

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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SIPNET EU S.R.O.

Petitioner

v.

INNOVATIVE COMMUNICATIONS TECHNOLOGIES, INC.

(now STRAIGHT PATH IP GROUP, INC.)

Patent Owner

Patent No. 6,108,704

Filing Date: September 25, 1995

Issue Date: August 22, 2000

Title: POINT-TO-POINT INTERNET PROTOCOL

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*Inter Partes* Review No. IPR2013-00246, Filing Date April 11, 2013

**DECLARATION OF DAVID K. CALLAHAN**

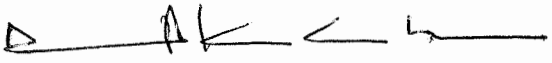
I, David K. Callahan, declare:

1. I am an attorney licensed to practice in the State of Illinois and the District of Columbia. I am currently a partner at Kirkland & Ellis, LLP, located in Chicago Illinois. I have personal knowledge of the facts stated herein, and, if called upon to testify thereto, I could and would competently do so.
2. I currently represent Straight Path IP Group (“Straight Path”), formerly known as Innovative Communications Technologies, Inc.
3. I represented Straight Path’s predecessor in interest, Innovative Communications Technologies, in *Innovative Communications Technologies, Inc. v. Stalker Software, Inc. d/b/a CommuniGate Systems, Inc.*, Case No. 2:12-cv-9 (E.D. Va.) (“the Lawsuit”).
4. On January 4, 2012, Innovative Communications Technologies filed the Lawsuit against Stalker Software alleging patent infringement of various claims of U.S. Patent No. 6,108,704 (“’704 Patent”) through Stalker Software’s use of its CommuniGate Pro Software. Attached as Exhibit 2021 is a true and correct copy of the Complaint in that matter.
5. The Complaint was served on Stalker Software on February 21, 2012. Attached as Exhibit 2022 is a true and correct copy of the executed summons.

6. The parties settled the matter, and the Lawsuit was dismissed on December 21, 2012.
7. On Friday, November 15, 2013, I received a voicemail from Sipnet E.U. S.R.O's ("Sipnet") attorney, Julia Pogodina.
8. On Monday, November 18, 2013, during a discussion with Ms. Pogodina, she informed me that: (1) Sipnet did not want a license for the '704 patent; (2) Sipnet wanted money from Straight Path, although Ms. Pogodina needed to get authority from Sipnet to discuss how much; and (3) Sipnet might file petitions for additional *inter partes* reviews of other patents in the Straight Path patent portfolio.
9. On Wednesday, November 20, 2013, Ms. Pogodina and I had a further discussion where she informed me that Sipnet wanted any discussions concerning potential settlement to be in person.
10. Per her request, I met Ms. Pogodina for an in-person discussion in San Francisco on December 5, 2013 at the offices of Kirkland & Ellis LLP.
11. During the December 5, 2013 meeting, Ms. Pogodina informed me that it was her impression from talking to her client Sipnet that it would only agree to dismiss the current *inter partes* review proceeding against Straight Path for an undisclosed amount of money and some type of ownership interest in Straight Path.

12. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true.

Dated: 1/30/14



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David K. Callahan