

UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

FREEWHEEL MEDIA, INC.,
Petitioner,

v.

ALMONDNET, INC.,
Patent Owner.

IPR2024-00419
Patent 11,564,015

DECLARATION OF BRIAN J. EMFINGER

I, Brian J. Emfinger, make the following declaration pursuant to 28 U.S.C. § 1746:

1. I am a member of the Bar of Illinois and a partner at the law firm of Banner & Witcoff, Ltd., counsel for Petitioner.

2. I provide this Declaration in connection with the above-identified *inter partes* review proceeding requested at the United States Patent and Trademark Office by Petitioner, FreeWheel Media, Inc., against Patent Owner, AlmondNet, Inc., under 35 U.S.C. § 311, 37 C.F.R. § 42.104. Unless otherwise stated, the facts stated in this Declaration are based on my personal knowledge.

3. Ex. 1012 hereto is a true and accurate copy of excerpts from *Building Internet Firewalls*, by Elizabeth D. Zwicky, Simon Cooper, D. Brent Chapman, and O'Reilly & Associates, Inc. (ISBN 1-56592-871-7). An exhibit label on the first page and page numbers on all pages have been added to the bottom of this document, but no other alterations have been made.

4. Ex. 1029 hereto is a true and accurate copy of excerpts from *Dictionary of Computer and Internet Terms*, Eighth Edition, 2003, by Barron's Educational Series, Inc. (ISBN 0-7641-2166-9). An exhibit label on the first page and page numbers on all pages have been added to the bottom of this document, but no other alterations have been made.

5. Ex. 1030 hereto is a true and accurate copy of excerpts from *Newton's Telecom Dictionary*, 21st Updated and Expanded Edition, 2005, by CMP Books.

(ISBN 1-57820-315-5). An exhibit label on the first page and pages numbers on all pages have been added to the bottom of this document, but no other alterations have been made.

6. Ex. 1048 hereto is a true and accurate copy of excerpts from *Computer Dictionary*, Second Edition, 1994, by Microsoft Press. (ISBN 1-55615-597-2). An exhibit label on the first page and page numbers on all pages have been added to the bottom of this document, but no other alterations have been made.

7. Ex. 1049 hereto is a true and accurate copy of excerpts from *Webster's New World Computer Dictionary*, Tenth Edition, 2003, by Bryan Pfaffenberger, Ph.D and Wiley Publishing, Inc. (ISBN 0-7645-2478-X). An exhibit label on the first page and page numbers on all pages have been added to the bottom of this document, but no other alterations have been made.

8. I understand that willful false statements and the like are punishable by fine, imprisonment, or both.

I declare under penalty of perjury that the foregoing is true and correct. Executed this 23 February 2024, in Chicago, IL

/Brian J. Emfinger/

Brian J. Emfinger