

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: Smethurst et al.
U.S. Patent No.: 7,224,668
Issue Date: May 29, 2007 Atty Docket No.: 40963-0006IP3
Appl. Serial No.: 10/307,154
Filing Date: Nov. 27, 2002
Title: CONTROL PLANE SECURITY AND TRAFFIC FLOW
MANAGEMENT

DECLARATION OF PATRICIA CRAWFORD

1. My name is Patricia Crawford and I reside at 34 Harvard Road, Stow Massachusetts.
2. I understand that I am submitting a declaration in connection with an Inter Partes review ("IPR") proceeding before the United States Patent and Trademark Office for U.S. Patent Number 7,224,668 ("the '668 Patent"). I also understand that Release 3.0 of the CoreBuilder 3500 Implementation Guide ("the Guide") is being submitted as part of the IPR proceeding. A copy of Release 3.0 of the Guide is being submitted in the IPR proceeding as Exhibit 1009. Exhibit 1009 is a record of activity that was made at or near the time of the occurrence of the activity by, or from information transmitted by, a person with knowledge of the activity, was kept in the course of regularly conducted business activity of 3Com, and was made as part of a regular practice.
3. I was employed by 3Com Corporation from 1994 to 2000. Between approximately December, 1994 and approximately November, 1998 I was employed as a Technical Writer. Between approximately November, 1998 and approximately May or June, 2000, I was employed as a Software Quality Assurance (SQA) Engineer.
4. As a Technical Writer, I was responsible for preparing and revising the documentation that accompanied 3Com products. I was also responsible for verifying that the proper documentation accompanied the products when the products were shipped to customers.

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Verifying that the proper documentation accompanied the products was performed as part of a first articles inspection. During a first articles inspection, a sample of the packaged product was reviewed by various team members to ensure that all of the parts of the product are included in the package to be sent to the customer. Each part of a 3Com product, including each piece of documentation, was given its own part number. During the first articles inspection, I was responsible for comparing the part numbers of the documentation that was supposed to be included in the package with the part numbers of the documentation actually included in the sample of the packaged product to verify that the proper documentation was being included in the packaged products shipped to the customers. Documentation was shipped with products without any confidentiality restrictions. That is, customers were not under any obligations that limited their ability to disseminate or otherwise use the information in the documentation.

5. As a Technical Writer and SQA Engineer at 3Com, I was personally familiar with the 3Com CoreBuilder 3500 Layer 3 Switch. This product was sold to customers beginning in approximately 1997 and continued to be sold at least until I left 3Com in 2000.

6. Prior to my transition to a SQA Engineer in approximately November, 1998, I personally performed a first articles inspection on the CoreBuilder 3500 package that was shipped to customers. While Release 3.0 of the Guide was not included in that package, a prior version of the Guide was included. I personally verified that the prior version of the Guide was included as part of the packaged product.

7. After my transition to a SQA Engineer, I remained familiar with the process used to ensure that proper documentation was shipped with 3Com products. The overall process stayed the same at least until I left 3Com in 2000. I was also aware that Release 3.0 of the Guide was being prepared and was planned to be shipped with the 3Com CoreBuilder 3500 Switch.

8. Given my prior experience, the document attached as Exhibit 1009 is consistent with 3Com documentation. I note that the cover of Exhibit 1009 includes an identification of the part number for the document ("Part No. 10013506"). The normal procedure at 3Com at the time was to only assign a part number to documentation that was going to be shipped to customers. Therefore, the part number assigned and printed on the cover indicates that Exhibit 1009 was going to be shipped with the CoreBuilder 3500 Switch. I also note that the cover of Exhibit 1009 specifies "Published November 1999." Under the normal procedure at 3Com at the time, when a publication date was included on the front page of 3Com documentation, the publication date indicates the date when the documentation was first shipped with the corresponding product. Thus, the cover indicates that Exhibit 1009 was first shipped with the CoreBuilder 3500 Switch in November, 1999. In addition, page 26 of Exhibit 1009 indicates that it was included on the CD-ROM that shipped with the CoreBuilder 3500 switch. Under the normal procedure at 3Com at the time, this description would not have been included as part of Exhibit 1009 unless the document was going to be included on the CD-ROM that shipped with the CoreBuilder 3500 switch.

9. I conclude that Exhibit 1009 was shipped with the 3Com CoreBuilder 3500 switch at least as of November, 1999 at least because (1) the process used to ensure that proper documentation was shipped with 3Com products did not change after I transitioned to a SQA Engineer, (2) Exhibit 1009 was given a part number, (3) the cover of Exhibit 1009 indicates it was published November, 1999, and (4) Exhibit 1009 itself indicates it was shipped with the CoreBuilder 3500 switch.

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

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statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of the Title 18 of the United States Code.

Dated: 12/4/2015

By: Patricia Crawford

Patricia Crawford