DECLARATION OF JUNE ANN MUNFORD

Netflix v. GoTV
IPR2023-00758
Netflix Ex. 1023

1. My name is June Ann 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 CV.

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. Typically, in creating a MARC record, a librarian would gather various bits of metadata such as book title, publisher and subject headings among others and assign each value to a relevant numerical field. For example, a book's physical description is tracked in field 300 while title/attribution is tracked in field 245. The 008 field of the MARC record is reserved for denoting the creation of the library record itself. As this is the only date reflecting the inclusion of said materials within the library's collection, it is my experience

that an item's 008 field accurately indicates the date of an item's public availability.

6. I am familiar with the Internet Archive, a digital library formally certified by the State of California as a public library. Among other services that the Internet Archive makes available to the general public is the Wayback Machine, an online archive. The Internet Archive's Wayback Machine service archives webpages as of a certain capture date to track changes in the web over time. The Internet Archive has been in operation as a nonprofit library since 1996 and has hosted the Wayback Machine service since its inception in 2001. During my time as a librarian, I frequently used the Internet Archive's Wayback Machine for research and instruction purposes. This includes teaching instructional classes on using the Wayback Machine to library patrons and using the Wayback Machine to research reference inquiries that require hard-to-find online resources. I consider the Internet Archive's recordskeeping to be as rigorous and detailed as other formal library recordskeeping practices such as MARC records, OCLC records and Dublin Core.

7. I have reviewed Exhibit 1023, a webpage entitled *ZenZui: The ZenZui Experience* by ZenZui.

8. Attached hereto as Appendix ZENZUI01 is a screen capture of the Internet Archive Wayback Machine entry for http://www.zenzui.com/products.html. I secured these screen captures myself from https://web.archive.org/web/20070406171650/http:/www.zenzui.com/products.html.

9. I have compared Netflix's copy of *ZenZui: The ZenZui Experience* (attached as Exhibit 1023) to this copy of *ZenZui: The ZenZui Experience* I secured myself from the Internet Archive (attached as Appendix ZENZUI01). It is my determination that Netflix's copy is a true and correct copy/the same etc. Considering Appendix ZENZUI01 indicates *ZenZui: The ZenZui Experience* was first preserved by the Internet Archive as of April 6, 2007, it is also my determination that *ZenZui: The ZenZui Experience* was first available to the public by the Internet Archive as of April 6, 2007 if not earlier by the webpage's publisher.

10. I have been retained on behalf of Netflix, Inc. to provide assistance in the legal dispute between GOTV Steaming, LLC and Netflix, Inc. 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 $200.00 per hour plus reasonable expenses. My statements are objective, and my compensation does not depend on the outcome of this matter.

11. I declare under penalty of perjury that the foregoing is true and correct. I hereby 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 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.

Dated: 4/7/2022

June Ann Munford

APPENDIX CV

June A. Munford
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, cataloging and public administration.

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 & Grand Rapids, Michigan

- Material authentication and public accessibility determination. Declarations of authenticity and/or public accessibility provided upon research completion. Experienced with appeals and deposition process.

- Research provided on topics of public library operations, material publication history, digital database services and legacy web resources.

- Past clients include Alston & Bird, Arnold & Porter, Baker Botts, Fish & Richardson, Erise IP, Irell & Manella, O'Melveny & Myers, Perkins-Coie, Pillsbury Winthrop Shaw Pittman and Slayden Grubert Beard.

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 while being audited.

● 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.

Depositions

2019 ● Fish & Richardson

Apple v. Qualcomm (IPR2018-001281, 39521-00421IP, IPR2018-01282 and 39521-00421IP2)

2019 ● Erise IP

Implicit, LLC v. Netscout Systems, Inc (Civil Action No. 2:18-cv-53-JRG)

2019 ● Perkins-Coie

Adobe Inc. v. RAH Color Technologies LLC (Cases IPR2019-00627, IPR2019-00628, IPR2019-00629 and IPR2019-00646)

2020 ● O'Melveny & Myers

Maxell, Ltd. v. Apple Inc. (Case No. 5:19-cv-00036-RWS)

2021 ● Pillsbury Winthrop Shaw Pittman LLP

Intel v. SRC (IPR2020-1449)

2022 ● Perkins-Coie

Realtek v. Future Link (IPR2021-01182)

2023 ● Fish & Richardson

Neuroderm Ltd. v. Abbvie, Inc (Case No. PGR2022-00040)

2023 ● Fish & Richardson

Nearmap US Inc. v. Pictometry International Corp. (IPR2022-00735)

Limited Case History & Potential Conflicts

Alston & Bird

- Ericsson

  v. Collision Communications (IPR2022-01233)

- Nokia

  v. Neptune Subsea, Xtera (Case No. 1:17-cv-01876)

Arnold & Porter

- Ivantis

  v. Glaukos (Case No. 8:18-cv-00620)

- Samsung

  v. Jawbone (Case No. 2:21-cv-00186)

Benesch Friedlander Coplan & Aronoff

- Voyis

  v. Cathx (Case No. 5:21-cv-00077-RWS)

Erise I.P.

- Apple

  v. Ericsson Inc. (IPR2022-00715)

  v. Future Link Systems (IPRs 6317804, 6622108, 6807505, and 7917680)

  v. INVT (Case No. 20-1881)

  v. Navblazer LLC (IPR2020-01253)

  v. Qualcomm (IPR2018-001281, 39521-00421IP, IPR2018-01282, 39521-00421IP2)

  v. Quest Nettech Corp (Case No. 2:19-cv-00118-JRG)

  v. Telefonaktiebolaget LM Ericsson (IPR2022-00275)

- Fanduel
    - v. CGT (Case No. 19-1393)
- Garmin
    - v. Phillips North America LLC (Case No. 2:19-cv-6301-AB-KS)
- Netscout
    - v. Longhorn HD LLC (Case No. 2:20-cv-00349)
    - v. Implicit, LLC (Civil Action No. 2:18-cv-53-JRG)
- Sony Interactive Entertainment LLC
    - v. Bot M8 LLC (IPR2020-01288)
    - v. Infernal Technology LLC (Case No. 2:19-CV-00248-JRG)
- Unified Patents
    - v. GE Video Compression (Civil Action No. 2:19-cv-248)

Fish & Richardson

- Apple
    - v. AliveCor (3:21-cv-03958)
    - v. LBS Innovations (Case No. 2:19-cv-00119-JRG-RSP)
    - v. Koss Corporation (IPR2021-00305)
    - v. Masimo (IPR 50095-0012IP1, 50095-0012IP2, 50095-0013IP1, 50095-0013IP2, 50095-0006IP1)
    - v. Neonode (Case No. 21-cv-08872-EMC)
    - v. Qualcomm (IPR2018-001281, 39521-00421IP, IPR2018-01282, 39521-00421IP2)
- Dell
    - v. Neo Wireless (IPR2022-00616)

- Dish Network
    - v. Realtime Adaptive Streaming (Case No. 1:17-CV-02097-RBJ)
    - v. TQ Delta LLC (Case No. 18-1798)
- Evapco Dry Cooling
    - v. SPG Dry Cooling (IPR2021-00688)
- Genetec
    - v. Sensormatic Electronics (Case No. 1:20-CV-00760)
- Huawei
    - v. Bell Northern Research LLC (IPR2019-01174)
- Kianxis
    - v. Blue Yonder (Case No. 3:20-cv-03636)
- LG Electronics
    - v. Bell Northern Research LLC (Case No. 3:18-cv-2864-CAB-BLM)
- Metaswitch
    - v. Sonus Networks (IPR2018-01719)
- Microsoft
    - v. Throughputer Inc (IPR2022-00757)
- MLC Intellectual Property
    - v. MicronTech (Case No. 3:14-cv-03657-SI)
- Nearmap Inc
    - v. EagleView Technologies (IPR2022-01009)
- Neuroderm Ltd.
    - v. Abbvie, Inc (Case No. PGR2022-00040)
- Realtek Semiconductor
    - v. Future Link (IPR2021-01182)

- Quectel
    - v. Koninklijke Philips (Case No. 1:20-cv-01710)
- Samsung
    - v. Aire Technology (IPR2022-00877)
    - v. Bell Northern Research (Case No. 2:19-cv-00286-JRG)
    - v. Communication Technologies Inc (IPR2022-01221)
    - v. Jawbone Innovations (IPR2022-00865)
    - v. MemoryWeb LLC (IPR2022-00885)
    - v. Telefonaktiebolaget LM Ericsson (IPR2021-00615)
- Texas Instruments
    - v. Vantage Micro LLC (IPR2020-01261)
- Xilinx
    - v. Sentient Sensors LCC (Case No. 1:22-cv-00173)

Irell & Manella

- Curium

O'Melveny & Myers

- Apple
    - v. Maxell (Case No. 5:19-cv-00036-RWS)

Perkins-Coie

- Heru Industries
    - v. The UAB Research Foundation (IPR2022-01148)
- Realtek Semiconductor
    - v. Future Link (IPR2021-01182)

- Twitter Inc

  v. VOIP-Pal.com (Case No. 3:20-cv-02397-JD)

- TCL Industries

  v. Koninklijke Philips NV (IPR2021-00495, IPR2021-00496 and IPR2021-00497)

Pillsbury Winthrop Shaw Pittman

- Intel

  v. FG SRC LLC (Case No. 6:20-cv-00315)

- Gravel Rating Systems

  v. Costco (Case No. 4:21-cv-149)
  v. Lowe's Home Centers (Case No. 4:21-cv-150)
  v. T-Mobile USA (Case No. 4:21-cv-152)
  v. Kohl's Inc. (Case No. 4:21-cv-258)
  v. Under Armor (Case No. 4:21-cv-356)

APPENDIX
ZENZUI01

screenshot-web.archive.org-2023.04.06-21_30_02
https://web.archive.org/web/20070301000000*/http://www.zenzui.com/products.html
06.04.2023

INTERNET ARCHIVE
JUNE_MUNFORD UPLOAD Search
ABOUT BLOG PROJECTS HELP DONATE CONTACT JOBS VOLUNTEER PEOPLE

DONATE

INTERNET ARCHIVE WaybackMachine

Explore more than 806 billion web pages saved over time

http://www.zenzui.com/products.html

Calendar · Collections · Changes · Summary · Site Map · URLs

Saved **32 times** between April 6, 2007 and March 8, 2022.

JAN						
	1	2	3	4	5	6
14	15	16	17	18	19	20
21	22	23	24	25	26	27
28	29	30	31			

FEB						
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MAR						
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25	26	27	28	29	30	31

APR						
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29	30					

MAY						
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OCT						
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NOV						
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18	19	20	21	22	23	24
25	26	27	28	29	30	

DEC						
2	3	4	5	6	7	8
9	10	11	12	13	14	15
16	17	18	19	20	21	22
23	24	25	26	27	28	29
30	31					

Note

This calendar view maps the number of times **http://www.zenzui.com/products.html** was crawled by the Wayback Machine, *not* how many times the site was actually updated. More info in the FAQ.

Orange indicates that the URL was not found (4xx).

Green indicates redirects (3xx).

FAQ | Contact Us | Terms of Service (Dec 31, 2014)

The Wayback Machine is an initiative of the Internet Archive, a 501(c)(3) non-profit, building a digital library of Internet sites and other cultural artifacts in digital form. Other projects include Open Library & archive-it.org.

Your use of the Wayback Machine is subject to the Internet Archive's Terms of Use.

INTERNET ARCHIVE
WaybackMachine
http://www.zenzui.com/products.html
Go
32 captures
6 Apr 2007 - 8 Mar 2022
MAR APR MAY
06
2006 2007 2008
About this capture

PRODUCTS & SERVICES COMPANY News Careers Contact

ZenZui

The ZenZui Experience
Stop Surfing. Start Zooming

screenshot-web.archive.org-2023.04.06-21_30_02
https://web.archive.org/web/20070301000000*/http://www.zenzui.com/products.html
06.04.2023

ZenZui

The ZenZui Experience
Stop Surfing. Start Zooming

Adobe Flash Player is no longer supported

...because nothing says zen like the Information Society. [used with permission]

Isn't it time we re-imagined how we consume information on a mobile phone? Once upon a time, pre-ZenZui, mobile browsing went something like this: Navigate through a long list of web sites selected by a complete stranger. Pick one, and wait...then, read a few lines and scroll down down down down down, deeper into the abyss of mobile web boredom. Tedious. Painful. Ultimately an underwhelming experience.

Enter ZenZui. Conceived in the research lab by experts in human-computer interaction and data visualization, and refined over three years of development, ZenZui represents an entirely new way to discover and consume the mobile web. With ZenZui, your phone screen is a portal into your own customized Zoomspace, an information landscape of personalized, cached content in the form of Tiles that directly reflect **your** lifestyle. Using a single thumb, you fly in and out of your Zoomspace – two simple taps get you directly to any Tile. Through some clever engineering, we constantly refresh your Tiles in the background, so they're always fresh, available, and ready to be Zoomed.

New phones launch every week, with a wild diversity of screen resolutions, input hardware, and orientation. We took this into consideration when we built the ZenZui adaptive rendering platform, which enables your Tiles to work on a wide array of mobile devices and platforms, all with a consistent, intuitive, and gorgeous user interface.

Mobile browsing no longer needs to be a slow and painful experience. ZenZui: Choose your Tiles. Stop Surfing. Start Zooming.

The ZenZui Ecosystem
Zen and the Art of Mobile Marketing

While we were re-inventing the user experience, we figured we'd take a crack at the business model.

The ZenZui Ecosystem

We don't know about you, but as everyday **consumers** we are terrified about the idea of spam on our mobile phones and figure you aren't thrilled with the prospect either. ZenZui now puts you in control of your Zoomspace, and the ads that support the content you see on your Tiles are only from brands related to them. By matching relevant sponsors with each Tile, the total cost of ZenZui to you, beyond your mobile data plan, is Zero dollars and Zero cents.

If you're a **marketer, advertiser, or brand ambassador,** ZenZui connects you with a highly-relevant audience who is personally choosing to engage with you. Sponsor the Tiles of interest to your target market using well-established advertising principles like CPA and CPM (we call it CPZ – Cost Per Zoom). Utilize your company's best creative minds to craft a unique mobile

experience using our advanced programming model based on standard Web 2.0 technologies like JavaScript and SVG.

If you're a **developer**, bring your coolest mobile app ideas to life using our SDK (available summer 2007), and publish your best Tiles into the ZenZui Ecosystem. If it's hot, it'll get sponsored, and we'll pass along a share of the advertising revenue (we believe in sharing the love). Or, if you're not out to make a buck but just want to flex your talents of self-expression, just select "Ad-Free" when you publish, and we'll pair-up your Tile with a message from a non-profit. That way, you can help us create a new mobile channel for community awareness and support charitable giving. At ZenZui, we believe good karma = good business.

If you're a **mobile operator, content provider, or online retailer**, we want to partner with you to achieve wide distribution, in exchange for an attractive share of advertising revenue. The operative word here is partner, because we believe that together, we'll both win, and we'll work with you to provide the tools and resources to do so.

Users, Developers, Content, Brands, Distribution...all in one big virtuous loop together. Birds cheerfully singing nearby. Dogs and cats living together in harmony. (Okay, well maybe not quite yet, but we're just getting started.)

Privacy Policy Terms of Use

EXHIBIT 1023

web.archive.org/web/20070406171650/http://www.zenzui.com/products.html

http://www.zenzui.com/products.html Go MAR APR MAY

32 captures
6 Apr 2007 - 8 Mar 2022

2006 06 2007 2008 About this capture

ZenZui

The ZenZui Experience
Stop Surfing. Start Zooming

Adobe Flash Player is no longer supported

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