

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

KEYSIGHT TECHNOLOGIES, INC.,
Petitioner,

v.

CENTRIPETAL NETWORKS, INC.,
Patent Owner.

Inter Partes Review No.: Unassigned

Patent No. 9,917,856

DECLARATION OF JOHN M. HENDRICKS IN SUPPORT OF PETITION
FOR *INTER PARTES* REVIEW OF U.S. PATENT NO. 9,917,856

I, John M. Hendricks, make the following Declaration pursuant to 28 U.S.C. § 1746:

1. I am employed at Reed Smith LLP as a Research Services Librarian. I have been working at Reed Smith LLP for approximately 6 years. My responsibilities at Reed Smith LLP include conducting library research for all U.S. practice groups and offices, training new firm attorneys and staff in research resources, and providing focused research in intellectual property matters. I previously worked for over 9 years as a librarian for the U.S. District Court for the Northern District of California. If called as a witness, I could and would testify competently to the information set forth in this declaration.

2. EX-1001 is a true and accurate copy of U.S. Patent 9,917,856 that I downloaded on June 23, 2022 from the USPTO web site (patft.uspto.gov) using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

3. EX-1002 is a true and accurate copy of File History of U.S. Patent No. 9,917,856 that I downloaded on June 23, 2022 from the web site <https://portal.uspto.gov/pair/PublicPair> using a web browser. This document has been marked with an exhibit label and page numbers on each page at the

bottom right corner. No alterations, other than these noted markings, have been made to this document.

4. EX-1004 is a true and accurate copy of U.S. Patent No. 9,680,795 that I downloaded on June 23, 2022 from the USPTO web site (patft.uspto.gov) using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

5. EX-1005 is a true and accurate copy of U.S. Patent No. 5,878,231 that I downloaded on June 23, 2022 from the USPTO web site (patft.uspto.gov) using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

6. EX-1007 is a true and accurate copy of “A Brief History of the Internet” by Barry M. Leiner et al. that I downloaded on April 28, 2022 from the web site https://www.internetsociety.org/wp-content/uploads/2017/09/ISOC-History-of-the-Internet_1997.pdf using a web browser. This document has been marked with an exhibit label and page

numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

7. EX-1008 is a true and accurate copy of U.S. Patent 7,032,031 that I downloaded on June 23, 2022 from the USPTO web site (patft.uspto.gov) using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

8. EX-1009 is a true and accurate copy of “The Internet Worm Program: An Analysis” by E.H. Spafford that I downloaded on April 28, 2022 from the web site <https://spaf.cerias.purdue.edu/tech-reps/823.pdf> using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

9. EX-1010 is a true and accurate copy of “With Microscope and Tweezers: The Worm from MIT’s Perspective” by Eichin, M.W. and Rochlis, J.A. that I downloaded on April 28, 2022 from the web site https://www.cs.jhu.edu/~fabian/courses/CS600.624/Rochlis_morris.pdf using a web browser. This document has been marked with an exhibit label and

page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

10. EX-1011 is a true and accurate copy of “The Cornell Commission: On Morris and the Worm” by T. Eisenberg that I downloaded on April 28, 2022 from the web site

<https://www.cs.cornell.edu/courses/cs1110/2009sp/assignments/a1/p706-eisenberg.pdf> using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

11. EX-1012 is a true and accurate copy of “Simple and Flexible Datagram Access Controls for Unix-based Gateways” by J.C. Mogul that I downloaded on April 28, 2022 from the web site

<https://www.hpl.hp.com/techreports/Compaq-DEC/WRL-89-4.pdf> using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

12. EX-1013 is a true and accurate copy of “FireWall-1 User Interface from 3.0” that I downloaded on April 28, 2022 from the web site <https://web.archive.org/web/20140102143305/http://phoneboy.net> using a web

browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

13. EX-1014 is a true and accurate copy of “SonicWALL Global Management System: Centralized Network Monitoring and Management Solution” that I downloaded on April 28, 2022 from the web site https://web.archive.org/web/20081207003303/http://www.sonicwall.com/downloads/EC_GMS_DS_US.pdf using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

14. EX-1015 is a true and accurate copy of “SonicWALL ViewPoint 6.0 Administrator’s Guide” that I downloaded on April 28, 2022 from the web site https://web.archive.org/web/20100821022839/http://www.sonicwall.com:80/downloads/SonicWALL_ViewPoint_6_0_Admin_Guide.pdf using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

15. EX-1016 is a true and accurate copy of “A Network Security Monitor” that I downloaded on May 25, 2022 from the web site <https://ieeexplore.ieee.org/document/63859> using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

16. EX-1017 is a true and accurate copy of “NetRanger Network Security Management System User Guide” that I downloaded on May 25, 2022 from PTABE2E using a web browser in the *inter partes* review proceeding IPR2018-01760. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

17. EX-1018 is a true and accurate copy of “Snort: Lightweight Intrusion Detection for Networks” that I downloaded on April 28, 2022 from the web site https://www.usenix.org/legacy/event/lisa99/full_papers/roesch/roesch.pdf using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

18. EX-1019 is a true and accurate copy of U.S. Patent 8,370,936 that I downloaded on June 23, 2022 from the USPTO web site (patft.uspto.gov) using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

19. EX-1020 is a true and accurate copy of “W32.hllw.Doomjuice Technical Description, Symantec Security Center” that I downloaded on May 25, 2022 from PTABE2E using a web browser in the *inter partes* review proceeding IPR2018-01760. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

20. EX-1021 is a true and accurate copy of “(Vendor Issues Fix) Re: Helix Universal Server and RealServer URL Parsing Flaw in View Source Plug-in Lets Remote Users Execute Arbitrary Code with Root Privileges” that I downloaded on May 25, 2022 from the web site <https://web.archive.org/web/20040123004734/http://www.securitytracker.com/alerts/2003/Sep/1007692.html> using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom

right corner. No alterations, other than these noted markings, have been made to this document.

21. EX-1022 is a true and accurate copy of “Transmission Control Protocol” that I downloaded on April 28, 2022 from the web site <https://web.archive.org/web/20070202201546/https://tools.ietf.org/html/rfc793> using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

22. EX-1023 is a true and accurate copy of “Internet Protocol” that I downloaded on April 28, 2022 from the web site <https://web.archive.org/web/20070204151303/http://tools.ietf.org/html/rfc791> using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

23. EX-1024 is a true and accurate copy of “File Transfer Protocol” that I downloaded on April 28, 2022 from the web site <https://web.archive.org/web/20070206005843/https://tools.ietf.org/html/rfc765> using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

24. EX-1025 is a true and accurate copy of “The Original HTTP as defined in 1991” that I downloaded on April 28, 2022 from the web site <https://web.archive.org/web/19970605071155/https://www.w3.org/Protocols/HTTP/AsImplemented.html> using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

25. EX-1026 is a true and accurate copy of the Final Written Decision Determining Some Challenged Claims Unpatentable in *Cisco Systems, Inc. v. Centripetal Networks, Inc.*, IPR2018-01760, Paper 41 that I downloaded on June 23, 2022 from the web site PTABE2E using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

26. EX-1027 is a true and accurate copy of the Opinion and Order Regarding Findings of Fact and Conclusions of Law in *Centripetal Networks, Inc. v. Cisco Systems, Inc.*, Case No. 2:18-cv-00094 (E.D. Va.), Dkt. No. 621 that I downloaded on June 23, 2022 from the web site PACER using a web browser. This document has been marked with an exhibit label and page

numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

27. EX-1028 is a true and accurate copy of the Non-Confidential Brief for Defendant-Appellant Cisco Systems, Inc. issued in *Centripetal Networks, Inc. v. Cisco Systems, Inc.*, Case 2021-1888 (Fed. Cir.), Dkt. No. 18 that I downloaded on June 23, 2022 from the web site PACER using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

28. EX-1029 is a true and accurate copy of the June 10, 2020 Trial Transcript in *Centripetal Networks, Inc. v. Cisco Systems, Inc.*, Case No. 2:18-cv-00094 (E.D. Va), Dkt. No. 548 that I downloaded on June 23, 2022 from the web site PACER using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

29. EX-1030 is a true and accurate copy of the Claim Construction Opinion and Order in *Centripetal Networks, Inc. v. Keysight Technologies, Inc.*, Case No. 2:17-cv-383 (E.D. Va.), Dkt. No. 484 that I downloaded on June 23, 2022 from PACER using a web browser. This

document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

30. EX-1031 is a true and accurate copy of “Prohibiting Secure Sockets Layer (SSL) Version 2.0” that I downloaded on June 23, 2022 from the web site

[https://web.archive.org/web/20110318184421/https://tools.ietf.org/html/rfc617](https://web.archive.org/web/20110318184421/https://tools.ietf.org/html/rfc6176)

[6](https://web.archive.org/web/20110318184421/https://tools.ietf.org/html/rfc6176) using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

31. EX-1032 is a true and accurate copy of “SSL/TLS and PKI History” that I downloaded on June 23, 2022 from the web site

<https://www.feistyduck.com/ssl-tls-and-pki-history/> using a web browser. This

document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

32. EX-1033 is a true and accurate copy of U.S. Patent Application Publication 2007/0271605 that I downloaded on June 23, 2022 from the USPTO web site (appft.uspto.gov) using a web browser. This document has been marked with an exhibit label and page numbers on each

page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

33. EX-1034 is a true and accurate copy of U.S. Patent 8,504,822 that I downloaded on June 23, 2022 from the USPTO web site (patft.uspto.gov) using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

34. EX-1035 is a true and accurate copy of the U.S. Patent 7,793,342 that I downloaded on June 23, 2022 from the USPTO web site (patft.uspto.gov) using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

35. EX-1036 is a true and accurate copy of pages from “Guidelines on Firewalls and Firewall Policy” that I obtained on June 23, 2022 from <https://www.govinfo.gov/content/pkg/GOVPUB-C13-73f1cd0c150c1837ced6da3c53ab824e/pdf/GOVPUB-C13-73f1cd0c150c1837ced6da3c53ab824e.pdf> using a web browser. This document has been marked with an exhibit label and page numbers on each

page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

36. EX-1037 is a true and accurate copy of U.S. Patent 8,813,228 that I downloaded on June 23, 2022 from the USPTO web site (patft.uspto.gov) using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

37. EX-1040 is a true and accurate copy of the U.S. Patent Application Publication 2014/0283004 that I downloaded on June 23, 2022 from the USPTO web site (appft.uspto.gov) using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

38. EX-1041 is a true and accurate copy of U.S. Patent Application Publication 2015/0207809 that I downloaded on June 23, 2022 from the USPTO web site (appft.uspto.gov) using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

39. EX-1042 is a true and accurate copy of U.S. Patent Application Publication 2014/0089661 that I downloaded on June 23, 2022 from the USPTO web site (appft.uspto.gov) using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

40. EX-1043 is a true and accurate copy of U.S. Patent No. 7,849,502 that I downloaded on June 23, 2022 from the USPTO web site (patft.uspto.gov) using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

41. EX-1044 is a true and accurate copy of U.S. Patent 7,584,352 that I downloaded on June 23, 2022 from the USPTO web site (patft.uspto.gov) using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

42. EX-1045 is a true and accurate copy of “Design of Firewall in Router Using Network Processor” that I downloaded on June 23, 2022 from

<https://ieeexplore.ieee.org/document/1461962> using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

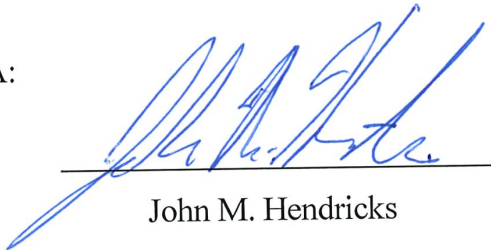
43. EX-1047 is a true and accurate copy of the “Declaration of Dr. Jon Weissman” that I downloaded on June 23, 2022 from PTABE2E using a web browser in the *inter partes* review proceeding IPR2022-00182, paper EX1003. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

44. EX-1048 is a true and accurate copy of the appellate opinion in *Centripetal Networks, Inc. v. Cisco Systems, Inc.*, Case 2021-1888, Dkt. No. 68 (Fed. Cir. Jun. 23, 2022) that I downloaded on June 23, 2022 from https://cafc.uscourts.gov/opinions-orders/21-1888.OPINION.6-23-2022_1968538.pdf using a web browser. This document has been marked with an exhibit label and page numbers on each page at the bottom right corner. No alterations, other than these noted markings, have been made to this document.

I 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.

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

Executed on June 23, 2022, in San Francisco, CA:



John M. Hendricks