

1 IN THE UNITED STATES DISTRICT COURT
2 FOR THE EASTERN DISTRICT OF TEXAS

3
4 GENBAND US LLC,

5 Plaintiff,

6
7 v.

8
9 METASWITCH NETWORKS LTD
10 AND METASWITCH NETWORKS
CORP.,

11 Defendants.

Civil Action No.: 2:14-cv-33

**DECLARATION OF THE RFC
PUBLISHER FOR THE INTERNET
ENGINEERING TASK FORCE, AN
ORGANIZED ACTIVITY OF THE
INTERNET SOCIETY**

12
13 I, Sandy Ginoza, based on my personal knowledge and information, hereby
14 declare as follows:

15 1. I am an employee of Association Management Solutions, LLC
16 (AMS), which acts under contract to the Internet Society (ISOC) as the operator of
17 the RFC Production Center. The RFC Production Center is part of the "RFC
18 Editor" function, which prepares documents for publication and places files in an
19 online repository for the authoritative Request for Comments (RFC) series of
20 documents (RFC Series), and preserves records relating to these documents. The
21 RFC Series includes, among other things, the series of Internet standards
22 developed by the Internet Engineering Task Force (IETF), an organized activity of
23 ISOC. I hold the position of Director of the RFC Production Center. I began
24 employment with AMS in this capacity on 6 January 2010.

25 2. Among my responsibilities as Director of the RFC Production Center,
26 I act as the custodian of records relating to the RFC Series.
27
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1 3. From June 1999 to 5 January 2010, I was an employee of the
2 Information Sciences Institute at University of Southern California (ISI). I held
3 various position titles with the RFC Editor project at ISI, ending with Senior
4 Editor.

5 4. The RFC Editor function was conducted by ISI under contract to the
6 United States government prior to 1998. In 1998, ISOC, in furtherance of its
7 IETF activity, entered into the first in a series of contracts with ISI providing for
8 ISI's performance of the RFC Editor function. Beginning in 2010, certain aspects
9 of the RFC Editor function were assumed by the RFC Production Center operation
10 of AMS under contract to ISOC (acting through its IETF function and, in
11 particular, the IETF Administrative Oversight Committee). The business records
12 of the RFC Editor function as it was conducted by ISI are currently housed on the
13 computer systems of AMS, as contractor to ISOC.

14 5. I make this declaration based on my personal knowledge and
15 information contained in the business records of the RFC Editor as they are
16 currently housed at AMS, or confirmation with other responsible RFC Editor
17 personnel with such knowledge.

18 6. Since approximately 1998, the RFC Editor's regular practice has
19 been to publish RFCs and make them available to the public on its website at
20 www.rfc-editor.org. The RFC Production Center currently makes available
21 authoritative versions of all RFCs in the ordinary course of its regularly conducted
22 activities on its website at www.rfc-editor.org.

23 7. Attachment A hereto lists nine RFCs published by the RFC Editor,
24 true and correct copies of which are included as Exhibits 1-9 on the accompanying
25 DVD.

26 8. I personally reviewed the documents included as Exhibits 1-9 on the
27 accompanying DVD.
28

1 9. I hereby certify, in accordance with the requirements of Federal Rule
2 of Evidence 902, that Exhibits 1-9 on the accompanying DVD constitute records
3 of regularly conducted business activity which were (A) made at or near the time
4 of the occurrence of the matters set forth by, or from information transmitted by, a
5 person with knowledge of those matters; (B) kept in the course of the regularly
6 conducted activity; and (C) made by the regularly conducted activity as a regular
7 practice.

8 10. Based on a search of RFC Editor records, I have determined that the
9 RFC Editor maintained a copy of Exhibits 1-9 on the accompanying CD in the
10 ordinary course of its regularly conducted activities.

11 11. Based on a search of RFC Editor records and the RFC Editor's course
12 of conduct in publishing RFCs, I have also determined that the documents
13 included as Exhibits 1-9 on the accompanying CD were published on the RFC
14 Editor website on or about the corresponding dates set forth in Attachment A. At
15 such time, each such document was reasonably accessible to the public, and was
16 disseminated or otherwise available to the extent that persons interested and
17 ordinarily skilled in the subject matter or art exercising reasonable diligence could
18 have located it.

19
20 Pursuant to Section 1746 of Title 28 of United States Code, I declare under
21 penalty of perjury under the laws of the United States of America that the
22 foregoing is true and correct and that the foregoing is based upon personal
23 knowledge and information and is believed to be true.

24
25 Date: 3 APRIL 2016

By: _____


Sandy Ginoza

ATTACHMENT A

Exhibit No.	RFC	Title	Publication Date
1	2543	SIP: Session Initiation Protocol	March 1999
2	3891	The Session Initiation Protocol (SIP) "Replaces" Header	Sept. 2004
3	2663	IP Network Address Translator (NAT) Terminology and Considerations	Aug. 1999
4	2327	SDP: Session Description Protocol	Apr 1998
5	2719	Framework Architecture for Signaling Transport	Oct. 1999
6	1789	INETPhone: Telephone Services and Servers on Internet	Apr 1995
7	2766	Network Address Translation – Protocol Translation (NAT-PT)	Feb. 2000
8	2995	Pre-SPIRITS Implementations of PSTN-initiated Services	Nov. 2000
9	1889	RTP: A Transport Protocol for Real-Time Applications	Jan. 1996

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