

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

NETWORK-1 TECHNOLOGIES, INC.

Plaintiff,

- against -

GOOGLE LLC and YOUTUBE, LLC

Defendants.

14 Civ. 2396 (PGG)

14 Civ. 9558 (PGG)

DECLARATION OF SAMUEL BRYANT DAVIDOFF

I, Samuel Bryant Davidoff, hereby declare as follows:

1. I am a partner at the law firm of Williams & Connolly LLP and counsel for Google LLC and YouTube, LLC in the above-captioned actions.
2. I make this declaration based on my personal knowledge and in support of Defendants' Response Claim Construction Brief.
3. Attached hereto as Exhibit A is a true and correct copy of U.S. Patent No. 8,010,988.
4. Attached hereto as Exhibit B is a true and correct copy of U.S. Patent No. 8,205,237.
5. Attached hereto as Exhibit C is a true and correct copy of U.S. Patent No. 8,904,464.
6. Attached hereto as Exhibit D is a true and correct excerpt of the prosecution history of U.S. Patent No. 8,010,988.

7. Attached hereto as Exhibit E is a true and correct excerpt of the prosecution history of U.S. Patent No. 8,904,464.

8. Attached hereto as Exhibit F is a true and correct copy of U.S. Patent No. 8,640,179.

9. Attached hereto as Exhibit G is a true and correct copy of the Final Written Decision (Paper No. 30) issued by the U.S. Patent and Trademark Office's Patent Trial and Appeal Board in *Google Inc. v. Network-1 Technologies, Inc.*, Case No. IPR2015-00343.

10. Attached hereto as Exhibit H is a true and correct copy of the Petition for *Inter Partes* Review of U.S. Patent No. 8,640,179 (Paper No. 1) filed with the U.S. Patent and Trademark Office's Patent Trial and Appeal Board in *Google Inc. v. Network-1 Technologies, Inc.*, Case No. IPR2015-00343.

11. Attached hereto as Exhibit I is a true and correct copy of the Brief of Cross-Appellant and Appellee Network-1 Technologies, Inc. (ECF No. 30) filed with the U.S. Court of Appeals for the Federal Circuit in *Google Inc. v. Network-1 Technologies, Inc.*, Appeal Nos. 2016-2509, 2016-2510, 2016-2511, and 2016-2512.

12. Attached hereto as Exhibit J is a true and correct copy of the transcript of oral argument before the U.S. Court of Appeals for the Federal Circuit held on December 4, 2017 in *Google Inc. v. Network-1 Technologies, Inc.*, Appeal Nos. 2016-2509, 2016-2510, 2016-2511, and 2016-2512.

13. Attached hereto as Exhibit K is a true and correct copy of the transcript of the deposition of Professor Michael Mitzenmacher conducted on June 24, 2019.

14. Attached hereto as Exhibit L is a true and correct screenshot of the definitions of the word “derive” on the webpage <https://www.merriam-webster.com/dictionary/derive> on June 28, 2019.

15. Attached hereto as Exhibit M is a true and correct excerpt of Richard O. Duda and Peter E. Hart, *Pattern Classification and Scene Analysis* (1973).

16. Attached hereto as Exhibit N is a true and correct copy of U.S. Patent No. 5,874,686.

17. Attached hereto as Exhibit O is a true and correct copy of Christian Böhm, Bernhard Braunmüller, Hans-Peter Kriegel, and Matthias Schubert, *Efficient Similarity Search in Digital Libraries* (2000).

18. Attached hereto as Exhibit P is a true and correct excerpt of Philip A. LaPlante, ed., *Dictionary of Computer Science, Engineering, and Technology* (2001).

19. Attached hereto as Exhibit Q is a true and correct copy of Jürg Nievergelt, *Exhaustive Search, Combinatorial Optimization and Enumeration: Exploring the Potential of Raw Computing Power* (2000).

20. Attached hereto as Exhibit R is a true and correct copy of Jon Louis Bentley, *Multidimensional Binary Search Trees Used for Associative Searching* (1975).

21. Attached hereto as Exhibit S is a true and correct screenshot of the definitions of the word “calculate” on the webpage <https://www.merriam-webster.com/dictionary/calculate> on June 28, 2019.

I declare under penalty of perjury that the foregoing is true and correct.

Executed this 28th day of June, 2019.

/s/ Samuel Bryant Davidoff
Samuel Bryant Davidoff