

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

CISCO SYSEMS, INC.

Petitioner,

v.

CENTRIPETAL NETWORKS, INC.,

Patent Owner.

Case No.: IPR2018-01512
U.S. Patent No. 9,565,213

SUPPLEMENTAL DECLARATION OF ELI FUCHS

I, Eli Fuchs, hereby declare and state as follows:

1. I am the same Eli Fuchs that previously submitted a declaration, dated July 2, 2018, in support of Petitioner Cisco Systems, Inc.'s ("Cisco") Petition for Inter Partes Review ("IPR") of U.S. Patent No. 9,565,213. *See* EX1012. I am also the same Eli Fuchs who provided a deposition as part of this IPR on June 28, 2019. *See* EX2021.

2. My initial declaration provided information regarding the Cisco ACNS Software Configuration Guide for Centrally Managed Deployments, Release 5.5, which I have referred to as the "ACNS Guide." *See* EX1008. The information provided in that declaration remains accurate. I submit this supplemental declaration to identify an exhibit that was inadvertently left of my initial declaration and to clarify some of my previous deposition testimony.

3. My initial declaration referred to certain Release Notes relating to the ACNS Guide, Release 5.5.1, and it stated that those Release Notes were part of Exhibit 1008. However, those Release Notes were inadvertently left off of Exhibit 1008. A copy of those Release Notes has now been filed as Exhibit 1028. The Release Notes attached as Exhibit 1028 are for "ACNS Release 5.5.1-b7" and are dated May 12, 2006. I confirmed that the Release Notes at Exhibit 1028 were the same release notes referenced in my initial declaration by going to the Internet Archive and checking the version of the Release Notes on the www.cisco.com

website as of March 20, 2008 (the date referenced in my initial declaration). The Internet Archive page shows that the Release Notes on www.cisco.com, as of March 20, 2008, were for “ACNS Release 5.5.1-b7” and are dated May 12, 2006. The results of the Internet Archive search can be found at Exhibit 1029.

4. As I stated in my initial declaration, the Release Notes corroborate that the ACNS Guide was accessible to customers who purchased the ACNS product at least as early as March 20, 2008. For example, the Release Notes state that “[t]he most current Cisco documentation for released products is available at Cisco.com.” EX1028 at 1. This corroborates that the ACNS Guide was on the cisco.com website at least as early as March 20, 2008.

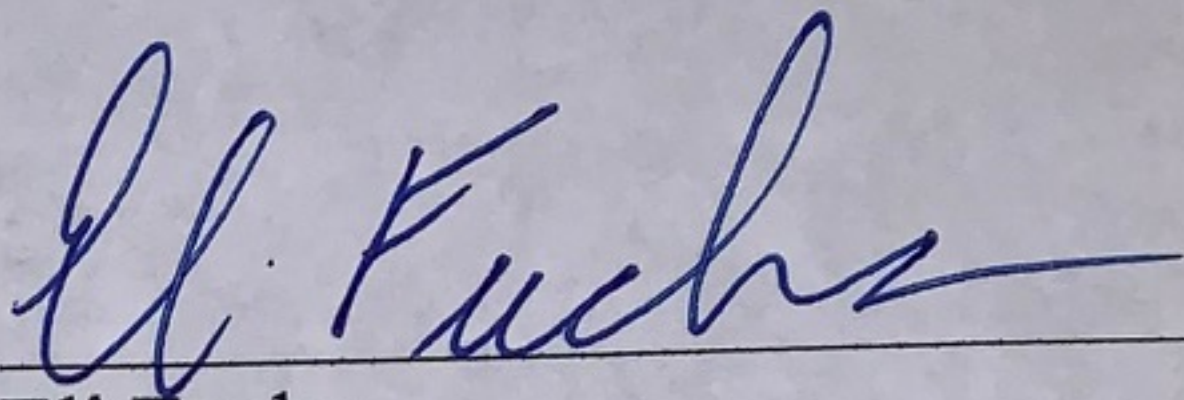
5. Further, the Release Notes state that they “are intended for administrators who will be configuring, monitoring, and managing devices that are running the ACNS 5.5.1 software.” EX1028 at 2. This is noteworthy because the Release Notes also instruct those administrators to consult the ACNS Guide for information on “creating rule patterns and configuring rule actions” in using the ACNS software: “For more information on creating rule patterns and configuring rule actions, see Chapter 16, ‘Configuring Request Processing Services’ in the *Cisco ACNS Software Configuration Guide for Centrally Managed Deployments*, Release 5.5 [i.e., the ACNS Guide]. EX1028 at 6. The Release Notes also list the ACNS Guide as among the “Software Documentation” available to administrators

using the ACNS software. EX1028 at 47. These statements in the Release Notes further confirm that the ACNS Guide was available to customers (i.e. administrators) at least as early as March 20, 2008.

6. With respect to my deposition, I want to correct one statement made during my deposition. I was asked during my deposition whether the ACNS Guide disclosed that its Content Engine performs any security analysis. I responded, “It does not.” *See* EX2021 at 15:2-15. I want to correct that answer. I have now had the opportunity to further review the ACNS Guide, and it discloses that, while the main function of ACNS is content delivery, the Content Engine can also perform security analysis. The ACNS Guide specifically states that the ACNS system operates to “[a]uthenticate, monitor, log, and control web access from end users to implement corporate policies regarding work environment and system security.” EX1008 at 1-9. The ACNS Guide further states that the system disclosed therein can be used by a customer to fulfill “policy, security and budgetary objectives,” including the prevention of viruses. EX1008 at 1-9. The ACNS Guide says that the Content Engines can be used to “achieve all of these objectives.” EX1008 at 1-9.

I declare under penalty of perjury and to the best of my knowledge
and belief, the foregoing statements are true and correct.

Dated: October 7, 2019



Eli Fuchs