

www.archive.org  
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Internet Archive  
300 Funston Avenue  
San Francisco, CA 94118

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## AFFIDAVIT OF CHRISTOPHER BUTLER

1. I am the Office Manager at the Internet Archive, located in San Francisco, California. I make this declaration of my own personal knowledge.

2. The Internet Archive is a website that provides access to a digital library of Internet sites and other cultural artifacts in digital form. Like a paper library, we provide free access to researchers, historians, scholars, and the general public. The Internet Archive has partnered with and receives support from various institutions, including the Library of Congress.

3. The Internet Archive has created a service known as the Wayback Machine. The Wayback Machine makes it possible to surf more than 450 billion pages stored in the Internet Archive's web archive. Visitors to the Wayback Machine can search archives by URL (i.e., a website address). If archived records for a URL are available, the visitor will be presented with a list of available dates. The visitor may select one of those dates, and then begin surfing on an archived version of the Web. The links on the archived files, when served by the Wayback Machine, point to other archived files (whether HTML pages or images). If a visitor clicks on a link on an archived page, the Wayback Machine will serve the archived file with the closest available date to the page upon which the link appeared and was clicked.

4. The archived data made viewable and browseable by the Wayback Machine is compiled using software programs known as crawlers, which surf the Web and automatically store copies of web files, preserving these files as they exist at the point of time of capture.

5. The Internet Archive assigns a URL on its site to the archived files in the format `http://web.archive.org/web/[Year in yyyy][Month in mm][Day in dd][Time code in hh:mm:ss]/[Archived URL]`. Thus, the Internet Archive URL `http://web.archive.org/web/19970126045828/http://www.archive.org/` would be the URL for the record of the Internet Archive home page HTML file (`http://www.archive.org/`) archived on January 26, 1997 at 4:58 a.m. and 28 seconds (1997/01/26 at 04:58:28). A web browser may be set such that a printout from it will display the URL of a web page in the printout's footer. The date assigned by the Internet Archive applies to the HTML file but not to image files linked therein. Thus images that appear on a page may not have been archived on the same date as the HTML file. Likewise, if a website is designed with "frames," the date assigned by the Internet Archive applies to the frameset as a whole, and not the individual pages within each frame.

6. Attached hereto as Exhibit A are true and accurate copies of printouts of the Internet Archive's records of the HTML files or PDF files for the URLs and the dates specified in the footer of the printout (HTML) or attached coversheet (PDF).

7. I declare under penalty of perjury that the foregoing is true and correct.

DATE: 1/11/18

  
\_\_\_\_\_  
Christopher Butler

CALIFORNIA JURAT

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See Attached Document.

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.


State of California  
County of San Francisco

Subscribed and sworn to (or affirmed) before me on this

11<sup>th</sup> day of January, 2018, by

Christopher Butler,

proved to me on the basis of satisfactory evidence to be the person who appeared before me.

Signature: 



# Exhibit A



## The Company

Founded in 1994 as a joint venture between Fujitsu Limited of Japan and Joel Ronning, President and CEO of Tech Squared, Inc., Digital River was created to enable the secure transmission of digital information.

The explosive growth of world wide computer networks including the Internet and the proliferation of high capacity rewritable store media offers a new and highly efficient venues for distribution of Digital Data. With two years of development and seven pending patents on it's technology, Digital River offers software publishers and resellers the secure, turn-key capacity to deliver their products digitally to customers via the Internet or on a wide variety of storage media.

## The Products

The key advantages to digital delivery of software include:

- Immediate delivery of product with little or no cost of goods
- Low risk of stock obsolescence
- Lower shipping and handling costs
- Reduced "time to market"
- Powerful marketing options
- Wide distribution with 100% user registration
- Environmentally friendly

These efficiencies of distribution allow for attractive pricing for endusers with higher profit margins for publishers and vendors.

Digital River's products and services make these benefits available to manufacturers, dealers and customers now. Current offerings include:

- Digital River's Secure Sales System (SSS) brings together software manufacturers and dealers enabling them to sell and deliver product via the Internet. This service will provide all digital delivery, security, collections and reporting of the sale of software. Throughout this process it will appear to the consumer as if the transaction is being processed by the manufacturer or dealer while the Digital River SSS is handling the whole transaction "behind the scenes"

- Digital River's Self Encrypted Application System (SEAS) and Browser Encrypted System allow for the free distribution of encrypted Macintosh software so that users may use the software a limited number of times on a trial basis. If the user then wants to purchase the software, they need only call a toll free number to receive a decryption code. If they choose not to purchase the software, it may be erased or will self-destruct after 10 trial uses. These "digital" packages are delivered to the customer with a familiar, intuitive and standard interface.

## The Service

A key advantage to a partnership with Digital River is the high level of service offered by the company, including customization of Web presentation so that the SSS remains behind the scenes, rapid posting of new software and new versions, and of course timely reporting and payment on all software sales. Included in the reporting will be each customer's name, address, phone number and a user profile that will provide manufacturers and dealers with unprecedented marketing opportunities in the future.



# Explore Litigation Insights

Docket Alarm provides insights to develop a more informed litigation strategy and the peace of mind of knowing you're on top of things.

## Real-Time Litigation Alerts



Keep your litigation team up-to-date with **real-time alerts** and advanced team management tools built for the enterprise, all while greatly reducing PACER spend.

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