

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE PATENT TRIAL AND APPEAL BOARD

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COMCAST CABLE COMMUNICATIONS, LLC,  
Petitioner

v.

VEVEO, INC.,  
Patent Owner

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Case IPR2017-00933  
Patent 8,122,034

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**DECLARATION OF MICHAEL GERSHONI IN SUPPORT OF PATENT  
OWNER'S PRELIMINARY RESPONSE**

I, Michael Gershoni, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am an Associate at the law firm of Ropes & Gray LLP.
2. I provide this Declaration in connection with the above-identified *Inter Partes* Review proceeding requested at the United States Patent and Trademark Office by Comcast Cable Communications, LLC against Veveo, Inc. under 35 U.S.C. § 311, 37 C.F.R. § 42.104. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

3. Exhibit 2101 hereto is a true and correct copy of the Joint Claim Terms Chart, *Rovi Guides, Inc. et al v. Comcast Corporation et al*, No. 1:16-cv-09278-JPO (S.D.N.Y. filed Dec. 1, 2016), before the District Court of the Southern District of New York, which I downloaded from the Public Access to Court Electronic Records (“PACER”) and is a record of the aforementioned District Court (Dkt No. 268) to which all parties have access. This document has been marked with an exhibit label and page numbers of each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

4. Exhibit 2102 hereto is a true and correct copy of United States Patent Application Publication No. 2005/0283468, which I downloaded on June 7, 2017, from the USPTO Patent Application Full-Text and Image Database (AppFT) website and which is a record of the USPTO to which all parties have access. This document has been marked with an exhibit label and page numbers of each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

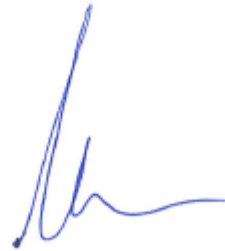
5. Exhibit 2104 hereto is a true and correct copy of the file history for United States Patent Application No. 11/246,432, which I downloaded on June 13, 2017, from the USPTO PAIR website and which is a record of the USPTO to which all parties have access. This document has been marked with an exhibit

label and page numbers of each page at the bottom right corner. However, no alterations, other than these noted markings, have been made to this document.

6. I understand that willful false statements and the like are punishable by fine or imprisonment, or both. I make this declaration of my own personal knowledge. If called to testify as to the truth of the matters stated herein, I could and would testify competently.

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

Executed this 14th day of June, 2017, in East Palo Alto, CA.



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Michael Gershoni