

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

HULU, LLC, and

NETFLIX, INC.,

Petitioners,

v.

UNILOC 2017 LLC,

Patent Owner.

PTAB Case No. IPR2020-00008

Patent No. 9,721,273

**DECLARATION OF JACOB MUNFORD IN SUPPORT OF PETITION
FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 9,721,273**

I, Jacob Munford, declare under penalty of perjury that:

1. My name is Jacob Robert Munford. I am over the age of 18, have personal knowledge of the facts set forth herein, and am competent to testify to the same.
2. I earned a Master of Library and Information Science (MLIS) from the University of Wisconsin-Milwaukee in 2009. I have over ten years of experience in the library/information science field. Beginning in 2004, I have served in various positions in the public library sector including Assistant Librarian, Youth Services Librarian and Library Director. I have attached my Curriculum Vitae as Appendix A.
3. During my career in the library profession, I have been responsible for materials acquisition for multiple libraries. In that position, I have cataloged, purchased and processed incoming library works. That includes purchasing materials directly from vendors, recording publishing data from the material in question, creating detailed material records for library catalogs and physically preparing that material for circulation. In addition to my experience in acquisitions, I was also responsible for analyzing large collections of library materials, tailoring library records for optimal catalog search performance and creating lending agreements between libraries during my time as a Library Director.

4. I am fully familiar with the catalog record creation process in the library sector. In preparing a material for public availability, a library catalog record describing that material would be created. These records are typically written in Machine Readable Catalog (herein referred to as “MARC”) code and contain information such as a physical description of the material, metadata from the material’s publisher, and date of library acquisition. In particular, the 008 field of the MARC record is reserved for denoting the date of creation of the library record itself. As this typically occurs during the process of preparing materials for public access, it is my experience that an item’s MARC record indicates the date of an item’s public availability.
5. I have reviewed Exhibit 1006, *Developing Feeds with RSS and Atom*, by Ben Hammersley, published by O’Reilly, 2005.
6. Attached hereto as HA01 is a true and correct copy of the spine, publication data, title page and table of contents from *Developing Feeds with RSS and Atom* held by the University of Pittsburgh library. I secured this appendix myself in person. In comparing HA01 to Exhibit 1006, it is my determination that Exhibit 1006 is a true and correct copy of *Developing Feeds with RSS and Atom*.
7. Attached hereto as HA02 is a true and correct copy of the MARC record describing *Developing Feeds with RSS and Atom* as held by the University

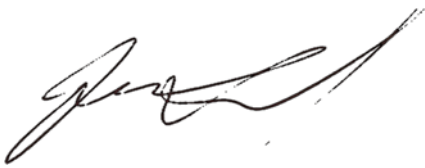
of Pittsburgh. I secured this record myself from the library's online catalog.

The 008 field of this MARC record indicates Developing Feeds with RSS and Atom was first acquired by the University of Pittsburgh library as of May 13, 2005.

8. The date stamp on page 12 of HA01 indicates this journal was processed by library staff for circulation as of October 7, 2005. The Date Due slip on page 13 of HA01 indicates this journal was circulated to a library patron as of March 7, 2006. Considering this information in concert with the record data from HA02, it is my determination that Developing Feeds with RSS and Atom was made available and accessible to the public by the University of Pittsburgh library shortly after initial acquisition in May 2005 and certainly no later than March 2006.
9. I have been retained on behalf of the Petitioners to provide assistance in the above-illustrated matter in establishing the authenticity and public availability of the documents discussed in this declaration. I am being compensated for my services in this matter at the rate of \$100.00 per hour plus reasonable expenses. My statements are objective, and my compensation does not depend on the outcome of this matter.
10. I do hereby declare and state, 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 at Pittsburgh, Pennsylvania on October 10, 2019.

By:  _____

Jacob Munford

APPENDIX A

Appendix A - Curriculum Vitae

Education

University of Wisconsin-Milwaukee - MS, Library & Information Science, 2009
Milwaukee, WI

- Coursework included cataloging, metadata, data analysis, library systems, management strategies and collection development.
- Specialized in library advocacy and management.

Grand Valley State University - BA, English Language & Literature, 2008
Allendale, MI

- Coursework included linguistics, documentation and literary analysis.
- Minor in political science with a focus in local-level economics and government.

Professional Experience

Researcher / Expert Witness, October 2017 – present

Freelance

Pittsburgh, Pennsylvania

- Material authentication and public accessibility determination. Declarations of authenticity and/or public accessibility provided upon research completion. Depositions provided on request.
- Research provided on topics of public library operations, material publication history, digital database services and legacy web resources.
- Past clients include Apple, Fish & Richardson, Erise IP, Baker Botts and other firms working in patent law.

Library Director, February 2013 - March 2015

Dowagiac District Library

Dowagiac, Michigan

- Executive administrator of the Dowagiac District Library. Located in Southwest Michigan, this library has a service area of 13,000, an annual

operating budget of over \$400,000 and total assets of approximately \$1,300,000.

- Developed careful budgeting guidelines to produce a 15% surplus during the 2013-2014 & 2014-2015 fiscal years.
- Using this budget surplus, oversaw significant library investments including the purchase of property for a future building site, demolition of existing buildings and building renovation projects on the current facility.
- Led the organization and digitization of the library's archival records.
- Served as the public representative for the library, developing business relationships with local school, museum and tribal government entities.
- Developed an objective-based analysis system for measuring library services - including a full collection analysis of the library's 50,000+ circulating items and their records.

November 2010 - January 2013

Librarian & Branch Manager, Anchorage Public Library

Anchorage, Alaska

- Headed the 2013 Anchorage Reads community reading campaign including event planning, staging public performances and creating marketing materials for mass distribution.
- Co-led the social media department of the library's marketing team, drafting social media guidelines, creating original content and instituting long-term planning via content calendars.
- Developed business relationships with The Boys & Girls Club, Anchorage School District and the US Army to establish summer reading programs for children.

June 2004 - September 2005, September 2006 - October 2013

Library Assistant, Hart Area Public Library

Hart, MI

- Responsible for verifying imported MARC records and original MARC cataloging for the local-level collection as well as the Michigan Electronic Library.
- Handled OCLC Worldcat interlibrary loan requests & fulfillment via ongoing communication with lending libraries.

Professional Involvement

Alaska Library Association - Anchorage Chapter

- Treasurer, 2012

Library Of Michigan

- Level VII Certification, 2008
- Level II Certification, 2013

Michigan Library Association Annual Conference 2014

- New Directors Conference Panel Member

Southwest Michigan Library Cooperative

- Represented the Dowagiac District Library, 2013-2015

Professional Development

Library Of Michigan Beginning Workshop, May 2008

Petoskey, MI

- Received training in cataloging, local history, collection management, children's literacy and reference service.

Public Library Association Intensive Library Management Training, October 2011

Nashville, TN

- Attended a five-day workshop focused on strategic planning, staff management, statistical analysis, collections and cataloging theory.

Alaska Library Association Annual Conference 2012 - Fairbanks, February 2012

Fairbanks, AK

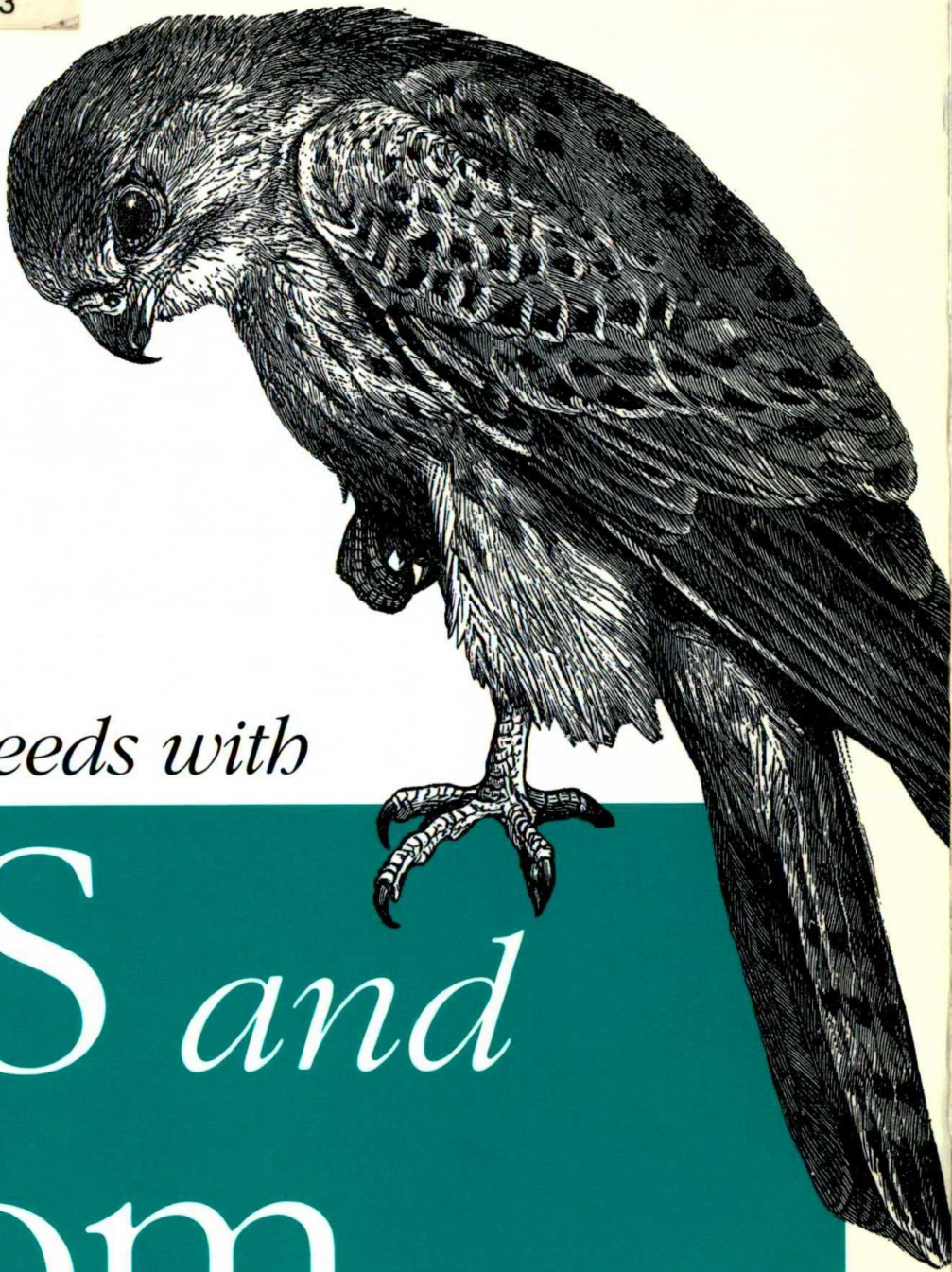
- Attended seminars on EBSCO advanced search methods, budgeting, cataloging, database usage and marketing.

APPENDIX HA01

Developer's Guide to Syndicating News and Blogs



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Developing Feeds with

RSS and Atom

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QA76.625
H366
2005

REILLY[®]

Ben Hammersley
HULU, LLC EXHIBIT 1009



Developing Feeds with RSS and Atom



REILLY

Developing Feeds with RSS and Atom



RSS and Atom are among the fastest-growing technologies on the Web. The RSS 1.0 and 2.0 standards and the up-and-coming Atom are XML-based formats that help web developers to describe and syndicate web site content, application developers to share data, scripters to repurpose information, businessmen to stay on top of their world, and consumers to tap into the Internet in a whole new way.

Developing Feeds with RSS and Atom offers webloggers, web developers, and the programmers who support them an explanation of syndication in general and RSS and Atom in particular. Written for web developers who want to offer feeds of their content, as well as developers who want to use the content other people are syndicating, the book explores and explains metadata interpretation, different forms of syndication, and the role of Web Services and the Semantic Web.

This comprehensive volume introduces content syndication's purpose, limitations, and traditions, and answers the question of "why would you consider 'giving your content away' like this?" The book delves into the architecture of content syndication with an overview of the entire system, from content author to end user. You'll follow the flow of data: content, referral data, and publish-and-subscribe calls, with a detailed look at the protocols and standards possible at each step. You'll understand the specifications and learn how to use them to their limits.

Topics covered in this book include:

- Creating XML syndication feeds with RSS 2.0
- Producing feeds in the enterprise
- Moving toward the Semantic Web with RSS 1.0 and RDF metadata
- Introducing Atom
- Extending your vocabulary: an extensive guide to RSS modules and their design
- Parsing syndication feeds
- Designing architectures for content syndication

If you're interested in producing your own feeds, using other people's, or keeping up-to-date with the latest web technologies, you'll want this step-by-step guide to RSS and Atom and their implementation.

www.oreilly.com

ISBN 0-596-00881-3



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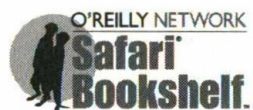
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Developing Feeds with RSS and Atom

Ben Hammersley

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Developing Feeds with RSS and Atom

by Ben Hammersley

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APPENDIX HA02



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100 1_ |a Hammersley, Ben.

245 10 |a Developing feeds with RRS and Atom / |c Ben Hammersley.

250 ___ |a 1st ed.

260 ___ |a Beijing : |a Sebastopol, CA : |b O'Reilly, |c c2005.

300 ___ |a xiii, 253 p. : |b ill. ; |c 24 cm.

500 ___ |a Includes index.

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|g 1. |t Introduction -- |g 2. |t Using feeds -- |g 3. |t Feeds without programming -- |g 4. |t RSS 2.0 -- |g 5. |t RSS 1.0 -- |g 6. |t RSS 1.0 modules -- |g 7. |t atom syndication format -- |g 8. |t Parsing and using feeds -- |g 9. |t Feeds in the wild -- |g 10. |t Unconventional feeds -- |g 11. |t Developing new modules -- |g A. |t XML you need for RSS.

520 1_

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650 _0 |a Web site development.

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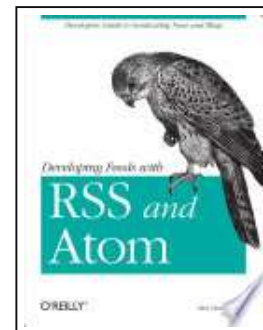
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