IN THE UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF TEXAS

INTELLECTUAL VENTURES I LLC,
 	
     Plaintiff,
 	
v.
 	
BITCO GEN. INS. CORP., ET AL,
 	
     Defendants.
	Civil Action No.: 6:15-CV-00059-JRG
	
	DECLARATION OF THE RFC EDITOR ON BEHALF OF THE INTERNET ENGINEERING TASK FORCE, AN ORGANIZED ACTIVITY OF THE INTERNET SOCIETY
	
	————

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

1.   I am an employee of Association Management Solutions, LLC (AMS), which acts under contract to the Internet Society (ISOC) 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 Internet Engineering Task Force (IETF), an organized activity of ISOC. 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). 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 ISOC.

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.   Since approximately 1998, the RFC Editor's regular practice has been to publish RFCs and make them available to the public on its website at
            (the RFC Editor website). The RFC Production Center makes available authoritative versions of all RFCs in the ordinary course of its regularly conducted activities on the RFC Editor website.

7.   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. A

contemporaneous electronic record of the announcement was made and kept in the IETF mail archive.

8.   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.
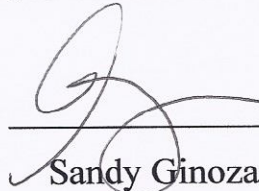
11.   Exhibits A1-A6 on the accompanying DVD are a true and correct copies of the RFCs corresponding with such Exhibit numbers on Appendix 1.

12.   Exhibits B1-B6 on the accompanying DVD are records demonstrating the publication of the corresponding RFCs on or about the dates listed on Appendix 1.

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: 19 January 2016   By: _____

Sandy Ginoza

APPENDIX 1

Authenticated RFCs

Exhibit	RFC No. and Title	Publication Date	Publication Date Authentication Documentation	Exhibt No. of Publication Date Documentation
A1	RFC 1750 Randomness Recommendations for Security	December 1994	RFC Announcement	B1
A2	RFC 2246 The TLS Protocol Version 1.0	January 1999	RFC Announcement	B2
A3	RFC 4086 Randomness Requirements for Security	June 2005	RFC Announcement	B3
A4	RFC 4346 The Transport Layer Security (TLS) Protocol Version 1.1	April 2006	RFC Announcement	B4
A5	RFC 4492 Elliptic Curve Cryptography (ECC) Cipher Suites for Transport Layer Security (TLS)	May 2006	RFC Announcement	B5
A6	RFC 5246 The Transport Layer Security (TLS) Protocol Version 1.2	August 2008	RFC Announcement	B6