

From: Stephens, Adrian P <Adrian.P.Stephens@intel.com>
Sent: Wednesday, February 19, 2014 7:00 AM
To: Cardy, Dan <CardyD@dicksteinshapiro.com>
Subject: RE: 802.11 Draft Standards prior to June 1997

Hello Dan,

I had a discussion with an Intel attorney. He advised me not to enter into any such declaration, because that might be creating a personal liability.

Best Regards,

Adrian P STEPHENS

Tel: +44 (1793) 404825 (office)
Tel: +44 (7920) 084 900 (mobile, UK)
Tel: +1 (408) 2397485 (mobile, USA)

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From: Cardy, Dan [mailto:CardyD@dicksteinshapiro.com]
Sent: 19 February 2014 02:44
To: Stephens, Adrian P
Subject: RE: 802.11 Draft Standards prior to June 1997

Just following up. Please let me know when we can have a brief discussion in order to prepare a declaration that authenticates the IEEE 802.11 drafts.

Thanks!

Dan Cardy
DICKSTEINSHAPIRO LLP
1825 Eye Street NW | Washington, DC 20006
TEL (202) 420-3033 | FAX (202) 379-9100

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From: Cardy, Dan
Sent: Thursday, February 06, 2014 4:58 PM
To: Stephens, Adrian P
Cc: Bob O'Hara

Subject: RE: 802.11 Draft Standards prior to June 1997

Great! Just let me know when would be a good time for a call.

Dan Cardy

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From: Stephens, Adrian P [<mailto:Adrian.P.Stephens@intel.com>]

Sent: Thursday, February 06, 2014 10:45 AM

To: Cardy, Dan

Cc: Bob O'Hara

Subject: RE: 802.11 Draft Standards prior to June 1997

Hello Dan,

An update. Since my email, I discovered a source of some or all of these drafts on the IEEE-SA server. So it should not be necessary to include Mr. O'Hara in the trust chain.

Best Regards,

Adrian P STEPHENS

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From: Stephens, Adrian P

Sent: 06 February 2014 07:58

To: 'Cardy, Dan'

Cc: 'Bob O'Hara'

Subject: RE: 802.11 Draft Standards prior to June 1997

Hello Dan,

I'm certainly willing to certify my actions as a WG officer.

In this case I benefitted from the archive of a former task group chair of 802.11, Bob O'Hara.

He supplied the drafts to me in November 2013.

So, if you're looking for a "train of trust", it will move from me rapidly to Bob.

Best Regards,

Adrian P STEPHENS

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From: Cardy, Dan [<mailto:CardyD@dicksteinshapiro.com>]
Sent: 06 February 2014 02:16
To: Stephens, Adrian P
Subject: RE: 802.11 Draft Standards prior to June 1997

Thank you again for your help providing drafts of the 802.11 standard. Can we schedule a time to talk briefly sometime in the near future? The reason for the call is that we will need to authenticate the drafts of the 802.11 standard you provided. I think the easiest way to go about this would be to discuss some details on a phone call. Then, I would send you a declaration to sign that summarizes what we discussed. You would verify that the declaration is accurate, and send it back signed. The declaration would explain, for example, where the files were stored at the IEEE and that you provided those files to me.

I apologize for the need to impose further. I am happy to schedule the call when it is convenient for you, even if that means the call is at an odd hour for me.

Best regards,

Dan Cardy
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From: Stephens, Adrian P [<mailto:Adrian.P.Stephens@intel.com>]
Sent: Wednesday, November 27, 2013 2:27 AM
To: Cardy, Dan
Subject: RE: 802.11 Draft Standards prior to June 1997

Hello Dan,

I have uploaded the files. I acknowledge you will share them to the extent required by law. Your best bet for timely location of new materials is in the submissions, which are public. You should download the entire 802.11 submission set from this period and perform searches across that corpus, if you have not already done so.

Best Regards,

Adrian P STEPHENS

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From: Cardy, Dan [<mailto:CardyD@dicksteinshapiro.com>]
Sent: 26 November 2013 19:24
To: Stephens, Adrian P
Subject: RE: 802.11 Draft Standards prior to June 1997

Thank you for assisting us in obtaining copies of the drafts. You can upload the documents using the following link to our secure server: <https://dicksteinshapiro.sharefile.com/r/ra1596f1a0c0418a8>.

Because we do not know exactly what subject matter is covered in each draft, we'd strongly prefer receiving all of the drafts. That said, if 802.11REVD2 is really from January 1998 (i.e. after the release of the 802.11-1997 standard), then we won't need that file. If, on the other hand, it is from January 1997, then we are interested in that file.

Just to be perfectly clear, we are only interested in using the drafts for the purpose we outlined (i.e. showing that the relevant technology was known before it was patented). That may involve submitting a draft to a court or to the U.S. Patent Office as evidence that the patented technology was known before the time of the patent. We will also need to provide a copy to the parties in this case.

Thank you for your help in this matter. Please feel free to contact me with any questions.

Best regards,

Dan Cardy

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From: Stephens, Adrian P [<mailto:Adrian.P.Stephens@intel.com>]
Sent: Tuesday, November 26, 2013 1:59 AM
To: Cardy, Dan
Cc: Dominguez, Erenia
Subject: RE: 802.11 Draft Standards prior to June 1997

Hello Dan,

This is timely. I performed a search amongst our members and located the passwords and some of the early drafts.

I have obtained permission from the IEEE-SA to share these for the purpose you outline.

These are the drafts I have located:

Name	Version	Date
6_DRFT12	1.2	10 July 1995
draft 3.0	3	25 January 1996
draft 4.0	4	1996
DRAFT11	1.1	10 May 1995
DREFT136	1.3	28 July 1995
DREFT206	2.0	28 July 1995
DREFT216	2.1	4 December 1995
DREFT306	3	25 January 1996
DREFT407	4	20 May 1996
6DRAFT13	1.3	28 July 1995
6DRAFT20	2.0	28 July 1995
6DRAFT21	2.1	4 December 1995
802.11revD2	REV D2	January 1998
80211D11	D1.1	10 May 1995

Please indicate which of these you are interested in, and provide me a link to a secure upload location, and I will upload them. You can share them with your client for the purposes you stated. If you need to extend the sharing beyond that scope, please contact me or the IEEE-SA again.

Best Regards,

Adrian P STEPHENS

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From: Cardy, Dan [<mailto:CardyD@dicksteinshapiro.com>]
Sent: 25 November 2013 22:17
To: Stephens, Adrian P
Cc: Dominguez, Erenia
Subject: RE: 802.11 Draft Standards prior to June 1997

Mr. Stephens,

We are seeking drafts of the 802.11 standard from before June 1997. You exchanged e-mails with my colleague Erenia Dominguez on this topic last month (quoted below). You explained that you have some password-protected zip files containing the drafts, but that you do not have the passwords for these zip files. You also mentioned that IEEE-SA needs to approve distributing the drafts and/or passwords for the drafts.

We recently contacted Vic Hayes, who chaired the IEEE 802.11 working group. It looks like he can probably locate the

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