UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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GOOGLE, INC.,
Petitioner

v.

UNILOC USA, INC.,
Patent Owner

_____

Patent No. 8,724,622

_____

DECLARATION OF SANDY GINOZA

DECLARATION

I, Sandy Ginoza, based on my personal knowledge and information, hereby declare as follows:

1. I am an employee of Association Management Solutions, LLC (AMS), which acts under contract to the Internet Society (ISOC) as the operator of the RFC Production Center. The RFC Production Center is part of the "RFC Editor" function, which prepares documents for publication and places files in an online repository for the authoritative Request for Comments (RFC) series of documents (RFC Series), and preserves records relating to these documents. The RFC Series includes, among other things, the series of Internet standards developed by the Internet Engineering Task Force (IETF), an organized activity of ISOC. I hold the position of Director of the RFC Production Center. I began employment with AMS in this capacity on 6 January 2010.

2. Among my responsibilities as Director of the RFC Production Center, I act as the custodian of records relating to the RFC Series, and I am familiar with the record keeping practices relating to the RFC Series, including the creation and maintenance of such records.

3. From June 1999 to 5 January 2010, I was an employee of the Information Sciences Institute at University of Southern California (ISI). I held

various position titles with the RFC Editor project at ISI, ending with Senior Editor.

4.   The RFC Editor function was conducted by ISI under contract to the United States government prior to 1998. In 1998, ISOC, in furtherance of its IETF activity, entered into the first in a series of contracts with ISI providing for ISI's performance of the RFC Editor function. Beginning in 2010, certain aspects of the RFC Editor function were assumed by the RFC Production Center operation of AMS under contract to ISOC (acting through its IETF function and, in particular, the IETF Administrative Oversight Committee). The business records of the RFC Editor function as it was conducted by ISI are currently housed on the computer systems of AMS, as contractor to ISOC.

5.   I make this declaration based on my personal knowledge and information contained in the business records of the RFC Editor as they are currently housed at AMS, or confirmation with other responsible RFC Editor personnel with such knowledge.

6.   Since approximately 1998, the RFC Editor's regular practice has been to publish RFCs and make them available to the public on its website at www.rfc-editor.org (the RFC Editor website). The RFC Production Center makes available authoritative versions of all RFCs in the ordinary course of its regularly conducted activities on the RFC Editor website.

7.   Prior to 1998, the RFC Editor's regular practice was to publish RFCs, making them available from a repository via FTP.

8.   Any RFC published on the RFC Editor website or via FTP was reasonably accessible to the public and was disseminated or otherwise available to the extent that persons interested and ordinarily skilled in the subject matter or art exercising reasonable diligence could have located it. RFC 793 was indexed and placed in a public repository before December 18, 2002, and I have personal knowledge that RFC 793 was accessible to persons interested in the subject of RFC 793 via the RFC Editor website or via FTP before December 18, 2002.

9.   The RFCs are kept in an online repository in the course of the RFC Editor's regularly conducted activity and ordinary course of business. The records are made pursuant to established procedures and are relied upon by the RFC Editor in the performance of its functions.

10.   It is the regular practice of the RFC Editor to make and keep the RFC records.

11.   Exhibits A1-A4 attached are true and correct copies of the RFCs corresponding with such Exhibit numbers on Appendix 1.

12.   Exhibits B1-B4 attached are records demonstrating the publication of the corresponding RFCs on or about the dates listed on Appendix 1.

13. I am confident that the RFCs identified in Appendix 1, including RFC 793, RFC 2131, RFC 2778, and RFC 2779, were publicly accessible to persons interested in the subject of these particular RFCs via the RFC Editor website or via FTP before December 18, 2002.

14. I hereby declare that all statements made are 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 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 and that such willful false statements may jeopardize the validity of this proceeding.

Date: 1 September 2017

By: _____

Sandy Ginoza

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