UNITED STATES PATENT AND TRADEMARK OFFICE

BEFORE THE PATENT TRIAL AND APPEAL BOARD

X CORPORATION

Petitioner,

v.

STERLING COMPUTERS CORPORATION

Patent Owner.

Case IPR2025-00299

U.S. Patent No. 7,716,217

SECOND SUPPLEMENTAL DECLARATION OF JUSTIN MARSTON

SECOND SUPPLEMENTAL DECLARATION OF JUSTIN MARSTON

Justin Marston hereby Declares as follows:

1. I prepared an initial declaration (**EX2003**) in this matter, which I signed on March 12, 2025. I incorporate my testimony from that initial declaration here.

2. I prepared a supplemental declaration in this matter (**EX2015**), which I signed on July 8, 2025. I incorporate my testimony from that supplemental declaration here.

3. As set forth in my initial declaration, I am one of the inventors of U.S. Patent No. 7,716,217 (the "'217 Patent"), along with my co-inventor Paul Marston.

4. The statements set forth below are all based upon my personal knowledge from having personally worked on developing the inventions set forth in the '217 Patent.

5. As set forth in my initial declaration, Paul Marston and I had conceived of the inventions in the '217 Patent at least as early as June 7, 2005. This is reflected in the conception documents I submitted previously, including **EX2004** and **EX2006**.

6. As set forth in my prior declarations and below, from June 2005 until the provisional patent application was filed on January 11, 2006 (**EX1003**), Paul

Marston and I worked reasonably continuously, within the confines of our occupations, to diligently finalize the inventions set forth in our provisional patent application.

7. At the time Paul and I came up with the inventions set forth in the "Mail Relevance" provisional patent application (**EX1003**), I was working for a company called BlueSpace, which was a software vendor with products. At BlueSpace, we were working to develop a commercial electronic mail system called TransMail. E.g., **EX1001**, 3:52-54. BlueSpace intended to incorporate the inventions set forth in the "Mail Relevance" provisional patent application (**EX1003**), which became the '217 Patent (**EX1001**), into the TransMail product. At the same time we were working on the inventions that would become the '217 Patent, BlueSpace was working on other technologies and inventions that we also intended to incorporate into the TransMail product. BlueSpace's technical work during 2005 and 2006 was dedicated to development of the TransMail product.

8. During the 2005-2006 timeframe, I was using a BlueSpace account for my BlueSpace emails (justin.marston@bluespace.com). Those e-mails are 20 years old and no longer exist due to the passage of time. However, I recall exchanging correspondence regarding the draft patent application with Paul

Marston regularly by email from June 2005 until the provisional patent application was filed on January 13, 2006.

9. From June 2005 until the provisional patent application was filed on January 11, 2006, I was responsible for a number of BlueSpace operations, including both corporate matters and technical matters, including working on the inventions set forth in the '217 Patent, but also work on other BlueSpace patents.

10. In or around April 2005, I met Admiral Inman and began engaging with the NSA, the CIA, and the DIA on behalf of BlueSpace. In July 2005, Admiral Inman's company, Gefinor Ventures, provided a term sheet to invest in BlueSpace. From September 2005 until July 2006, I was working on the Gefinor investment round, which eventually closed around July 2006. The work include detailed financial modeling and due diligence with Gefinor Ventures. This work is reflected in the log of my BlueSpace documents (**EX2041**). E.g., **EX2041** (BlueSpace work log), at Nos. 27-28 (letter to Admiral Inman).

11. Other work I was involved in for BlueSpace during this timeframe included restructuring and a move. From June 2005 to December 2005, we shut down the UK office of BlueSpace and let go of the vast majority of the European headcount. This was part of restructuring BlueSpace and moving BlueSpace to the

United States. As part of this transition, we had to roll up various BlueSpace legal entities (including entities in Bermuda, the UK, Romania) into a new US entity.

12. During this same timeframe, I was flying from the UK to the United States approximately once a month, and I would stay in the United States for two weeks at a time.

Work During June 7, 2005, to August 21, 2005, Timeframe

13. As set forth in my initial declaration, one of the drafts of the provisional patent application (**EX2006)** was a version dated June 7, 2005.

14. By August 16, 2005, we had prepared another draft of the patent application, entitled "Blue Space Mail Relevance." **EX2007**.

15. Between the June 7 and August 16 drafts, we continued to work on the draft patent application. Our work included adding sixteen pages to the draft patent application. *Compare* **EX2006** (60-page draft) *with* **EX2007** (76-page draft).

16. The additional material added includes: additions and revisions to the "Executive Summary" section; a new section summarizing the BlueSpace TransMail Relevance concept (5.1 Introduction); additions and revisions to Section 5.2 Overview; additions to Section 5.3.1 Mail data inputs; additions to Section 5.3.2 Mail data relevance; additions to Section 5.4.1 Mail actions inputs;

additions to Section 5.4.2 Mail actions relevance; additions and revisions to Section 5.5 Mail actions importance; addition of a new Section 5.7 Roles; addition of a new Section 5.8 Similarity; addition of a new section 6.5 Forensics; additions and revisions to Section 9 on the mathematics; and the addition of Section 10 on Software Implementation; and additions to Section 11 Conclusion.

17. I anticipate that it would have taken approximately 20 hours to make the revisions between the June 7, 2005, draft and the August 16, 2005, draft.

18. During the Summer of 2005 (June-August), I was working on a number of other tasks for BlueSpace. To the best of my recollection, every single business day during the Summer of 2005, I worked on BlueSpace business to support the TransMail product. (As discussed above, we intended that the inventions of the '217 Patent would be incorporated into TransMail.)

19. My work as CEO of BlueSpace during the Summer 2005 is corroborated by documents, including e-mails exchanged with counsel for BlueSpace and documents saved to my BlueSpace folder / drive. The e-mails maintained by counsel for BlueSpace show that I exchanged correspondence with counsel for BlueSpace regarding BlueSpace matters on July 11, 19, 21 and 22 and August 1, 15, and 16. **EX2042** (privilege log). The documents saved to my BlueSpace folder show that I worked on BlueSpace documents relating to

TransMail on June 28, July 13, 15, 18, 25, 26, and 27. **EX2041** (log of BlueSpace work to support TransMail).

20. Further edits, additions, and comments to the draft patent application were made a day later, on August 17, 2005. **EX2008**.

21. On August 21, 2005, I saved an Excel document titled "Frequency analysis stats." **EX2037**. The document relates to correlations between users of the TransMail system, which was relevant to our work on the provisional patent application. I have personal knowledge of **EX2037** because I was involved in creating the content set forth therein. I am listed as the document's "Author" in the metadata. **EX2037** is a true and correct copy of the document titled "Frequency analysis stats." The document has a Create date of August 21, 2005, and a Last Modified date of August 21, 2005, which is consistent with my recollection as to when the document was created and modified. **EX2037** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the references to "TransMail" within the document, which was a product BlueSpace was working to develop. **EX2037** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

22. By August 21, 2005, we had prepared another draft of the patent application, entitled "BlueSpace Mail Relevance." **EX2073**. I have personal knowledge of **EX2073** because I was involved in creating the content set forth therein. This is reflected in, for example, the fact that the "Last Saved By" metadata indicates that "Justin Marston" last saved the document. **EX2073** is a true and correct copy of the document titled "BlueSpace Mail Relevance." The document has a Create date of August 4, 2005, and a Last Modified date of August 21, 2005, which is consistent with my recollection as to when the document was created and modified. **EX2073** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the title of the document. **EX2073** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

Work During August 21, 2005, to September 21, 2005, Timeframe

23. By September 21, 2005, we had prepared another draft of the patent application, entitled "BlueSpace Mail Relevance." **EX2032**. I have personal knowledge of **EX2032** because I was involved in creating the content set forth therein. This is reflected in, for example, the File Name "BlueSpace Mail

Relevance JM 19,09,05.doc." The initials "JM" in this File Name refer to revisions by me. **EX2032** is a true and correct copy of the document titled "BlueSpace Mail Relevance." The document has a Create date of September 19, 2005, and a Last Modified date of September 21, 2005, which is consistent with my recollection as to when the document was created and modified. **EX2032** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the title of the document. **EX2032** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

24. From August 21, 2005, through September 21, 2005, I was working on a number of other tasks for BlueSpace. To the best of my recollection, every single business day between August 17 and September 18, I worked on BlueSpace business.

25. My work as CEO of BlueSpace during this time period is corroborated by documents, including e-mails exchanged with counsel for BlueSpace relating to TransMail and documents saved to my BlueSpace folder / drive. The e-mails maintained by counsel for BlueSpace show that I exchanged correspondence with counsel for BlueSpace regarding BlueSpace matters relating to TransMail on August 17, 22, 23, and 30 and September 2, 8, 12, 13, 14, and 15.

The documents saved to my BlueSpace folder show that I worked on BlueSpace documents on August 17, 18, 19, and 22 and September 1, 2,4, 5, 6, 8, 9, 10, 12, 14, and 20. **EX2041** (log of BlueSpace work to support TransMail).

Work During September 21, 2005, to October 2-7, 2005, Timeframe

26. By October 2, 2005, we had prepared another draft of the patent application, entitled "BlueSpace Mail Relevance." **EX2033**. I have personal knowledge of **EX2033** because I was involved in creating the content set forth therein. This is reflected, for example, in the comments by "JM," which refer to comments made by me. **EX2033** is a true and correct copy of the document titled "BlueSpace Mail Relevance." The document has a Create date of October 2, 2005, and a Last Modified date of October 2, 2005, which is consistent with my recollection as to when the document was created and modified. **EX2033** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the title of the document. **EX2033** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

27. As set forth in my initial declaration, by October 6, 2005, we had prepared another draft of the patent application, entitled "Blue Space Mail Relevance." **EX2010**.

28. This draft (**EX2010**) includes the date of October 2, 2005, in the "Name," and has a "create date" of October 3, 2005, indicating that we worked on or circulated the document on October 2, 2005, and October 3, 2005.

29. As shown in the October 6 draft of the provisional patent application, three people made revisions and additions and/or added their comments to the draft provisional patent application, including me, Paul, and Jon Fernyhough. **EX2010** (clean version), **EX1044** (version showing all revisions), **EX2043** (version showing Justin Marston revisions); **EX2044** (version showing Paul Marston revisions); **EX20445** (version showing Jon Fernyhough revisions).

30. I made edits to the draft provisional patent application between the August 17 and October 6 drafts. **EX2043** (version with Justin Marston comments).

31. Paul also made edits to the draft provisional patent application between the August 17 and October 6 drafts. **EX2044** (version with Paul Marston comments).

32. Some of the proposed edits and comments that appear in **EX2010** were made by Jon Fernyhough. Jon Fernyhough was the senior software developer

for BlueSpace. Paul and I shared the draft provisional patent application with Jon Fernyhough's comments so he could provide feedback on implementation difficulty (coding it). As reflected in **EX2045**, showing the edits and comments by Jon Fernyhough, his edits and comments were largely proofreading-type edits (e.g., regarding use of consistent terminology throughout the document). Although he made some revisions to Section 11.5.2 describing the initial calculations, he did not revise the calculations themselves. **EX2045**. As Paul's comment to the section states: "Looks as though Jon wrote some of this, but I am not sure what some of it adds." **EX2044** (version with Paul Marston comments). I agree with Paul's comments that the descriptions of the calculation that John Fernyhough added did not add anything of substance. Jon Fernyhough did not contribute to any of the inventive ideas in the final provisional patent application (**EX1003**). As I stated in an email dated January 12, 2006, "Jon Fernyhough helped out a bit with the thinking in the computing side, but none of his ideas actually ended up in the end patent." **EX2046**.

33. Between the August 17 and October 6 drafts, the additional material we added includes revisions and additions throughout the document, a new Section 9.1 Definitions, a new Section 9.2 Process Flow, and substantial revisions and

additions to Section 10 Mathematical Algorithm Framework and Section 11 Software Implementation.

34. In total, seventeen additional pages of material was added. *Compare* **EX2008** (77-page draft) *with* **EX2010** (94-page draft). I anticipate that it would have taken approximately 55 hours to prepare this additional material during the timeframe of August 17 to October 6.

35. Between August 17 and October 6, I was working on a number of other tasks for BlueSpace. To the best of my recollection, every single business day during the period from August 17 to October 6, I worked on BlueSpace business to support the TransMail product. (As discussed above, we intended that the inventions of the '217 Patent would be incorporated into TransMail.)

36. My work as CEO of BlueSpace during this time period is corroborated by documents, including e-mails exchanged with counsel for BlueSpace relating to TransMail and documents saved to my BlueSpace folder / drive. The e-mails maintained by counsel for BlueSpace show that I exchanged correspondence with counsel for BlueSpace regarding BlueSpace matters on September 19, 26, 28, and 29. **EX2042** (privilege log). The documents saved to my BlueSpace folder show that I worked on BlueSpace documents on September 22,

23, and 26 and October 3, 4, and 7. **EX2041**(log of BlueSpace work to support TransMail).

37. As set forth in my initial declaration, by the next day – i.e., October 7, 2005 – we had prepared another draft of the patent application, entitled "Blue Space Mail Relevance." **EX2011**.

38. As set forth in my initial declaration, later that same day – i.e., also on October 7, 2005 – we had prepared another draft of the patent application, entitled "Blue Space Mail Relevance." **EX2012**.

Work During October 7, 2005, to November 8-13, 2005 Timeframe

39. By November 8, 2005, we had prepared another draft of the patent application, entitled "BlueSpace Mail Relevance." **EX2034**. I have personal knowledge of **EX2034** because I was involved in creating the content set forth therein. This is reflected in, for example, the File Name "BlueSpace Mail Relevance JM 06,11,05.doc." The initials "JM" in this File Name refer to revisions by me. **EX2034** is a true and correct copy of the document titled "BlueSpace Mail Relevance." The document has a Create date of November 6, 2005, and a Last Modified date of November 8, 2005, which is consistent with my recollection as to when the document was created and modified. **EX2034** is a record that was created

in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the title of the document. **EX2034** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

40. By November 12, 2005, we had prepared another draft of the patent application, entitled "BlueSpace Mail Relevance." **EX2035**. I have personal knowledge of **EX2035** because I was involved in creating the content set forth therein. This is reflected in, for example, the File Name "BlueSpace Mail Relevance JM 12,11,05.doc." The initials "JM" in this File Name refer to revisions by me. **EX2035** is a true and correct copy of the document titled "BlueSpace Mail Relevance." The document has a Create date of November 11, 2005, and a Last Modified date of November 12, 2005, which is consistent with my recollection as to when the document was created and modified. **EX2035** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the title of the document. **EX2035** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

41. By November 13, 2005, we had prepared another draft of the patent application, entitled "BlueSpace Mail Relevance." **EX2036**. Also on November 13,

2005, we worked on the files titled "Relevance typology 2.bmp" and "Relevance process flow 2.bmp," which reflect our work on the draft provisional patent application. **EX2038** & **EX2039**. I have personal knowledge of **EX2036, EX2037, and EX2038** because I was involved in creating the content set forth therein. This is reflected in, for example, the File Name of **EX2036** "BlueSpace Mail Relevance JM 131105.doc," where the initials "JM" in this File Name refer to revisions by me. **EX2037** and **EX2038** are graphics, versions of which appear in drafts of our provisional patent application. **EX2036**, at 15 & 58.

42. **EX2036** is a true and correct copy of the document titled "BlueSpace Mail Relevance." The document has a Create date of November 12, 2005, and a Last Modified date of November 12, 2005, which is consistent with my recollection as to when the document was created and modified. **EX2036** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the document title. **EX2036** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

43. **EX2074** is a true and correct copy of the document titled "BlueSpace Mail Relevance." The document has a Create date of November 12, 2005, and a

Last Modified date of November 12, 2005, which is consistent with my recollection as to when the document was created and modified. **EX2074** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the document title. **EX2074** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

44. **EX2037** is a true and correct copy of the document with the File Name "Relevance typology 2.bmp." The document has a Last Modified date of November 13, 2005, which is consistent with my recollection as to when the document was created and modified. **EX2037** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the content of the document. **EX2037** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

45. **EX2038** is a true and correct copy of the document with a File Name "Relevance process flow 2.bmp." The document has a Last Modified date of November 13, 2005, which is consistent with my recollection as to when the document was created and modified. **EX2038** is a record that was created in the

ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by references to BlueSpace within the document. **EX2038** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

46. As set forth in my initial declaration, in a document dated November 9, 2005, calculating cognate relevance values is discussed. **EX2013**.

47. I anticipate that it would have taken approximately 30 hours to prepare the document filed at **EX2013**.

48. During the timeframe of October 7 through November 8, I was working on a number of other tasks for BlueSpace. To the best of my recollection, every single business day the timeframe of October 7 through November 9, I worked on BlueSpace business to support the TransMail product. (As discussed above, we intended that the inventions of the '217 Patent would be incorporated into TransMail.)

49. My work as CEO of BlueSpace during the timeframe of October 7 through November 9 is corroborated by documents, including e-mails exchanged with counsel for BlueSpace relating to TransMail and documents saved to my BlueSpace folder / drive. The e-mails maintained by counsel for BlueSpace show

that I exchanged correspondence with counsel for BlueSpace regarding BlueSpace matters on October 31 and November 1. **EX2042** (privilege log). The documents saved to my BlueSpace folder show that I worked on BlueSpace documents on October 7, 9, 10, 11, 12, and 13 and November 1, 2, 8, and 9. **EX2041** (log of BlueSpace work to support TransMail).

Work During November 13, 2005, to January 11-13, 2006, Timeframe

50. On January 11, 2006, I sent a draft of the provisional patent application to my patent prosecution attorney, Brian Hoffman at Fenwick. **EX2042** (privilege log).

51. Prior to sending the provisional patent application to my patent prosecution attorney in January 2006, I had hoped (during the last couple of months of 2005) to obtain some additional feedback from others, but I was unable to do so. As discussed above, during this same timeframe, I was working on the Gefinor investment round, restructuring BlueSpace, moving BlueSpace to the United States (including traveling to the United States myself), and shutting down the UK office of BlueSpace, including letting go of the vast majority of the European headcount. The Thanksgiving, Christmas, and New Year's holidays also fell during this timeframe.

52. Between November 9, 2005, and January 11, 2006, I was working on a number of other tasks for BlueSpace. To the best of my recollection, every single business day during the Summer of 2005, I worked on BlueSpace business to support the TransMail product. (As discussed above, we intended that the inventions of the '217 Patent would be incorporated into TransMail.)

53. My work as CEO of BlueSpace during this time period is corroborated by documents, including e-mails exchanged with counsel for BlueSpace relating to TransMail and documents saved to my BlueSpace folder / drive. The e-mails maintained by counsel for BlueSpace show that I exchanged correspondence with counsel for BlueSpace regarding BlueSpace matters on November 15, 17, and 24, December 1, 2, 5, 6, 7, 12, 20, 22, 27, and January 3, 11, 12. **EX2042** (privilege log). The documents saved to my BlueSpace folder show that I worked on BlueSpace documents on November 9, 10, 14, 15, 21, 22, 25, 27, 28, 29, and 30, December 1, 2, 4, 5, 6, 7, 8, 9, 11, 12, 13, 15, 20, 21, and 30; and January 6, 9, and 12, 2006. **EX2041** (log of BlueSpace work to support TransMail).

Work During January 11, 2006, to January 13, 2006 Timeframe

54. On January 11, 2006, I sent a draft of the provisional patent application to my patent prosecution attorney, Brian Hoffman at Fenwick. **EX2042** (privilege log).

55. On January 12, 2006, I exchanged correspondence with Brian Hoffman regarding the application. **EX2042 & 2046** (privilege log).

56. On January 13, 2006,[1] Fenwick filed the provisional patent application on our behalf. **EX1003**.

Other Documents from September 2, 2004 through June 7, 2005

57. In addition to the documents previously submitted in connection with my initial declaration, we located additional documents between September 2, 2004, and June 7, 2005, reflecting our conception of the ideas set forth in the provisional patent application.

58. The document titled "Transmail Relevance Formulae" (File Name "TransmailRelevanceFormula1.doc") dated September 9, 2004, relates to our work on the provisional patent application. **EX2047**. Metadata for this document

[1] My initial declaration contained a typo, stating that the provisional patent application was filed on January 13, 2004. EX2003, ¶ 9. That is incorrect. The application was filed on January 13, 2006. EX1003.

indicates that it was "Last Saved by" Tony Morton-Jones. I understand that this is because Paul Marston asked his friend, Tony Morton-Jones, to review the formulas that Paul Marston had prepared. The comments made by Tony Morton-Jones to the formulas created by Paul Marston are visible in the tracked changes version. **EX2047.** Tony Morton-Jones did not prepare any of the formulas himself; he was only commenting on the formulas that Paul Marston created. Tony Morton-Jones did not contribute to any of the inventions set forth in the provisional patent application filed on January 13, 2006. I have personal knowledge of **EX2047** because I received the document from Paul Marston. **EX2047** is a true and correct copy of the document titled "Transmail Relevance Formulae." The document has a Create date of August 10, 2004, and a Last Modified date of September 9, 2004, which is consistent with my recollection as to when the document was created and modified. **EX2047** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the reference to TransMail, which was a product we were developing for BlueSpace. **EX2047** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

59. The document titled "Notes on Search Document" (File Name: "Some Comments on document.doc"), dated September 13, 2004, relates to our work on the provisional patent application. **EX2048**. (This document has the same content as **EX2052**, which has a last modified date of September 10, 2004.) Metadata for the document lists Rick Turner as the author. Rick Turner was a BlueSpace employee in 2004. Rick Turner did not contribute in any way to the inventions set forth in the provisional patent application filed on January 13, 2006. Metadata for this document also indicates that the document was "Last Saved By" "Marston." I have personal knowledge of **EX2048**. **EX2048** is a true and correct copy of the document titled "Notes on Search Document." The document has a Create date of September 13, 2004, and a Last Modified date of September 13, 2004, which is consistent with my recollection as to when the document was created and modified. **EX2048** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the reference to "BlueSpace" within the document. **EX2048** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

60. As set forth in my initial declaration, in a 3-page document dated September 18, 2004,[2] the mathematics relating to importance, and in particular, global importance, is discussed. **EX2009**.

61. The document titled "1.1 Initial Maths" (File Name: "Pauls Formula Section Sept 17.doc"), dated September 20, 2004, relates to our work on the provisional patent application. **EX2049**. As reflected in the File Name, the document sets forth formulas created by Paul Marston. Also as reflected in the File Name, the document was created on or around September 17, 2004, and, as reflected by the metadata, the document was modified on September 20, 2004. I have personal knowledge of **EX2049** because I received the document from Paul Marston. **EX2049** is a true and correct copy of the document with the File Name "Pauls Formula Section Sept 17.doc." The document has a Create date of September 18, 2004, and a Last Modified date of September 20, 2004, which is consistent with my recollection as to when the document was created and modified. **EX2049** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the references to "BlueSpace" and "TransMail" within the document. **EX2049** was

[2] In my initial declaration, I wrote that **EX2009** was dated September 18, 2005. The correct date, as reflected in the metadata, is September 18, 200**4**.

maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

62. The document titled "General Comments" (File Name: "TimComments15-5-2005.doc"), dated May 17, 2005, relates to our work on the provisional patent application. **EX2050**. The metadata reflects that the "Author" was Tim Couper. Tim Couper was a consultant to BlueSpace in 2005. He was a technical architect. Tim Couper did not contribute in any way to this document or to the inventions set forth in the provisional patent application filed on January 13, 2006. I have personal knowledge of **EX2050** because I received the document from Paul Marston. **EX2050** is a true and correct copy of the document titled "General Comments." The document has a Create date of May 13, 2005, and a Last Modified date of Ma 17, 2005, which is consistent with my recollection as to when the document was created and modified. **EX2050** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the references to TransMail, which was a product BlueSpace was developing. **EX2050** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

63. The document titled "Some Thoughts on the TransMail Relevance/Importance Algorithm," dated May 17, 2005, relates to our work on the provisional patent application. **EX2051**. In this document, Paul Marston is providing feedback to me regarding a draft of the provisional patent application. I have personal knowledge of **EX2051** because I received the document from Paul Marston. **EX2051** is a true and correct copy of the document titled "Some Thoughts on the TransMail Relevance/Importance Algorithm." The document has a Create date of May 17, 2005, and a Last Modified date of May 17, 2005, which is consistent with my recollection as to when the document was created and modified. **EX2051** is a record that was created in the ordinary course of business of a company named BlueSpace, which, at the time, I worked for. This is reflected by the references to TransMail, which was a product BlueSpace was developing. **EX2051** was maintained in the ordinary course of BlueSpace's business. As custodian of the document, I maintained the document on my computer in my BlueSpace files.

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

Executed this 9th day of September 2025, in Travis County, Texas.

Justin Marston