

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re patent of: Samaniego *et al.*

U.S. Patent No: 6,964,009 B1

Issued: November 8, 2005

For: **AUTOMATED MEDIA DELIVERY
SYSTEM**

Art Unit: 2176

Confirmation No. 9393

Examiner: BASHORE, W.L.

Atty. Docket: EQUI0001CIP

Petition Under 37 C.F.R. § 1.324(a) to Correct Inventorship in a Patent

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Attn: Mail Stop Petition

Commissioner:

It is hereby petitioned that the United States Patent and Trademark Office correct inventorship in the above-captioned patent.

The above-captioned patent, U.S. Patent No. 6,964,009, has been asserted as prior art in *inter partes* review petitions IPR2023-00330 and IPR2023-00332. The patents involved in the *inter partes* reviews (U.S. Patent No. 8,495,242 and U.S. Patent No. 9,158,745) have been asserted in *Equil IP Holdings LLC v. Akamai Technologies, Inc.*, DDE-1-22-cv-00677 (D.Del.).

The Office is requested to change the inventorship in this patent from: Christopher Samaniego; Nelson H. "Rocky" Offner; Adrian D. Thewlis; David R. Boyd; David C. Salmon; Joshua N. Devan ("the current named inventors") to the following:

- (1) Christopher Samaniego;
- (2) Nelson H. "Rocky" Offner;
- (3) Adrian D. Thewlis;
- (4) David R. Boyd;
- (5) David C. Salmon;
- (6) Joshua N. Devan;
- (7) Sean Barger.**

Further, the Office is requested to issue a certificate naming corrected inventors.

This request is accompanied by:

- (1) A statement under 37 C.F.R. § 1.324(b)(1) from Sean Barger to be added as an inventor, stating that the error in inventorship was made without deceptive intention on his part;
- (2) An oath or declaration under 37 C.F.R. § 1.63 executed by the inventor to be added, Sean Barger;
- (3) Statements under 37 C.F.R. § 1.324(b)(1) from the current named inventors stating that they agree to the change or have no disagreement in regard to the requested change;
- (4) A statement from the Assignee, Equil IP Holdings LLC, under 37 C.F.R. § 1.324(b)(2) agreeing to the change of inventorship in the patent;
- (5) A statement under 37 C.F.R. § 3.73(b), with accompanying assignment; and
- (6) The processing fee as set forth under 37 C.F.R. § 1.20(b), in the amount of \$160.00.

The above-listed items are filed electronically.

U.S. Patent No: 6,964,009

The U.S. Patent and Trademark Office is hereby authorized to charge any fee deficiency, or credit any overpayment, to our Deposit Account No. 19-0036.

Respectfully submitted,

STERNE, KESSLER, GOLDSTEIN & FOX P.L.L.C.

/Jason A. Fitzsimmons #65,367/

Jason A. Fitzsimmons, Registration No. 65,367

**Signed under 37 C.F.R. § 1.34, Acting in a
Representative Capacity for Assignee**

Date: April 3, 2023

1100 New York Avenue, N.W.
Washington, D.C. 20005-3934
(202) 371-2600

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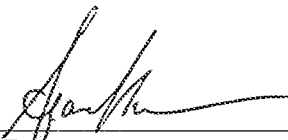
Atty. Docket: EQUI0001CIP

**STATEMENT FOR CORRECTION OF INVENTORSHIP
UNDER 37 C.F.R. § 1.324(b)(1) BY INVENTOR**

I, Sean Barger, make this statement in support of the accompanying Petition Under 37 C.F.R. § 1.324(a) to Correct Inventorship in a Patent, pursuant to 35 U.S.C. 256.

The inventorship error of failing to include myself, Sean Barger, as an inventor of U.S. Patent No. 6,964,009 occurred without any deceptive intention on my part. I have read and understand 37 C.F.R. § 11.18(b).

Executed this 31st day of March 2023.


Sean Barger

DECLARATION (37 CFR 1.63) FOR UTILITY OR DESIGN APPLICATION

**Title of
Invention** **AUTOMATED MEDIA DELIVERY SYSTEM**

As the below named inventor, I hereby declare that:

This declaration is directed to: The attached application, or
 United States application or PCT international application number 09/929,904
 filed on August 14, 2001 (now US Pat. No. 6,964,009).

The above-identified application was made or authorized to be made by me.

I believe that I am an original, first inventor or an original, first joint inventor of the subject matter which is claimed.

I hereby state that I have reviewed and understand the contents of the above-identified specification, including the claims.

I am aware of and acknowledge the duty to disclose to the U.S. Patent and Trademark Office all information known to me to be material to patentability as defined in 37 CFR 1.56.

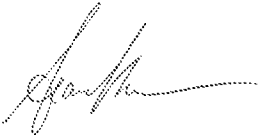
I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like are punishable by fine or imprisonment, or both, under 18 U.S.C. § 1001, and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

I hereby acknowledge that any willful false statement made in this declaration is punishable under 18 U.S.C. 1001 by fine or imprisonment of not more than five (5) years, or both.

LEGAL NAME OF INVENTOR: SEAN BARGER

COUNTRY OF CITIZENSHIP: United States of America

MAILING ADDRESS: 222 Marguerite Avenue
 Mill Valley, CA 94941

Signature:  _____ Date: April 3, 2023 _____

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