Filed on behalf of Petitioner
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UNITED STATES PATENT AND TRADEMARK OFFICE
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BEFORE THE PATENT TRIAL AND APPEAL BOARD
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RPX Corporation,
Petitioner,

v.

Digital Audio Encoding Systems, LLC,
Patent Owner.
_____

Case No. TBD
Patent No. 7,490,037
_____

DECLARATION OF WILLIAM RICHARDS ADRION, Ph.D.

I, William Richards Adrion, Ph.D., declare:

1. I am currently Professor Emeritus of Computer Science in the College of Information and Computer Sciences (CICS) at the University of Massachusetts Amherst ("UMass"). The address of the College of Information and Computer Sciences at UMass is 140 Governors Drive, Amherst, MA 01003.

2. I am over 18 years of age and am competent to make this Declaration.

3. Attachment A to this declaration details my employment background and other professional experience and activities in the form of my curriculum vitae.

4. From 1986 through 1994, I was Department Chairman of UMass's Computer and Information Science (COINS) department ("the Department"), which was renamed the Department of Computer Science (CMPSCI) in 1992. The Department later became the School of Computer Science in 2012, and in 2015 became the College of Information and Computer Sciences (CICS) which is the name it has today. I remained a tenured full professor within the Department/School until May 31, 2011, at which time I transitioned to Emeritus status. I remain active in research and

service, supervise undergraduate and graduate students, and manage administrative staff associated with my grant-funded activities.

5.   I make this Declaration based on my own personal knowledge of the standard practices of the Department regarding the management and distribution of Technical Reports, acquired in my role as Department Chairman and as a faculty member of the Department.

6.   As Department Chairman, I was responsible for all of the Department's business, including directly or indirectly overseeing all administrative, technical and clerical staff, graduate and undergraduate student assistants and hourly employees, and tenure-track, research, instructional and visiting faculty members of the Department. During my tenure as Chairman, the Department employed over 250 support staff, faculty, and graduate and undergraduate students on state, institutional and grant/contract funds.

7.   Among the business functions for which I was responsible as Department Chairman was overseeing and ensuring the Department's practices for indexing, cataloguing, storing and disseminating the Technical Reports that were routinely produced by Department faculty, research staff, and graduate students in the course of their research.

8.   The number of Technical Reports produced in the Department varied from year to year in a range between 67 and 134 Technical Reports per year during my time as Department Chairman for the period 1986-1994.

9.   Department faculty, research staff, and graduate students authored these Technical Reports as reports regarding current research activities and findings. The reports served purposes of communicating researchers' up-to-date research accomplishments to others within the Department as well as to interested persons at other academic/research institutions and the general public. A benefit of prompt dissemination of the Technical Reports was to allow the Department's researchers' findings to become known to the national and international research community as early as possible in relation to research on similar subject matter that might be conducted at other institutions.

10.   Attachment B to this declaration is a true and accurate copy of one such Technical Report – i.e., CS Technical Report 92-50, entitled "Voice Communication Across the Internet: A Network Voice Terminal," dated July 29, 1992, and authored by a then Department graduate student, Henning Schulzrinne. This Technical Report is currently available for download from https://web.cs.umass.edu/publication/docs/1992/UM-CS-1992-050.pdf.

11. All Department Technical Reports in the 1990's (which would have included CS Technical Report 92-50 completed in 1992) were made available to interested persons within and outside the Department and the university in several forms and locations, pursuant to available venues and technology and the Department's standard practices, which were observed during my time as Department Chairman.

12. The Department's standard practices and policies for indexing, cataloguing, storing and disseminating Technical Reports evolved during the 1990's as new technologies for electronically producing (via text editors, document formatting software, etc.) and disseminating (via the Internet, World Wide Web, etc.) documents became available. The Department's standard practices and policies and their 1990's evolution were as detailed below:

   a. Selection: Department faculty, research staff, and graduate students submitted proposed Technical Reports for approval, with approval responsibility varying from the Department Chair to faculty committees to Department staff. Generally all proposed Technical Reports authored or endorsed by tenure-track faculty were routinely approved.

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