

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION

SOLOCRON MEDIA, LLC,

Plaintiff,

v.

VERIZON COMMUNICATIONS INC., CELLCO
PARTNERSHIP D/B/A VERIZON WIRELESS,
AT&T MOBILITY LLC, SPRINT SPECTRUM L.P.,
AND T-MOBILE USA, INC.,

Defendants.

Case No. 2:13-cv-1059-JRG

[JURY TRIAL DEMANDED]

DECLARATION OF CHRISTOPHER BUTLER

I, Christopher Butler, do hereby declare that I am over twenty-one years of age and have personal knowledge of the facts declared herein:

1. I am the Office Manager at the Internet Archive, located in San Francisco, California. I make this declaration of my own personal knowledge.
2. The Internet Archive is a website that provides access to a digital library of Internet sites and other cultural artifacts in digital form. Like a paper library, we provide free access to researchers, historians, scholars, and the general public. The Internet Archive has partnered with and receives support from various well-known institutions and libraries, including the Library of Congress.
3. The Internet Archive has created a service known as the Wayback Machine. The Wayback Machine makes it possible to surf more than 400 billion pages stored in the Internet Archive's web archive. Visitors to the Wayback Machine can search archives by URL (i.e., a website address). If archived records for a URL are available, the visitor will be presented with a

list of available dates. The visitor may select one of those dates, and then begin surfing on an archived version of the Web. The links on the archived files, when served by the Wayback Machine, point to other archived files (whether HTML pages or images). If a visitor clicks on a link on an archived page, the Wayback Machine will serve the archived file with the closest available date to the page upon which the link appeared and was clicked.

4. The archived data made viewable and browseable by the Wayback Machine is compiled using software programs known as crawlers that surf the Web and automatically store copies of website files, preserving these files as they exist at the point of time of capture.

5. The Internet Archive assigns a URL on its site to the archived files in the format [http://web.archive.org/web/\[Year in yyyy\]\[Month in mm\]\[Day in dd\]\[Time code in hh:mm:ss\]/\[Archived URL\]](http://web.archive.org/web/[Year in yyyy][Month in mm][Day in dd][Time code in hh:mm:ss]/[Archived URL]). A web browser may be set such that a printout from it will display the URL of a web page in the printout's footer. The date assigned by the Internet Archive applies to the HTML file but not to image files linked therein. Thus images that appear on the printed page may not have been archived on the same date as the HTML file. Likewise, if a website is designed with "frames," the date assigned by the Internet Archive applies to the frameset as a whole, and not the individual pages within each frame.

6. Attached hereto as **Exhibit A** is a true and accurate copy of the Internet Archive URL <https://web.archive.org/web/20021112131258/http://www.nokia.com/cda1/0,1080,1502,00.html> and the date specified in the footer of the printout.

7. The Internet Archive URL <https://web.archive.org/web/20021112131258/http://www.nokia.com/cda1/0,1080,1502,00.html> would be the URL for the record of the Internet Archive home page HTML file

(<http://www.archive.org/>), with an archive date of November 12, 2002 at 1:12 p.m. and 58 seconds (2002/11/12 at 13:12:58).

8. Attached hereto as **Exhibit B** is a true and accurate copy of the Internet Archive URL

https://web.archive.org/web/20020409005205/http://www.nokia.com/phones/3510/digiserv_ringi ng.html and the date specified in the footer of the printout.

9. The Internet Archive URL

https://web.archive.org/web/20020409005205/http://www.nokia.com/phones/3510/digiserv_ringi ng.html would be the URL for the record of the Internet Archive home page HTML file (<http://www.archive.org/>), with an archive date of April 9, 2002 at 12:52 a.m. and 05 seconds (2002/04/09 at 00:52:05).

10. Attached hereto as **Exhibit C** is a true and accurate copy of the Internet Archive URL

https://web.archive.org/web/20020321092638/http://www.nokia.com/phones/3510/main_feat.ht ml and the date specified in the footer of the printout.

11. The Internet Archive URL

https://web.archive.org/web/20020321092638/http://www.nokia.com/phones/3510/main_feat.ht ml would be the URL for the record of the Internet Archive home page HTML file (<http://www.archive.org/>), with an archive date of March 21, 2002 at 9:26 a.m. and 38 seconds (2002/03/21 at 09:26:38).

12. Attached hereto as **Exhibit D** is a true and accurate copy of the Internet Archive URL

https://web.archive.org/web/20020805162426/http://www.nokia.com/phones/3510/digiserv_ringi

[ng.html](#) and the date specified in the footer of the printout.

13. The Internet Archive URL

https://web.archive.org/web/20020805162426/http://www.nokia.com/phones/3510/digiserv_ringi
[ng.html](#) would be the URL for the record of the Internet Archive home page HTML file (<http://www.archive.org/>), with an archive date of August 5, 2002 at 4:24 p.m. and 26 seconds (2002/08/05 at 16:24:26).

14. Attached hereto as **Exhibit E** is a true and accurate copy of the Internet Archive URL

<https://web.archive.org/web/19990508161035/http://www.forum.nokia.com/products/communicators/9110/9110specs.html> and the date specified in the footer of the printout.

15. The Internet Archive URL

<https://web.archive.org/web/19990508161035/http://www.forum.nokia.com/products/communicators/9110/9110specs.html> would be the URL for the record of the Internet Archive home page HTML file (<http://www.archive.org/>), with an archive date of May 8, 1999 at 4:10 p.m. and 35 seconds (1999/05/08 at 16:10:35).

16. Attached hereto as **Exhibit F** is a true and accurate copy of the Internet Archive URL

<https://web.archive.org/web/19991204153342/http://www.forum.nokia.com/support/communicators/9110/9110down.html> and the date specified in the footer of the printout.

17. The Internet Archive URL

<https://web.archive.org/web/19991204153342/http://www.forum.nokia.com/support/communicators/9110/9110down.html> would be the URL for the record of the Internet Archive home page HTML file (<http://www.archive.org/>), with an archive date of December 4, 1999 at 3:33 p.m. and

42 seconds (1999/12/4 at 15:33:42).

18. Attached hereto as **Exhibit G** is a true and accurate copy of the Internet Archive URL

<https://web.archive.org/web/19991012022224/http://forum.nokia.com/support/communicators/9110/9110down.html> and the date specified in the footer of the printout.

19. The Internet Archive URL

<https://web.archive.org/web/19991012022224/http://forum.nokia.com/support/communicators/9110/9110down.html> would be the URL for the record of the Internet Archive home page HTML file (<http://www.archive.org/>), with an archive date of October 12, 1999 at 2:22 a.m. and 24 seconds (1999/10/12 at 02:22:24).

20. Attached hereto as **Exhibit H** is a true and accurate copy of the Internet Archive URL

<https://web.archive.org/web/19990508152248/http://www.forum.nokia.com/support/communicators/9110/internet.html> and the date specified in the footer of the printout.

21. The Internet Archive URL

<https://web.archive.org/web/19990508152248/http://www.forum.nokia.com/support/communicators/9110/internet.html> would be the URL for the record of the Internet Archive home page HTML file (<http://www.archive.org/>), with an archive date of May 8, 1999 at 3:22 p.m. and 48 seconds (1999/05/08 at 15:22:48).

22. Attached hereto as **Exhibit I** is a true and accurate copy of the Internet Archive URL

<https://web.archive.org/web/19990508161301/http://www.forum.nokia.com/support/communicators/9110/pcsuite.html> and the date specified in the footer of the printout.

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