IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent of:

Rojas

U.S. Pat. No.:

7,535,890

Attorney Docket No.: 19473-0372IP1

Issue Date:

May 19, 2009

Appl. Serial No.:

10/740,030

Filing Date:

Dec. 18, 2003

Title:

SYSTEM AND METHOD FOR INSTANT VOIP

MESSAGING

Declaration of Michael Cohen

- 1. I, Michael Cohen, am over the age of 18, have personal knowledge of the facts set forth herein, and am competent to testify to the same.
- 2. I am currently employed as the Assistant Director for Cataloging and Metadata Services in the General Library System for the University of Wisconsin-Madison (the "Library"), located in Madison, WI. I have been employed by the Library for 22 years.
- 3. As Asst. Dir. for Cataloging Services for the Library, I have personal knowledge of the Library's normal practices for indexing, cataloging, and shelving books and periodicals received by the Library.
- 4. Prior to 2002, the normal and regular practice of the Library is to create an online invoice for all purchased materials in our integrated library system. As a by-product of paying for that online invoice, a "receiving date" is automatically generated in the item record for each individual title included on that



invoice. The Library's regular practice of generating receiving dates was very similar in 2002 as it is today.

- 5. After a book is received by the Library, it is entered into a catalog. In the ordinary course of this practice of the Library, this process generally takes no more than 4 weeks. As a result of this regular practice (both now and prior to 2002), any book or periodical that was entered into the catalog was then publicly accessible, for example, by patrons of the Library and other members of the public searching for and finding the book or periodical (via an electronic search using the Library's catalog system and via assistance from a librarian).
- 6. Attached hereto as Appendix A is a true and correct copy of the item record in our online integrated library system for <u>How The Internet Works, Sixth</u>

 <u>Edition</u> by Preston Gralla (ISBN No. 0-7897-2582-7 and Library of Congress No. 20-01087727), which shows the "Receiving date" for this book in the Library.
- 7. Our electronic listing for <u>How The Internet Works</u>, <u>Sixth Edition</u> shows that this book was received by the Library on January 23, 2002. As such, in accordance with the regular course of the above-described standard practice of the Library, this book was publicly accessible in February 2002 or earlier to patrons of the Library and other persons interested in this subject matter exercising typical diligence for locating a book at the Library



I swear or affirm 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.

Dated: August 25, 2017,

Michael Cohen Asst. Dir for Cataloging Services General Library System University of Wisconsin--Madison

Michael Coll

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