

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

COMCAST CABLE COMMUNICATIONS, LLC,
Petitioner

v.

PROMPTU SYSTEMS CORPORATION,
Patent Owner

Case No. IPR2018-344

DECLARATION OF PAUL COOK

I, Paul Cook, state and declare as follows:

1. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

2. I was one of the initial founders of AgileTV Corporation (“AgileTV”) in 2000. By 2000, I had begun the process of forming AgileTV with my co-founders Mark Foster and David Hanson. I served as AgileTV’s Chairman of the Board and Chief Executive Officer from its inception until about mid-2006, making me familiar with the types of activities of the company during that time and the types of records that were kept during that time in association with those activities. All of the exhibits I reference in this declaration are records that were kept in the course of the company’s regularly conducted activities, and making such records was the regular practice of those activities.

3. In or about 2006, AgileTV was renamed Promptu Systems Corporation (“Promptu”). I use AgileTV and Promptu interchangeably in this declaration.

4. Shortly after AgileTV started, I began a process that became a habit of using email to memorialize business-related activity concerning AgileTV. My email address was pcook@agile.tv.

5. I recognize the appearance and other distinctive characteristics of Exhibit 2001. During my tenure as CEO of AgileTV, I had a habit and custom of

reviewing Business Plans such as what is on Exhibit 2001. The document marked as Exhibit 2001 appears to be a copy of a draft AgileTV Corporation Business Plan dated April 2000.

6. I recognize the appearance and other distinctive characteristics of Exhibit 2002. The document marked as Exhibit 2002 appears to be a copy of an email that was sent to my email address (pcook@agile.tv) on January 29, 2004 along with the AgileTV Executive Summary attached to the email.

7. I recognize the appearance and other distinctive characteristics of Exhibit 2003. During my tenure as CEO of AgileTV, I had a habit and custom of reviewing presentations such as what is on Exhibit 2003. The document marked as Exhibit 2003 appears to be a copy of an AgileTV Voice Navigation presentation bearing AgileTV's logo.

8. I recognize the appearance and other distinctive characteristics of Exhibit 2007. During my tenure as CEO of AgileTV, I had a habit and custom of reviewing specifications such as what is on Exhibit 2007. The document marked as Exhibit 2007 appears to be a copy of an AgileTV User Interface Design Specification bearing AgileTV's logo and dated 15 October 2001.

9. I recognize the appearance and other distinctive characteristics of Exhibit 2008. During my tenure as CEO of AgileTV, I had a habit and custom of reviewing technology and products documents such as what is on Exhibit 2008.

The document marked as Exhibit 2008 appears to be a copy of an AgileTV Technology & Products document describing AgileTV's Technology and Products.

10. I recognize the appearance and other distinctive characteristics of Exhibit 2010. The document marked as Exhibit 2010 appears to be a copy of an email that was sent to my email address (pcook@agile.tv) on June 16, 2003 along with the AgileTV Usability & Market Research Summary, the Preliminary Focus Group Results, and the Alpha Trial In-Home Results attached to the email.

11. I recognize the appearance and other distinctive characteristics of Exhibit 2011. The document marked as Exhibit 2011 appears to be a copy of an email that I sent from my email address (pcook@agile.tv) on September 25, 2003, to all employees with the subject "Fwd: Comcast success."

12. I recognize the appearance and other distinctive characteristics of Exhibit 2012. The document marked as Exhibit 2012 appears to be a copy of an email that was sent to my email address (pcook@agile.tv) on September 25, 2003, from David Chaiken along with a photograph of the AgileTV system demonstrated to Comcast that was attached to the email.

13. I recognize the appearance and other distinctive characteristics of Exhibit 2014. The document marked as Exhibit 2014 appears to be a copy of an email regarding an early report from the Comcast holiday party that was sent from

Jay Kistler to David Chaiken and all of AgileTV (including me) using the email alias all@agile.tv on December 13, 2003.

14. I recognize the appearance and other distinctive characteristics of Exhibit 2015. The document marked as Exhibit 2015 appears to be a copy of a weekly update email that I sent from my email address (pcook@agile.tv) to all of AgileTV using the email alias all@agile.tv on February 13, 2004.

15. I recognize the appearance and other distinctive characteristics of Exhibit 2020. The document marked as Exhibit 2020 appears to be a copy of an email that was sent to my email address (pcook@agile.tv) on May 11, 2005, along with the Buckingham Research Report of Comcast attached to the email.

16. I recognize the appearance and other distinctive characteristics of Exhibit 2022. The document marked as Exhibit 2022 appears to be a copy of the License and Development Agreement dated May 11, 2005, between Comcast IP Holdings I, LLC, Comcast Corporation, and AgileTV Corporation that was signed by me on page 40 of Exhibit 2022.

17. I recognize the appearance and other distinctive characteristics of Exhibit 2023. The document marked as Exhibit 2023 appears to be a copy of the Marketing Trial Agreement for Voice Activated Television Control Service dated May 11, 2005, between AgileTV Corporation and Comcast Cable Communications Management, LLC, that was signed by me on page 18 of Exhibit 2023.

I declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code.

Executed on October 4, 2018:

A handwritten signature in dark ink, appearing to read "Paul Cook", is written over a horizontal line.

Paul Cook