collectively referred to as “the Creditors”), based upon Sections 284, 286, etc. of the United States Patent Act.

Detailed Information of the Patent

Country of Registration: United States of America

Patent Number: 6,057,221

Registration Date: May 2, 2000

Filing Date: April 3, 1997

Title of Invention: Laser-induced cutting of metal interconnect

The Number of Claims: 20 (after ex parte re-examination)

Since 2006 to date, the Corporate Reorganization Company sold within the United States of America (hereinafter referred to as “the U.S.”) dynamic random access memories (hereinafter “DRAM”) using in their production process the invention relating to Claims 3, 4, 6, 7, 13, 14, 15, 17, 18 and 21 through 30 of the Patent Right, which claims are shown in the Ex Parte Reexamination Certificate) and thereby infringed the Patent Right of the Creditors.

The DRAMs dealt with by the Corporate Reorganization Company within the U.S. used the invention of the Patent Right in their production process and the Creditors are entitled with the claims to recover damages in the amount of USD 142 million or more against the Corporate Reorganization Company, based upon Sections 284, 286 and etc. of the U.S. Patent Act.

The amount of damages mentioned above are calculated by assuming the sales volume of DRAMs within the U.S. by the Corporate Reorganization Company during the period from November 1, 2006 to the Commencement Date of the Corporate Reorganization Procedure as well as applying the minimum royalty rate (1%) to be reasonably applied in relation to the Patent Right. Also, in calculating the above amount of damages, the late payment charge of 5% per annum is added on the damages incurred as a result of the past infringements.

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