

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

VONAGE HOLDINGS CORP., VONAGE AMERICA, INC., VONAGE
MARKETING LLC, and NETFLIX, INC.
Petitioner

v.

STRAIGHT PATH IP GROUP, INC.
(FORMERLY KNOWN AS INNOVATIVE COMMUNICATIONS
TECHNOLOGIES, INC.)
Patent Owner

INTER PARTES REVIEW OF U.S. PATENT NO. 6,701,365
Case IPR No.: *To Be Assigned*

**DECLARATION OF JASON H. LISS REGARDING
MICROSOFT WINDOWS NT SERVER 3.5**

DECLARATION

I, Jason H. Liss, hereby state as follows:

1. I am over the age of 18 and am competent to make this declaration.
2. I have personal knowledge of the matters stated herein. I took the photographs and created the screen captures below.
3. I am employed as an associate at Wilmer Cutler Pickering Hale and Dorr LLP, which represents Vonage Holdings Corp., Vonage America, Inc., and Vonage Marketing LLC in this proceeding.
4. On June 24, 2014, I purchased an item from Amazon.com titled “Microsoft Windows NT Server Network Operating System Version 3.5 (the “Windows NT Server 3.5 Materials”).
5. Below are several pictures of the box in which I received the Windows NT Server 3.5 Materials. As indicated, the box bears a copyright date of 1994.



Contains a CD-ROM disc.

Client Access
Licenses
Required



Microsoft® WINDOWS NT™ SERVER

Network Operating System Version 3.5

The Microsoft Server Family

The Microsoft® family of server products builds on the power, usability, and integration of Windows NT™ Server. Its modular client-server architecture helps you build networks and services at your own pace, adding capabilities as you need them. The result is a secure foundation for creating, connecting, and maintaining flexible business applications in your enterprise. Other members of the Microsoft Server family include:

Microsoft SQL Server™: client-server database management system.

Support high-volume transaction processing applications where performance, reliability, and manageability are requirements.

Microsoft Systems Management Server: centralized management for distributed systems.

Perform inventory, distribution, troubleshooting, and maintenance of software and hardware on PC networks.

Third-party server applications.

A broad selection of third-party server applications offers unique services to help solve your business problems.

Microsoft Exchange Server: client-server messaging and groupware.

Provide enterprise-wide electronic mail, scheduling, forms routing, and other server-based messaging.

Microsoft SNA Server: connectivity for IBM® enterprise networks.

Provide flexible access to enterprise applications on these systems.

Microsoft Windows NT Server: network operating system.

The best network foundation for the new generation of business solutions.

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Microsoft, Windows NT, and the Windows logo are either registered trademarks or trademarks of Microsoft Corporation in the United States and/or other countries.
Version 3.5

0894 Part No. 58167



Microsoft®

System requirements:

For Intel® and compatible systems:

- 386/25 or higher processor or Pentium™
- 16 MB of memory minimum
- 90 MB of available hard-disk space
- VGA, Super VGA, or other video graphics adapter compatible with Windows NT Server version 3.5

For RISC-based systems:

- RISC processor compatible with Windows NT Server version 3.5
- 16 MB of memory minimum
- One CD-ROM drive
- A hard disk with 110 MB available

Note: Software in package is for use with up to four processors.

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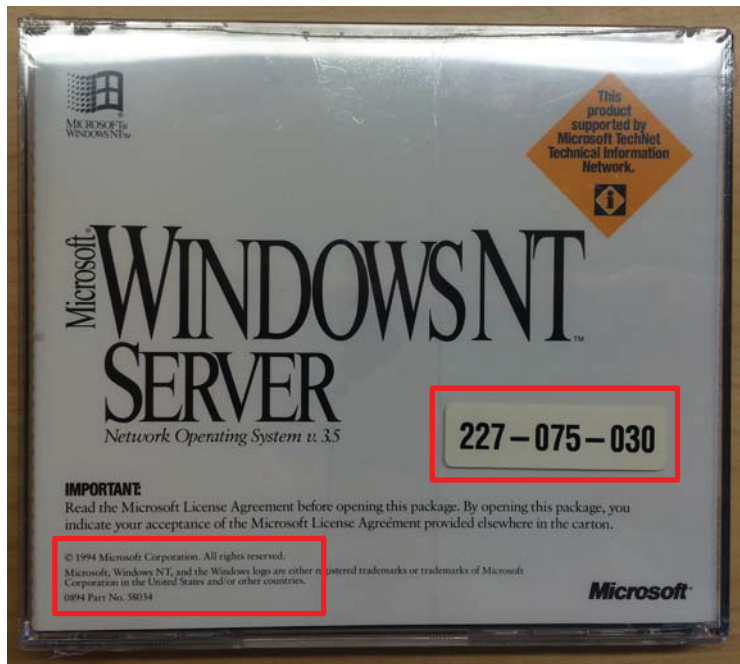
Microsoft, Windows NT, and the Windows logo are either registered trademarks or trademarks of Microsoft Corporation in the United States and/or other countries.

Version 3.5

0894 Part No. 58167

6. The Windows NT Server 3.5 Materials included a CD-ROM, pictured below. The CD-ROM was shrink-wrapped in unbroken cellophane and bears a copyright date of 1994. In addition, the CD-ROM bears the same identifying sticker (which was under the unbroken cellophane shrink-wrap) as the CD-ROM discussed in the declarations of Yuri Kolesnikov and Leslie Ehrlich, submitted as Exhibits 1017 and 1018, respectively, in proceeding IPR2013-00246 regarding U.S. Patent No. 6,108,704. I have reviewed the contents of the CD-ROM included in the Windows NT Server 3.5 Materials, and they appear to be the same as the contents of the CD-ROM discussed in the Kolesnikov and Ehrlich declarations.



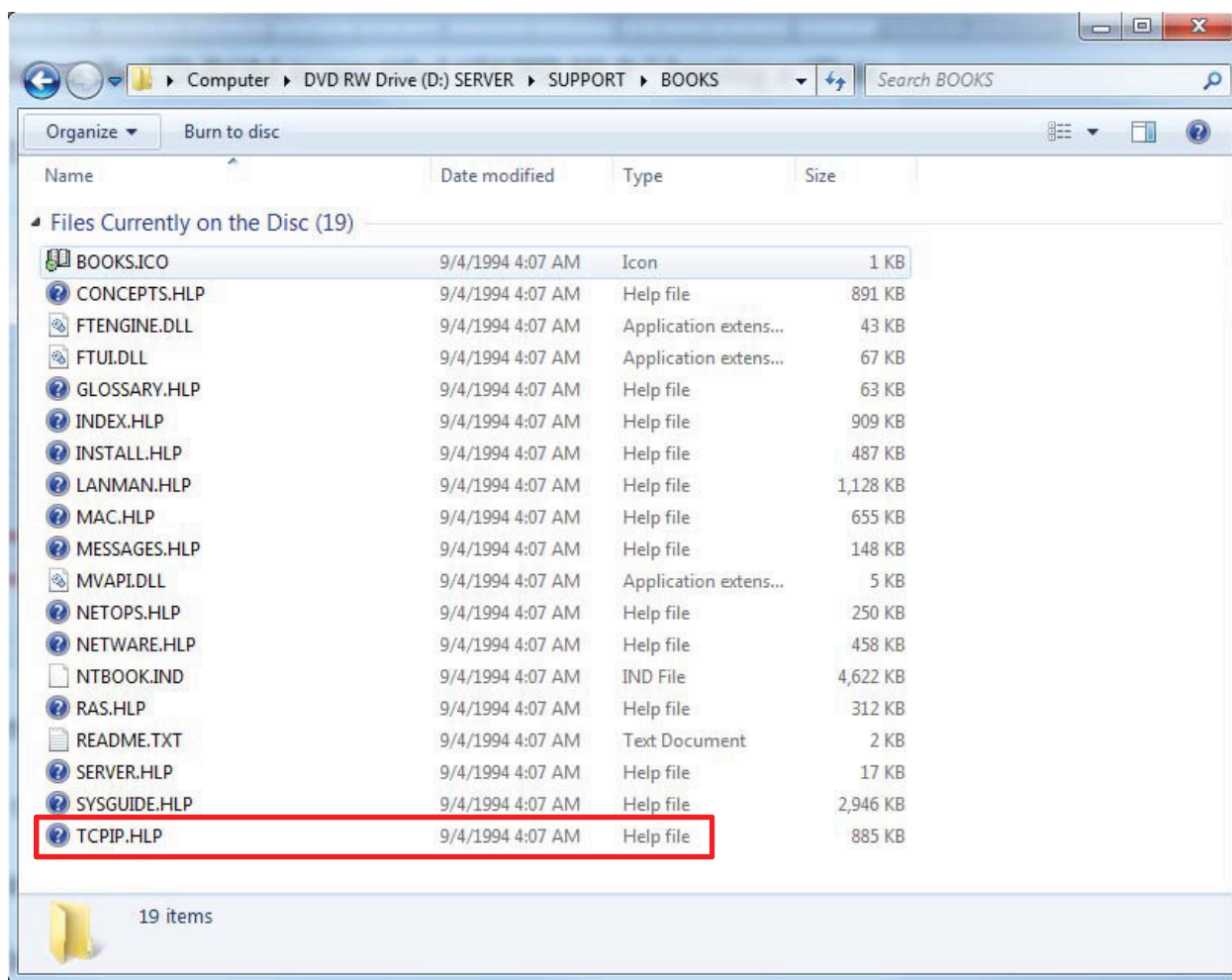


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0894 Part No. 58034

7. One file on the CD-ROM is titled "TCPIP.HLP" and bears a "Date modified" of "9/4/1994" and a "Type" of "Help file":

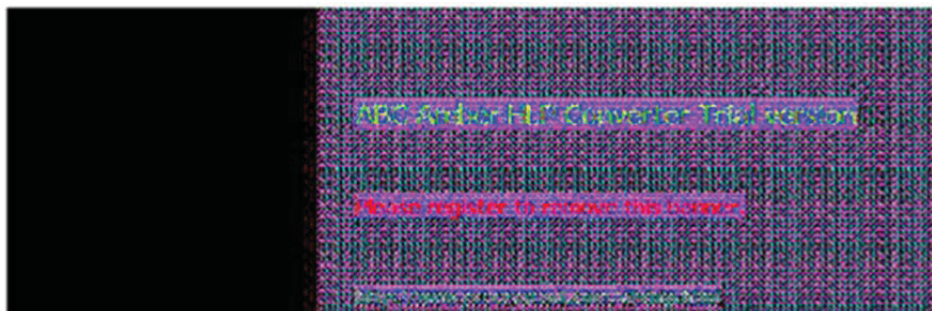


8. I viewed the file "TCPIP.HLP" using a Help file viewer. The Table of Contents is shown below, and a PDF version of the file is submitted with this Petition as Exhibit 1006.

Microsoft Windows NT Server TCP/IP	
Contents	
<u>Welcome</u>	
<u>Chapter 1</u>	<u>Overview of Microsoft TCP/IP for Windows NT</u>
<u>Chapter 2</u>	<u>Installing and Configuring Microsoft TCP/IP and SNMP</u>
<u>Chapter 3</u>	<u>Networking Concepts for TCP/IP</u>
<u>Chapter 4</u>	<u>Installing and Configuring DHCP Servers</u>
<u>Chapter 5</u>	<u>Installing and Configuring WINS Servers</u>
<u>Chapter 6</u>	<u>Setting Up LMHOSTS</u>
<u>Chapter 7</u>	<u>Using the Microsoft FTP Server Service</u>
<u>Chapter 8</u>	<u>Using Performance Monitor with TCP/IP Services</u>
<u>Chapter 9</u>	<u>Internetwork Printing with TCP/IP</u>
<u>Chapter 10</u>	<u>Troubleshooting TCP/IP</u>
<u>Chapter 11</u>	<u>Utilities Reference</u>
<u>Appendix A</u>	<u>MIB Object Types for Windows NT</u>
<u>Appendix B</u>	<u>Windows Sockets Applications</u>

9. Each page of the PDF version of the file “TCIPIP.HLP” bears the header shown below, and most pages also bear the graphic stamp shown below. The header and graphic stamp were created by the application used to create the PDF version (called “ABC Amber HLP Converter”); they do not appear in the original “TCIPIP.HLP” file.

ABC Amber HLP Converter Trial version, <http://www.processtext.com/abchlp.html>



10. Petitioner has submitted Exhibit 1003, titled Microsoft Windows NT Server Version 3.5 TCP/IP. I compared Exhibit 1006 with Exhibit 1003, and determined that Exhibit 1006 contains substantially all of the information that Petitioner has cited from Exhibit 1003. I prepared the following table, which provides, for each page number of Exhibit 1003 cited in the Petition, the corresponding page number in Exhibit 1006.

Cited Page of Exhibit 1003	Corresponding Page(s) of Exhibit 1006
12	20
13	21
18	27
19	28
20	29
21	29-30
22	30-31
23	31
24	32-33
27	36
28	36-38
29	38-39
40	50
41	52
54	67
55	68-69
56	69-71
57	71-73
58	73
62	76-78
63	78
64	79-80
65	80
66	82
67	82
69	83-85

Cited Page of Exhibit 1003	Corresponding Page(s) of Exhibit 1006
70	85-86
72	86-87
73	87-88
74	88
75	88
79	93-94
80	94-95
83	98
84	99
85	100
86	100-02
87	102
88	102-04
89	105
90	105-06
91	107-09
92	110
93	110-11
94	112
95	112-13
96	114
97	116
98	118
99	118-19
100	119
101	120
102	120-21
103	121-22
104	123-24
105	124-25
106	125-26
107	126-27
108	127-28
109	128-30
110	131
111	132
112	132-33
113	134-36

Cited Page of Exhibit 1003	Corresponding Page(s) of Exhibit 1006
114	136
115	136-38
118	142-44
119	145
121	147
122	148-49
135	161-62
151	178-79
262	n/a
265	n/a
266	n/a

11. I also compared Exhibit 1003 with Exhibit 1008 to this Petition, which it titled Windows NT Networking Guide, and determined that Exhibit 1008 contains substantially all of the information that Petitioner has cited from Exhibit 1003. I prepared the following table, which provides, for each page number of Exhibit 1003 cited in the Petition, the corresponding page number in Exhibit 1008.

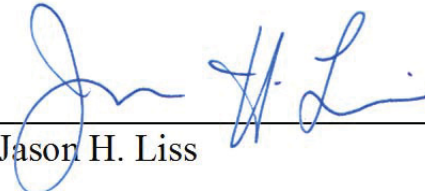
Cited Page of Exhibit 1003	Corresponding Page(s) of Exhibit 1008
12	n/a
13	n/a
18	176
19	177
20	178-79
21	179
22	180
23	181
24	182
27	185
28	186
29	187
40	199-200
41	200-01
54	215

Cited Page of Exhibit 1003	Corresponding Page(s) of Exhibit 1008
55	216-17
56	218-18
57	218-19
58	219-20
62	223-24
63	224-25
64	225-26
65	226-27
66	227-28
67	228-29
69	230-31
70	231-32
72	233-34
73	234-35
74	235-36
75	236-37
79	241
80	242
83	246
84	247
85	248
86	249
87	250
88	251
89	252
90	253
91	254-55
92	255-56
93	256-57
94	257-58
95	258-59
96	259-60
97	260-01
98	261-62
99	262-63
100	264
101	265
102	266

Cited Page of Exhibit 1003	Corresponding Page(s) of Exhibit 1008
103	267-68
104	268-69
105	270-01
106	271-72
107	273
108	274-75
109	275-77
110	278
111	279
112	279-80
113	281
114	282
115	283
118	286-87
119	288-89
121	290
122	291-92
135	305-06
151	322
262	n/a
265	n/a
266	n/a

I declare under penalty of perjury that the foregoing Declaration is true and correct.

Date: July 31, 2014



 Jason H. Liss