DECLARATION OF JODI L. GREGORY

I, Jodi L. Gregory, declare as follows:

1.   I am over the age of 21 and otherwise competent to make this declaration. I have personal knowledge regarding the facts contained herein.

2.   I am the founder and President of Access Information Services, Inc., which provides customized business research and analyses. I have been the owner there since 1988. My duties include research and analysis, and I conduct workshops on Internet research. I am regularly engaged by a wide variety of companies to conduct research regarding the availability of scientific literature. In the year 2014, Access Information Services Inc. merged with Seek Information Services, an intellectual property research firm, and began doing business as Seek Services.

3.   From 1989 to 1994, I was also Manager of the Information & Analysis Center with UES Inc., a research, development, and technology creation and transfer company. My work duties there included creating and managing a centralized information resource center, managing research on over 200 companies and their competitors, and acquiring online databases, end-user tools, collection development systems, and database management systems.

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4.   I have served on the Association of Independent Information Professionals' Board of Directors, and I have held the positions of President-Elect and President of the Association.

5.   A true and correct copy of my Curriculum Vitae is attached hereto as Attachment A.

6.   I have been asked to provide an opinion regarding the public availability of the book identified as Exhibit 1016 to Google LLC's Petitions for *Inter Partes* Review of U.S. Patent No. 8,489,868 in IPR2017-01619 and IPR2017-01620. For the reasons detailed below in paragraphs 7-15, based on my review of Exhibit 1016 and my research, it is my opinion that the book identified as Exhibit 1016 was publicly available before September 21, 2000, so that interested members of the public could have obtained the book with reasonable diligence if they so desired.

7.   Based on my review of Exhibit 1016 and my research, Exhibit 1016 is an excerpt of a true and accurate copy of Gong, Li, "Inside Java 2 Platform Security Architecture: Cryptography, APIs, and Implementation" (hereinafter, "*Gong*"), obtained from the North Carolina State University Libraries (hereinafter, "NCSU Libraries"). The online cataloguing information provided by the NCSU Libraries for *Gong* is marked as Exhibit 1038, and reflects the same, title, author,

call number (i.e., QA76.73 .J38 G65 1999), and ISBN (i.e., 0201310007) as shown in Exhibit 1016.

8. As shown on page 4 of Exhibit 1016, *Gong* includes a stamped date due card. Each stamp on the date due card indicates that *Gong* was borrowed from the NCSU Libraries by a patron and was expected to be returned by the date stamped on the card. This is shown on the card itself, which states that the "book is due on the date indicated," and is consistent with the well-known and common practice of libraries at the time that used a manual system for allowing the borrowing of items from their collections. The earliest stamped due date on the card on page 4 of Exhibit 1016 indicates that *Gong* was checked out from the NCSU Libraries on or before February 8, 2000.

9. In response to my inquiry to the NCSU Libraries, a librarian at the NCSU Libraries confirmed that its copy of *Gong* identified as Exhibit 1016 was date stamped on the cover page upon borrowing with dates on which the book was to be returned to the NCSU Libraries, indicating that *Gong* was publicly available on or before those dates at the NCSU Libraries.

10. As indicated by Exhibit 1039, *Gong* was available for purchase online no later than November 14, 1999, via the website Amazon.com. Exhibit 1039 is a true and accurate copy of a printout of the HTML file captured on November 14, 1999, using the Internet Archive's Wayback Machine service for the URL (i.e.,

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Uniform Resource Locator, colloquially termed a web address) to purchase *Gong* from Amazon.com.

11.   The Wayback Machine is an archive of information obtained from the World Wide Web that is created and maintained by the Internet Archive, a non-profit organization. The Wayback Machine enables a user to access archived versions of a web page over a period of time. To accomplish this, the Wayback Machine captures "snapshots" of publicly accessible web pages on the Internet—preserving these web pages as they existed on the Internet at the point of time of capture. A user can supply a URL of a desired web page to the Wayback Machine's website interface and the user will be presented with a list of dates upon which the web page was archived. The user can click one of the listed dates to access and view the web page as it existed on the selected date. Each archived web page is assigned a distinct URL that includes the original web page URL as well as a date code, which is a list of numbers in the format of "yyyymmddhhmmss" (i.e., year, month, day, hour, minute, second). The date code indicates, down to the second, when the archived web page was captured. The foregoing is based on my knowledge and years of experience using the Wayback Machine.

12.   A search of the Internet Archive's Wayback Machine shows that *Gong* was publicly available for purchase online at least as early as November 14, 1999. For example, an archived version of the Amazon.com webpage for

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purchasing *Gong* is available at the URL: https://web.archive.org/web/19991114194120/http://www.amazon.com/exec/obido s/ASIN/0201310007/ (see Exhibit 1039). The date code embedded in this URL indicates that the webpage was captured by the Wayback Machine on November 14, 1999, at 7:41 p.m. and 20 seconds.

13.	Accordingly, as explained above, an interested party could have purchased *Gong* by at least November 14, 1999, by browsing to the Amazon.com webpage at the publicly accessible URL https://web.archive.org/web/19991114194120/http://www.amazon.com/exec/obido s/ASIN/0201310007/.

14.	Exhibit 1040 is a true and accurate copy of a webpage belonging to Addison-Wesley (the publisher of *Gong*) that was captured by Internet Archive's Wayback Machine on January 15, 2000. The webpage discusses an online chat with Li Gong (the author of *Gong*) held on September 30, 1999, to discuss Java Security and *Gong*. The archived version of the webpage is available at the URL: https://web.archive.org/web/20000115153655/http:/www.awl.com:80/cseng/author s/chats/septemberchats.shtml (see Exhibit 1040). The date code embedded in this URL indicates that the webpage was captured by the Wayback Machine on January 15, 2000, at 3:36 p.m. and 55 seconds.

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