

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of: James M. Barton, et al..
U.S. Patent No.: 6,233,389 Attorney Docket No.: 39843-0037IP2
Issue Date: May 15, 2001
Appl. Serial No.: 09/126,071
Filing Date: July 30, 1998
Title: Multimedia Time Warping System

Mail Stop Patent Board

Patent Trial and Appeal Board
U.S. Patent and Trademark Office
P.O. Box 1450
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**DECLARATION OF ROHAN COELHO REGARDING
PUBLIC AVAILABILITY OF MICROSOFT PLATFORM SDK**

1. My name is Rohan Coelho. I am the co-author of Exhibit SE1010, which is a true and correct copy of my book titled “DirectX, RDX, RSX, and MMX Technology, A Jumpstart Guide to High Performance APIs.” My formal education includes a Bachelors in Physics and a Masters in Computer Science. I am currently the Chief Executive Officer of Rexanto, Inc., based in Sunnyvale, California.

2. From 1989-2001, I was an engineer at Intel Corp., which involved researching and developing technologies based on Microsoft ActiveMovie, DirectShow, and Broadcast Architecture. During that time, I directly participated with Microsoft in developing these technologies, including the predecessors, Video for Windows, and ActiveMovie, which matured into DirectShow. During that time, I also researched and published Exhibit SE1010, which is a book that provides an overview of Microsoft’s DirectShow SDK. Exhibit SE1010 identifies a first printing in December 1997, which is consistent with my recollection of when my co-author and I submitted the book to our publisher, Addison-Wesley.

3. As a result, I have personal knowledge of the history concerning Microsoft’s ActiveMovie, DirectShow, and Broadcast Architecture technologies. These application programming interfaces (APIs), software development kits (SDKs), and programmer’s references were publicly released both individually, as part of Microsoft’s DirectX SDK, and also as part of Microsoft’s larger Platform SDK over the course of 1996, 1997, and 1998. I regularly received Microsoft’s SDK releases (including ActiveMovie, DirectShow, DirectX, and Platform). I also received Microsoft’s white paper publications describing these technologies during this period, including Exhibits SE1020-SE1023, which are true and correct copies of Microsoft’s white papers that I received around April 1997.

4. I have reviewed Exhibit SE1005, which is a single-page PDF of a scan of a Microsoft disc titled “DISC 6 Platform SDK” and dated “January, 1998.”

I have also reviewed the contents of the actual disc shown in Exhibit SE1005, including electronic files stored on that disc. Microsoft Platform SDK was a combination of various Microsoft SDKs that was published online and also physically distributed by Microsoft as part of its MSDN Development Platform. It was publicly distributed both online and to those who had a subscription to it on the Microsoft Developer's Network Library. These SDKs and the Microsoft Developer's Network Library were well-known among developers at that time, and were personally known by me. In fact, I received publicly distributed materials from Microsoft both online and as part of the Microsoft Developer's Network during that time period. I received a number of discs as they were distributed, and I would have received a copy of the Microsoft Platform SDK disc shown in Exhibit SE1005.


5. Based on my review of Exhibit SE1005 and the contents of the actual Microsoft disc shown in Exhibit SE1005, this Microsoft disc appears to be a true and correct copy of Disc 6 Platform SDK that was publicly distributed by January of 1998 by Microsoft. The indicia on the face of the disc shown in Exhibit SE1005 appears authentic and consistent with my recollection of such discs and materials distributed by Microsoft to engineers and developers during 1997 and 1998. In addition, the January 1998 date shown on the face of the disc is consistent with my recollection of the timing of its distribution. The Microsoft Platform SDK's distribution and the availability of the Microsoft DirectShow SDK and Broadcast Architecture programmer's reference is consistent with 1997 electronic timestamps on the files on the disc, the repeated instances of a 1997 copyright date in the file contents, the first printing and publication in December 1997 of my book describing Microsoft DirectShow SDK and directly referencing its contents (Exhibit SE1010), a December 1997 press release from Microsoft announcing the release of Microsoft DirectShow SDK (Exhibit SE1008), and a

November 1997 article describing a conference that year at which Microsoft Broadcast Architecture SDK was distributed (Exhibit SE1007).

6. I am not an employee of Samsung Electronics Co., Ltd. or Samsung Electronics America, Inc. I have been retained by the counsel for the Petitioner of the above mentioned *inter partes* review petition based on my normal hourly compensation. No part of my compensation is dependent on my testimony or the outcome of this proceeding, and I have no other interest in this proceeding.

7. I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statement and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Dated: 8/31/2016

By:  _____
Rohan Coelho