EXHIBIT AB

From: Feldstein, Mark
Sent: Tuesday, August 12, 2008 8:44 AM
To: 'Barlow, Aaron A'
Cc: Neth, Joann; Farabow, Ford; Roper, Harry J; Nimrod, Raymond N; Hooker, Darrick J
Subject: Dow v. NOVA

Dear Aaron,

Your email of yesterday asked whether the chart you prepared and attached accurately represents NOVA constructions. It does not. NOVA's proposed terms for construction and NOVA's proposed construction of those terms are as set forth in the chart we sent to you on August 1, 2008, which I have attached again to this email. Dow's chart of August 11, 2008 does not accurately represent NOVA's positions, as it changes both claim terms (e.g., "heterogeneously branched polymer" instead of --(B).... heterogeneously branched linear ethylene polymer--) and constructions (see, e.g., construction of "homogeneously branched linear ethylene α-olefin interpolymer").

Additionally, in response to your telephone call of yesterday where you proposed a one month extension of all dates except the Markman dates, we think that a two month extension is more appropriate given the number of depositions that remain outstanding. Please let us know if a two month extension of all dates except the Markman is acceptable.

Thank you,

-Mark

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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

THE DOW CHEMICAL COMPANY, Plaintiff, v. NOVA CHEMICALS CORPORATION (Canada) and NOVA CHEMICALS INC., (Delaware) Defendants.	)	Civil Action No. 05-737 (JJF)

NOVA'S PROPOSED CONSTRUCTIONS FOR CLAIM TERMS IN CLAIM 6 OF THE '053 PATENT AND CLAIM 1 OF THE '023 PATENT

'053 Patent – Claim 6

Claim Term	Nova's Proposed Construction
"composition comprising (A) . . . and (B)"	Composition must contain the recited "homogeneously branched linear ethylene/α-olefin interpolymer" (A) and the recited "heterogeneously branched linear ethylene polymer" (B). Composition may include other components. However, all "homogeneously branched linear ethylene/α-olefin interpolymer(s)" must satisfy the requirements of element (A) and all "heterogeneously branched linear ethylene polymer(s)" must satisfy the requirements of element (B).
"homogeneously branched linear ethylene α-olefin interpolymer"	Ethylene α-olefin interpolymer in which the comonomer is randomly distributed within a given interpolymer molecule and wherein substantially all of the interpolymer molecules have the same ethylene/comonomer ratio within that interpolymer. Such interpolymer has a CDBI greater than about 30 percent and no long chain branching. Such interpolymer is not "substantially linear" as defined in the patent.

Claim Term	Nova's Proposed Construction
"a slope of strain hardening coefficient of greater than or equal to 1.3"	Indefinite. Not amenable to construction. The specification defines strain hardening coefficient (SHC) = (slope of strain hardening) • $(I_2)^{0.25}$ without identifying any units of measurement. Slope of strain hardening is defined by referencing a drawing (Fig. 1, col. 6, line 40), which is missing from the specification. In absence of the drawing, the units of slope of strain hardening are not defined. Further, the portion of the strain hardening region for drawing the parallel line (col. 6, lines 41-43) whose slope is determined is also not defined. SHC, therefore, cannot be determined.
"(B) . . . heterogeneously branched linear ethylene polymer"	Ethylene polymer having a distribution of branching different from and broader than the homogeneously branched ethylene/ α-olefin, including having a highly branched portion, a medium branched portion and an essentially linear portion.

'023 Patent – Claim 1

Claim Term	Nova's Proposed Construction
"(A) . . . at least one ethylene interpolymer"	A substantially linear ethylene polymer prepared from a catalyst with constrained geometry about the metal atom as described in U.S. Patent No. 5,272,236.
"a slope of strain hardening coefficient of greater than or equal to 1.3"	Indefinite. Not amenable to construction. The specification defines: strain hardening coefficient (SHC) = (slope of strain hardening) • $(I_2)^{0.25}$ without identifying any units of measurement. The slope of strain hardening is defined by reference to a drawing (Fig. 1, col. 7, line 18), which is missing from the specification. In the absence of the drawing, the units of slope of strain hardening are not defined. Further, the portion of the strain hardening region for drawing the parallel line (col. 7, lines 19-21) whose slope is determined is also not defined. SHC, therefore, cannot be determined.

Claim Term	Nova's Proposed Construction
"(B) . . . ethylene polymer . . . comprising a linear polymer fraction, as determined using temperature rising elution fractionation (TREF) technique"	A composition having a (B) component that is a heterogeneously branched ethylene polymer and contains a polymer fraction that is neither branched nor highly branched, but is linear, as determined using a temperature rising elution fractionation (TREF) technique.