

EXHIBIT A

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE**

ACCELERATION BAY LLC,)	
)	
Plaintiff,)	
)	
v.)	C.A. No. 16-453 (RGA)
)	
ACTIVISION BLIZZARD, INC.,)	
)	
Defendant.)	
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ACCELERATION BAY LLC,)	
)	
Plaintiff,)	
)	C.A. No. 16-454 (RGA)
v.)	
)	
ELECTRONIC ARTS INC.,)	
)	
Defendant.)	
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ACCELERATION BAY LLC,)	
)	
Plaintiff,)	
)	C.A. No. 16-455 (RGA)
v.)	
)	
TAKE-TWO INTERACTIVE SOFTWARE,)	
INC., ROCKSTAR GAMES, INC., and 2K)	
SPORTS, INC., Delaware Corporations,)	
)	
Defendants.)	
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EXPERT REPORT OF DR. ERIC COLE REGARDING TECHNOLOGY TUTORIAL

F. Overlay Networks

36. An overlay network is a computer network that enables the communication nodes in one or more underlying networks to communicate with each other, and may include its own network topology. Network entities in an overlay network form virtual or logical links between them across the network topologies of each underlying network. The topology of the overlay network does not depend on the topology of the underlying network. For example, a full-mesh network or regular network can be overlaid on top of an underlying client-server network.

37. For example, the Internet is an interconnection of multiple networks, each with their own network topology. The backbone networks used to route communications through the core of the Internet may be frame relay or Ethernet networks, each with their own network topologies, whereas the consumer-facing portion of the Internet may utilize the telephone network, which has its own network topology. Further, the underlying network of an overlay network itself can be an overlay network. For example, a VoIP network can function as an overlay network over the Internet, by providing either peer-to-peer or client-server network functionality on top of the underlying Internet, which itself is an overlay network. Typically, a VoIP network can be configured with its own network topology. For example, in a typical conference call, all VoIP nodes may communicate with each other directly over the Internet, or some or all nodes may communicate indirectly through other VoIP nodes.

V. Overview of the Asserted Patents


38. The Asserted Patents are directed to novel computer network technology, developed by named inventors Fred Holt and Virgil Bourassa, working for Boeing, more than sixteen years ago. The Asserted Patents solved critical scalability and reliability problems associated with the real-time sharing of information among multiple widely distributed

its neighbors: the diameter of the network increases as it “becomes elongated in the direction of where the new nodes are added.” *See id.* at 6:63–7:6, Figs. 4A-4C. In order to minimize the diameter of the graph as new nodes are added, the ‘069 Patent describes a “random selection technique to identify” neighbors for a seeking computer to connect to in joining the network. *Id.* at 7:20–28, 13:36-48.

F. ‘497 Patent

54. The ‘497 Patent focuses on methods and systems for locating and connecting to a broadcast channel. *See generally*, ‘497 Patent at 1:30-2:45. Each computer is aware of one or more “portal computers” through which that given computer may locate the broadcast channel. *Id.* at 5:37–39. Each computer connected to the broadcast channel contains communications ports for communicating with other computers. *Id.* at 6:10–12. The “user ports cannot be statically allocated to an application program because other applications programs executing on the same computer may use conflicting port numbers.” *Id.* at 11:36-39. The ‘497 Patent teaches that the ports selected may be reordered if too many computers are seeking to connect at the same time. *Id.* at 12:12-32.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed on September 20, 2017 in Ashburn, Virginia.



Eric Cole, Ph.D.

EXHIBIT B

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