

DECLARATION OF JUNE ANN MUNFORD

1. My name is June Ann Munford. I 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 earned a Master of Library and Information Science (MLIS) from the University of Wisconsin-Milwaukee in 2009. I have over ten years of experience in the library/information science field. Beginning in 2004, I have served in various positions in the public library sector including Assistant Librarian, Youth Services Librarian and Library Director. I have attached my Curriculum Vitae as Appendix CV.
3. During my career in the library profession, I have been responsible for materials acquisition for multiple libraries. In that position, I have cataloged, purchased and processed incoming library works. That includes purchasing materials directly from vendors, recording publishing data from the material in question, creating detailed material records for library catalogs and physically preparing that material for circulation. In addition to my experience in acquisitions, I was also responsible for analyzing large collections of library materials, tailoring library records for optimal catalog

search performance and creating lending agreements between libraries during my time as a Library Director.

4. I am fully familiar with the catalog record creation process in the library sector. In preparing a material for public availability, a library catalog record describing that material would be created. These records are typically written in Machine Readable Catalog (herein referred to as “MARC”) code and contain information such as a physical description of the material, metadata from the material’s publisher, and date of library acquisition. In particular, the 008 field of the MARC record is reserved for denoting the date of creation of the library record itself. As this typically occurs during the process of preparing materials for public access, it is my experience that an item’s MARC record indicates the date of an item’s public availability.
5. Typically, in creating a MARC record, a librarian would gather various bits of metadata such as book title, publisher and subject headings among others and assign each value to a relevant numerical field. For example, a book’s physical description is tracked in field 300 while title/attribution is tracked in field 245. The 008 field of the MARC record is reserved for denoting the creation of the library record itself. As this is the only date reflecting the inclusion of said materials within the library’s collection, it is my experience

that an item's 008 field accurately indicates the date of an item's public availability.

6. I have reviewed Exhibit LGER1024, "Non-Uniform Constellations for ATSC 3.0" by Nabil Sven Loghin, et al. as published in *IEEE Transactions on Broadcasting*, March 2016.
7. Attached hereto as Appendix LOGHIN01 is a true and correct copy of the MARC record for *IEEE Transactions on Broadcasting* as held by the Penn State University library. I secured this record myself from the library's public catalog. The MARC record contained within Appendix LOGHIN01 accurately describes the title, author, publisher, and ISSN number of *IEEE Transactions on Broadcasting*. The '362' field of this record visible on page # indicates this collection includes the March 2016 edition of *IEEE Transactions on Broadcasting* containing "Non-Uniform Constellations for ATSC 3.0".
8. Attached hereto as Appendix LOGHIN02 is a true and correct copy of "Non-Uniform Constellations for ATSC 3.0" as published in *IEEE Transactions on Broadcasting*. I secured this PDF copy myself from the Penn State University library's digital holdings. In comparing Exhibit

LGGER1024 to Appendix LOGHIN02, it is my determination that Exhibit LGGER1024 is a true and correct copy of “Non-Uniform Constellations for ATSC 3.0” by Nabil Sven Loghin, et al. as published in *IEEE Transactions on Broadcasting* March 2016.

9. The 008 field of the MARC record in Appendix LOGHIN01 indicates the date of record creation. The 008 field of Appendix LOGHIN indicates the Penn State University library first acquired this journal as of June 22, 2000 and still holds this journal in perpetuity. Considering this information, it is my determination that *IEEE Transactions on Broadcasting* March 2016 and therefore “Non-Uniform Constellations for ATSC 3.0” was made available to the public shortly after its initial release in March 2016.

10. I have been retained on behalf of the Petitioner to provide assistance in the above-illustrated matter in establishing the authenticity and public availability of the documents discussed in this declaration. I am being compensated for my services in this matter at the rate of \$100.00 per hour plus reasonable expenses. My statements are objective, and my compensation does not depend on the outcome of this matter.

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