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The Stanford University Libraries

DECLARATION OF MARIELLEN F. CALTER

I, Mariellen F. Calter, declare:

1. I have personal knowledge of the facts set forth herein, and if called to testify, I could and would competently testify to the same.
2. I am Associate University Librarian & Chief of Staff for the Stanford University Libraries (“SUL”), located at Stanford University, Stanford, CA 94305.
3. I have worked at SUL in my current role for over four years, and have worked for SUL for over ten years.
4. The SUL catalog is available to the general public and searchable by subject, author, and keyword. Though the interface has changed, the catalog was searchable by subject, author, and keyword in the 1987 time frame as well.
5. SUL holds a copy of the *Proceedings of the International Symposium on Ultra Large Scale Integration Science and Technology*, volume 87-11, published by The Electrochemical Society in 1987. That work includes the article Self Aligned Bitline Contact for 4 MBIT DRAM, by K. H. Kuesters et al.
6. I am familiar with the policies and procedures of the Library as they relate to the receipt, cataloging, and tracking of books. Although I was not an employee of the Stanford University Libraries at the time these proceedings were acquired by the Library, on information and belief, the process for receiving, cataloging, and tracking these books is something I am able to describe, although not from direct personal knowledge.
7. It is SUL’s normal course of business to create catalog records for all materials it acquires for its collection. In most cases, the catalog record is created at or near the times referenced therein by persons with knowledge of the events referenced therein.
8. In its current catalog interface, SUL provides two views of its catalog records. The standard view shows information about the work formatted for viewing, while the Librarian View shows the details of the MARC coding of the record. Within the Librarian View, field 999 subfield u| shows the date that the catalog record was created. SUL’s catalog indicates that a catalog record was created for the proceedings on November 6, 1987.
9. In most cases, the catalog record is created within a few weeks of the acquisition of the book, and books acquired by SUL are typically available for circulation to the public within a few weeks of being cataloged, though in some cases availability can take

significantly longer. Based on the creation date for the catalog record, I believe that this work would have been made available to the public in November of 1987.

10. It has been common practice within SUL to stamp books that are borrowed with the date that they are due. The earliest stamp in the proceedings shows a return due date of October 23, 1990. Therefore, it is clear that the book was available to the public no later than that date.

I understand that willful false statements and the like are punishable by fine or imprisonment, or both under Section 1001 of Title 18 of the United States Code and may jeopardize the validity of the application or any patent issuing thereon. I declare that all statements made of my knowledge are true, and that all statements made on information and belief are believed to be true..

Executed this 25th day of January, 2016.



Mariellen F. Calter