

PETITIONER’S EVIDENCE - DECLARATION OF
JENNIFER A. BABBITT

I, Jennifer A. Babbitt, declare under penalty of perjury as follows:

I. INTRODUCTION

1. I am an Electronic Services Librarian at Kirkland & Ellis LLP.

2. I make this declaration in support of Petitioner’s Petitions for *Inter Partes* Review of U.S. Patent Nos. 9,049,019; 8,155,012; 8,902,760; and 9,812,825 (collectively, “Cisco’s Petitions for *Inter Partes* Review”) before the United States Patent and Trademark Office. I make this declaration of my own personal knowledge.

II. QUALIFICATIONS

3. I obtained a Masters in Library and Information Science from San Jose State University in 2013. In connection with that degree, I took multiple courses relating to library operation and catalog management.

4. From 2012 to 2014, I worked as an Archive Consultant at Golden Gate National Recreation Area. I assisted in archival of Golden Gate National Recreation Area documents and maintenance of active division records. I also created finding aids for discrete collections, as well as preserving and arranging active records for multiple divisions within the Golden Gate National Recreation Area, including the superintendent’s office.

5. From 2014 to present, I have been working as a Research Assistant at Kirkland & Ellis LLP. My primary responsibilities include the following: (1) maintain library catalog, including coordination of cataloging new material and routing of serial publications, (2) work with outside vendors to maintain/update standing orders and facilitate new orders, (3) coordinate interlibrary loans, (4) catalog and maintain technical book collection, and (5) research and document retrieval.

6. Through my education and experience described above, I have interacted with and become personally familiar with Linda Hall Library and its cataloging records. Linda Hall Library is a privately endowed library of science, engineering, and technology located in Kansas City, Missouri. I have used and am familiar with the Linda Hall Library's online catalog, including through performing searches on the online catalog to find information about the availability of books and other references.

7. Through my education and experience described above, I have interacted with and become personally familiar with IEEE Xplore Digital Library and its cataloging records. IEEE Xplore Digital Library is a digital library for the IEEE. I have used and am familiar with the IEEE Xplore Digital Library's online catalog, including through performing searches on the online catalog to find information about the availability of references.

8. Through my education and experience described above, I have interacted with and become personally familiar with the Library of Congress and its cataloging records. The Library of Congress is a research library for the United States Congress. Based on my knowledge and experience, it is the national library of the United States and the most authoritative resource in the United States for library cataloging records. I have used and am familiar with the Library of Congress's online catalog, including through performing searches on the online catalog to find information about the availability of books and other references. The Library of Congress also maintains the United States Copyright Office catalog, which records the registration of copyrighted material.

III. EXHIBITS

9. **Exhibit 1** to this declaration is a true and correct copy of the Internet webpage for the Linda Hall Library that I accessed at the URL <https://docserv.lindahall.org/illiad/illiad.dll?Action=10&Form=22> on May 23, 2018. I understand the website I accessed at <https://docserv.lindahall.org> is hosted by the Linda Hall Library. I further understand the webpage at <https://docserv.lindahall.org/illiad/illiad.dll?Action=10&Form=22> is an order form to place purchase orders for electronic copies of various publications. I used this order form to purchase a copy of the "IEEE International Standard ISO/IEC 802-3: 1993" (which is attached to Cisco's Petitions for *inter partes* review as Exhibit 22.)

10. The IEEE International Standard ISO/IEC 802-3: 1993 (Ex.1022) includes the text “Fourth Edition: 1993-07-08” and bears a reading “SPECIFICATION August 5, 1993 LINDA HALL LIBRARY” on its face (Ex.1022 at 2). These stamps typically represent the date on which a document was placed into the “stacks” at Linda Hally Library, and were thus available for viewing and check-out. Furthermore, the IEEE 802.3u-1995 Standard discussed below has a publication date of October 26, 1995 (*see* below ¶¶ 11-16) and references the IEEE International Standard ISO/IEC 802-3: 1993. Specifically, in the Editorial Notes section, there is a section titled “Revisions to ISO/IEC 8802-3: 1993 [ANSI/IEEE Std 802.3, 1993 Edition].” See IEEE 802.3u-1995 at 18.

11. **Exhibit 2** to this declaration is a collection of true and correct printouts of the series of webpages I accessed by navigating from <https://ieeexplore.ieee.org/Xplore/home.jsp> to <https://ieeexplore.ieee.org/stamp/stamp.jsp?tp=&arnumber=7974916>, accessed on May 23, 2018.

12. Pages 1-4 of Exhibit 2 are true and correct printouts of the IEEE webpage at <https://ieeexplore.ieee.org/browse/standards/collection/ieee> that I accessed by going to the Standards section of the IEEE website and searching for “IEEE 802.3u-1995.”

13. Pages 5-6 of Exhibit 2 are true and correct printouts of the IEEE webpage at <https://ieeexplore.ieee.org/browse/standards/collection/ieee/all-collections?queryText=802.3u-1995> that I accessed by locating the IEEE 802.3u-1995 standard from the search results.

14. Pages 7-8 of Exhibit 2 are true and correct printouts of the IEEE webpage at <https://ieeexplore.ieee.org/document/7974916/> that I accessed by clicking on the IEEE 802.3u-1995 standard to access detailed information, including document title, publication date by IEEE, and a link to purchase the standard.

15. Page 9 of Exhibit 2 is a true and correct printout of the IEEE webpage at <https://ieeexplore.ieee.org/stamp/stamp.jsp?tp=&arnumber=7974916>, containing the order form I filled out to download a copy of the IEEE 802.3u-1995 standard, which is attached as Exhibit as Ex.1021 to Cisco's Petitions for *inter partes* review.

16. Page 7 of Exhibit 2 includes the text "Date of Publication: 26 Oct. 1995." Based on my education and experience, this date of publication maintained by IEEE Xplore is the date the standard (Ex.1021) was made publicly available.

17. **Exhibit 3** to this declaration is a collection of true and correct printouts of the series of webpages I accessed by navigating from <https://ieeexplore.ieee.org/Xplore/home.jsp> to

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