

DECLARATION OF SANDY GINOZA FOR IETF

RFC 2401: SECURITY ARCHITECTURE FOR THE INTERNET PROTOCOL

RFC 2402: IP AUTHENTICATION HEADER

RFC 2406: IP ENCAPSULATING SECURITY PAYLOAD (ESP)

RFC 2408: INTERNET SECURITY ASSOCIATION AND KEY MANAGEMENT PROTOCOL (ISAKMP)

RFC 2409: THE INTERNET KEY EXCHANGE (IKE)

RFC 3102: REALM SPECIFIC IP: FRAMEWORK

RFC 3103: REAL SPECIFIC IP: PROTOCOL SPECIFICATION

RFC 3104: RSIP SUPPORT FOR END-TO-END IPSEC

I, Sandy Ginoza, hereby declare that all statements made herein are of my own knowledge and are true and that all statements made on information and belief are believed to be true; and further 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 Title 18 of the United States Code:

1. I am an employee of Association Management Solutions, LLC (AMS), which acts under contract to the IETF Administration LLC (IETF) 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 IETF. 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 (now the IETF Administration LLC (IETF)). 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 the IETF.

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. Prior to 1998, the RFC Editor's regular practice was to publish RFCs, making them available from a repository via FTP. When a new RFC was published, an announcement of its publication, with information on how to access the RFC, would be typically sent out within 24 hours of the publication.

7. Since 1998, the RFC Editor's regular practice was to publish RFCs, making them available on the RFC Editor website or via FTP. When a new RFC was published, an announcement of its publication, with information on how to access the RFC, would be typically sent out within 24 hours of the publication.

8. Beginning in 1998, 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. In particular, the RFCs were indexed and placed in a public repository.

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. Based on the business records for the RFC Editor and the RFC Editor's course of conduct in publishing RFCs, I have determined that the publication date of RFC 2401, RFC 2402, RFC 2406, RFC 2408 and RFC 2409 was no later than November 1998, at which time they were reasonably accessible to the public either on the RFC Editor website or via FTP from a repository. Copies of these RFCs are attached to this declaration as exhibits.

12. Based on the business records for the RFC Editor and the RFC Editor's course of conduct in publishing RFCs, I have determined that the publication date of RFC 3102, RFC 3103, and RFC 3104 was no later than October 2001, at which time they were reasonably accessible to the public either on the RFC Editor website or via FTP from a repository. Copies of these RFCs are attached to this declaration as exhibits.

Pursuant to Section 1746 of Title 28 of United States Code, I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct and that the foregoing is based upon personal knowledge and information and is believed to be true.

Date: 21 MARCH 2019

By: 
Sandy Ginoza

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ATTACHMENT A

Explore Litigation Insights

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