

UNITED STATES INTERNATIONAL TRADE COMMISSION
WASHINGTON, D.C.

Before the Honorable E. James Gildea
Administrative Law Judge

In the Matter of:

CERTAIN DEVICES WITH SECURE
COMMUNICATION CAPABILITIES,
COMPONENTS THEREOF, AND
PRODUCTS CONTAINING THE SAME

Investigation No. 337-TA-858

**DECLARATION OF THE RFC PUBLISHER FOR THE INTERNET ENGINEERING
TASK FORCE, AN ORGANIZED ACTIVITY OF THE INTERNET SOCIETY**

I, Sandy Ginoza, of lawful age, based on my personal knowledge and information, hereby declare:

1. I am an employee of Association Management Solutions, LLC (“AMS”), which acts under contract to the Internet Society (“ISOC”) as the operator of the RFC Publisher. The RFC Publisher is part of the “RFC Editor” function, which provides online access to the authoritative Request for Comments (“RFC”) series of documents (“RFC Series”), and provides storage and preservation of records relating to these documents. The RFC Series includes, among other things, the series of Internet standards developed by the Internet Engineering Task Force (“IETF”), an organized activity of ISOC. I hold the position of Director of the RFC Publisher. I began employment with AMS in this capacity on 5 January 2010.

2. Among my responsibilities as Director of the RFC Publisher, I act as the custodian of records relating to the RFC Series.

3. From June 1999 to 4 January 2010, I was an employee of the Information Sciences Institute at the University of Southern California (“ISI”). I held various position titles with the RFC Editor project at ISI, ending with Senior Editor.

4. The RFC Editor function was conducted by ISI under contract to the United States government prior to 1998. In 1998, ISOC, in furtherance of its IETF activity, entered into the first in a series of contracts with ISI providing for ISI’s performance of the RFC Editor function. Beginning in 2010, certain aspects of the RFC Editor function were assumed by the RFC Publisher operation of AMS under contract to ISOC (acting through its IETF function and, in particular, the IETF Administrative Oversight Committee). The business records of the RFC Editor function as it was conducted by ISI are currently housed on the computer systems of AMS, as a contractor to ISOC.

5. I make this Declaration based on my personal knowledge and information contained in the business records of the RFC editor as they are currently housed at AMS, or confirmation with other responsible RFC Editor personnel with such knowledge. If called as a witness in this Investigation, I could and would testify to the facts as stated in this Declaration.

6. The document produced as Bates number 337-TA-858-IETF00001-00021 is a true and correct copy of RFC 1033.

7. I hereby certify that the produced RFC 1033 constitutes a record of regularly conducted business activity which was (A) made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters; (B) kept in the course of the regularly conducted activity; and (C) made by the regularly conducted activity as a regular practice.

8. Based on a search of RFC Editor records, I have determined that the RFC Editor maintained a copy of RFC 1033 in the ordinary course of its regularly conducted activities. RFC 1033 has been publicly available through the RFC Editor's web site or through other means since its publication in November 1987.

9. The document produced as Bates number 337-TA-858-IETF00022-00073 is a true and correct copy of RFC 1034.

10. I hereby certify that the produced RFC 1034 constitutes a record of regularly conducted business activity which was (A) made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters; (B) kept in the course of the regularly conducted activity; and (C) made by the regularly conducted activity as a regular practice.

11. Based on a search of RFC Editor records, I have determined that the RFC Editor maintained a copy of RFC 1034 in the ordinary course of its regularly conducted activities. RFC 1034 has been publicly available through the RFC Editor's web site or through other means since its publication in November 1987.

12. The document produced as Bates number 337-TA-858-IETF00074-00125 is a true and correct copy of RFC 1035.

13. I hereby certify that the produced RFC 1035 constitutes a record of regularly conducted business activity which was (A) made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters; (B) kept in the course of the regularly conducted activity; and (C) made by the regularly conducted activity as a regular practice.

14. Based on a search of RFC Editor records, I have determined that the RFC Editor maintained a copy of RFC 1035 in the ordinary course of its regularly conducted activities. RFC 1035 has been publicly available through the RFC Editor's web site or through other means since its publication in November 1987.

15. The document produced as Bates number 337-TA-858-IETF00126-00240 is a true and correct copy of RFC 1122.

16. I hereby certify that the produced RFC 1122 constitutes a record of regularly conducted business activity which was (A) made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters; (B) kept in the course of the regularly conducted activity; and (C) made by the regularly conducted activity as a regular practice.

17. Based on a search of RFC Editor records, I have determined that the RFC Editor maintained a copy of RFC 1122 in the ordinary course of its regularly conducted activities. RFC 1122 has been publicly available through the RFC Editor's web site or through other means since its publication in October 1989.

18. The document produced as Bates number 337-TA-858-IETF00241-00337 is a true and correct copy of RFC 1123.

19. I hereby certify that the produced RFC 1123 constitutes a record of regularly conducted business activity which was (A) made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters; (B) kept in the course of the regularly conducted activity; and (C) made by the regularly conducted activity as a regular practice.

20. Based on a search of RFC Editor records, I have determined that the RFC Editor maintained a copy of RFC 1123 in the ordinary course of its regularly conducted activities. RFC 1123 has been publicly available through the RFC Editor's web site or through other means since its publication in October 1989.

21. The document produced as Bates number 337-TA-858-IETF00338-00344 is a true and correct copy of RFC 1591.

22. I hereby certify that the produced RFC 1591 constitutes a record of regularly conducted business activity which was (A) made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters; (B) kept in the course of the regularly conducted activity; and (C) made by the regularly conducted activity as a regular practice.

23. Based on a search of RFC Editor records, I have determined that the RFC Editor maintained a copy of RFC 1591 in the ordinary course of its regularly conducted activities. RFC 1591 has been publicly available through the RFC Editor's web site or through other means since its publication in March 1994.

24. The document produced as Bates number 337-TA-858-IETF00345-00354 is a true and correct copy of RFC 1631.

25. I hereby certify that the produced RFC 1631 constitutes a record of regularly conducted business activity which was (A) made at or near the time of the occurrence of the matters set forth by, or from information transmitted by, a person with knowledge of those matters; (B) kept in the course of the regularly conducted activity; and (C) made by the regularly conducted activity as a regular practice.

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