

Jon Strang

From: Lori Gordon
Sent: Friday, October 04, 2013 9:12 AM
To: 'Richetti, Joe'
Cc: lgkurland@bryancave.com; Walden, Alexander (Alexander.Walden@bryancave.com); dacrowe@BryanCave.com; Mike Lee; Byron Pickard
Subject: IPR2013-00150: follow-up regarding supplemental evidence
Attachments: Block Declaration.pdf; Declaration of IPSJ with JP Translation.pdf

Joe –

Per your request, attached is a replacement declaration for Daniel Block. Exhibits A, B, F, G, and H correspond to exhibits A, B, F, G, and H served with the original declaration. Upon your request, we will re-send these exhibits.

In addition, we are attaching a copy of the declaration from the Information Processing Society of Japan (IPSJ), the publisher of the Suzuki paper.

If you have any remaining objections, please let us know your availability early next week for another meet and confer.

Regards-
Lori

VEEAM 1017

Declaration of Daniel Block

I, Daniel Steven Block, declare as follows:

1. I am currently employed as an Associate Attorney at Sterne, Kessler, Goldstein & Fox P.L.L.C. I am more than twenty-one years of age, and I make this declaration based on my personal knowledge, experience, and belief. If called upon, I can testify competently to the facts stated in this declaration.

2. On September 4th, 2013, I traveled to VMware, Inc. headquarters, located at 3401 Hillview Avenue, Palo Alto, CA 94304.

3. At VMware, I was provided access to two different versions of VMware software referred to as "Media Kits." Each of these kits included VMware packaging, CD-ROMs having VMware software and documentation, and hard copies of VMware documentation. I photographed all of the packaging, documentation and CD-ROMs. Further, I imaged the CD-ROMs using conventional CD imaging software into the ISO format.

4. Attached as Ex. A are my photographs of the VMware ESX Server 1.0 kit contents, including photographs of the packaging and the two included CD-ROMs labeled "VMware ESX Server 1.0.1" and "VMware ESX Server 1.0.1d." The VMware ESX Server 1.0 kit further included two user guides titled VMware ESX Server User's Manual Version 1.0 and VMware ESX Server User's Manual Version 1.5. The VMware ESX User's Manual 1.5 further included a registration card, which I also photographed.

5. Attached as Ex. B are my photographs of the VMware Workstation for Linux kit contents, including the packaging and two CD-ROMs labeled "VMware Workstation for Linux Systems Version 2.0" and "VMware computers with sampled Linux distributions." The

Workstation CD-ROM was enclosed in an envelope having an End User License Agreement printed on the envelope, and also bearing serial number 1F31E-Y5EMN-V3ZY3-134VZ. Also, included in the media kit I viewed was documentation titled “Getting Started Guide VMware 2.0 for Linux,” “Quick Reference Card,” and a “Registration” card bearing the same serial number as the “End User License Agreement” envelope.

6. Attached as Ex. F is the ISO image I created of the CD-ROM titled “VMware ESX Server 1.0.1” (photographed in Ex. A).

7. Attached as Ex. G is the ISO image I created of the CD-ROM titled “VMware ESX Server 1.0.1d” (photographed in Ex. A).

8. Attached as Ex. H is the ISO image I created of the CD-ROM titled “VMware Workstation for Linux Systems Version 2.0” (photographed in Ex. B).

I declare under penalty of perjury of the laws of the United States that the foregoing is true and correct.

Executed this 2nd day of October, 2013, in Washington, D.C.



Daniel Steven Block
Reg. No. 68,395