

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

NETFLIX, INC.,
PETITIONER,

v.

GOTV STREAMING, LLC,
PATENT OWNER.

CASE IPR2023-00757
PATENT 8,989,715

DECLARATION OF JOSHUA S. WYDE

EXHIBIT

I, Joshua S. Wyde, declare:

¶1. I am over the age of eighteen, I am of sound mind, and I am fully competent to testify. This declaration is based upon my personal knowledge, or, if so stated, upon information and belief.

¶2. I am an attorney at the law firm of Alavi Anaipakos, PLLC, and I am one of the attorneys representing the Patent Owner, GoTV Streaming, LLC, in the above captioned IPR.

¶3. Exhibit 2001 is a true and correct copy of excerpts from CAMPBELL-KELLY ET AL., *Mainframes to Smartphones: A History of the International Computer Industry* (Harvard Univ. Press 2015) purchased through Amazon.

¶4. Exhibit 2002 is a true and correct copy of GALAZZO, *Timeline from 1G to 5G: A Brief History on Cell Phones* (Sept. 21, 2020), available at <https://www.cengn.ca/information-centre/innovation/timeline-from-1g-to-5g-a-brief-history-on-cell-phones/>.

¶5. Exhibit 2003 is a true and correct copy of Cingular MEdia Mall Games and Motorola Page (March 23, 2006) captured by the Wayback Machine of the Internet Archive, available at <https://web.archive.org/web/20060323054853/http://www-xl.cingularextras.com/fuel/enduser/portal/endUserHTMLDir?c1=3&dc=0>

and <https://web.archive.org/web/20060323054841/http://www-xl.cingularextras.com/fuel/enduser/portal/endUserHTMLSelectPhone?makeName=motorola&dc=0>, with an affidavit from the Records Request Processor of the Internet Archive regarding the same.

¶6. Exhibit 2004 is a true and correct copy of the primary page of Suite, Definition & Meaning - Merriam-Webster, *available at* <https://www.merriam-webster.com/dictionary/suite>.

¶7. Exhibit 2005 is a true and correct copy of U.S. Patent No. 7,380,205 to Bezrukov et al. (filed Oct. 28, 2003) as retrieved from Google Patents.

¶8. Exhibit 2006 is a true and correct copy of TUTENEL ET AL., *Rule-Based Layout Solving and Its Application to Procedural Interior Generation*, Netherlands Organization for Scientific Research and the Netherlands ICT Research and Innovation Authority (2009), as downloaded from Research Gate.

¶9. Exhibit 2007 is a true and correct copy of excerpts from KRÖNER, *Adaptive Layout of Dynamic Web Pages*, Deutsches Forschungszentrum für Künstliche Intelligenz GmH (2000) as retrieved from Google Books.

¶10. Exhibit 2008 is a true and correct copy of Scheduling Order, *GoTV Streaming, LLC v. Netflix, Inc.*, 2:22-cv-07556 (C.D. Cal. issued Feb 14,

2023) (Doc. 62) as taken from the Public Access to Court Electronic Records (“PACER”) system.

¶11. Exhibit 2009 is a true and correct copy of Klausner Decisions re Motions to Stay Pending IPR as generated June 8, 2023 using Docket Navigator.

¶12. Exhibit 2010 is a true and correct copy of Order Granting Stipulated Stay Pending IPR, *Flexstent, LLC v. Abbott Labs.*, No. 5-18-cv-02479 (C.D. Cal. Oct. 18, 2019) (Doc.77) retrieved from PACER.

¶13. Exhibit 2011 is a true and correct copy of Order Denying Renewed Stipulated Stay Pending IPR, *Shenzhen Gooloo E-Commerce Co., Ltd. v. Pilot, Inc.*, No. 2-22-cv-02219 (C.D. Cal. Jan. 12, 2023) (Doc. 95) retrieved from PACER.

¶14. Exhibit 2012 is a true and correct copy of Renewed Joint Stipulation to Stay Case Pending Resolution of *Inter Partes Reviews* of ’653 Patent, *Shenzhen Gooloo E-Commerce Co., Ltd. v. Pilot, Inc.*, No. 2-22-cv-02219 (C.D. Cal. Jan. 11, 2023) (Doc. 94) retrieved from PACER.

¶15. Exhibit 2013 is a true and correct copy of Klausner Time to Trial in Patent Cases, generated June 8, 2023 by Docket Navigator.

¶16. Exhibit 2014 is a true and correct copy of U.S. District Court—Judicial Caseload Profile for Central California from Federal Court Management Statistics—Profiles (Mar. 31, 2023) retrieved from <https://www.uscourts.gov>.

¶17. Exhibit 2015 is a true and correct copy of Order Denying Netflix’s Motions, including for Invalidity under § 101, *GoTV Streaming, LLC v. Netflix, Inc.*, 2:22-cv-07556 (C.D. Cal. issued May 24, 2023) (Doc. 109) retrieved from PACER.

¶18. Exhibit 2016 is a true and correct copy of Order re Scheduling Conference, *GoTV Streaming, LLC v. Netflix, Inc.*, 2:22-cv-07556 (C.D. Cal. issued Feb. 13, 2023) (Doc. 61) retrieved from PACER.

¶19. Exhibit 2017 is a true and correct copy of Excerpts from Redacted and De-designated Corrected Declaration of Dr. John Villasenor Regarding Invalidity of U.S. Patent Nos. 8,989,715; 8,478,245; and 8,103,865, *GoTV Streaming, LLC v. Netflix, Inc.*, 2:22-cv-07556 (C.D. Cal. served June 23, 2023) served in the district court lawsuit.

¶20. These statements are made with the knowledge that willful false statements are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

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