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5 Attorneys for Plaintiff
 6 NETFLIX, INC.

7 UNITED STATES DISTRICT COURT
 8 NORTHERN DISTRICT OF CALIFORNIA
 9

10 NETFLIX, INC., a Delaware corporation,

11 Plaintiff,

12 v.

13 BLOCKBUSTER, INC., a Delaware
 14 corporation, DOES 1-50,

15 Defendant.

Case No. C 06 2361 WHA (JCS)

**DECLARATION OF ASHOK RAMANI IN
 SUPPORT OF NETFLIX'S OPENING
 CLAIM-CONSTRUCTION BRIEF**

Date: January 31, 2007

Time: TBD

Dept: Courtroom 9, 19th Floor

Judge: Hon. William H. Alsup

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 18 AND RELATED COUNTERCLAIMS
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1 I, ASHOK RAMANI, declare and state as follows:

2 1. I am an attorney duly licensed to practice before this Court, and am a partner with
3 Keker & Van Nest, LLP, counsel to Plaintiff and Counterclaim-Defendant Netflix, Inc. I have
4 personal knowledge of the facts set forth below, and if called to testify as a witness thereto could
5 do so competently under oath.

6 2. Attached hereto as Exhibit 1 is a true and correct copy of United States Patent
7 Number 6,584,450, issued June 24, 2003.

8 3. Attached hereto as Exhibit 2 is a true and correct copy of United States Patent
9 Number 7,024,381, issued April 4, 2006.

10 4. Attached hereto as Exhibit 3 is a true and correct copy of the Supplemental
11 Declaration of Neil D. Hunt, filed with the United States Patent Office on October 25, 2002 and
12 contained in the U.S. Patent Office's File History for U.S. Patent No. 6,584,450.

13 5. Attached hereto as Exhibit 4 is a true and correct copy of a press release from
14 Netflix, dated December 16, 1999, filed with the United States Patent Office on October 25,
15 2002 and contained in the U.S. Patent Office's File History for U.S. Patent No. 6,584,450.

16 6. Attached hereto as Exhibit 5 is a true and correct copy of Netflix's Letter to the
17 U.S. Patent Examiner, dated October 17, 2002 and contained in the U.S. Patent Office's File
18 History for U.S. Patent No. 7,024,381.

19 7. Attached hereto as Exhibit 6 is a true and correct copy of the Notice of
20 Allowability, dated December 5, 2005 and contained in the U.S. Patent Office's File History for
21 U.S. Patent No. 7,024,381.

22 8. Attached hereto as Exhibit 7 is a true and correct copy of Netflix's Amended and
23 Corrected Disclosure of Asserted Claims and Preliminary Infringement Contentions for U.S.
24 Patent Nos. 7,024,381 and 6,584,450, filed with this Court on July 28, 2006 as Docket # 31.

25 9. Attached hereto as Exhibit 8 is a true and correct copy of a document produced by
26 Blockbuster and bearing the Bates Production Numbers BB00199492-BB00199501. **[THIS**
27 **EXHIBIT HAS BEEN FILED UNDER SEAL].**

28 10. Attached hereto as Exhibit 9 is a true and correct copy of pages from the

1 American Heritage Dictionary of the English Language (4th ed. 2000).

2 11. Attached hereto as Exhibit 10 is a true and correct copy of pages from the
3 Merriam-Webster's Collegiate Dictionary (11th ed. 2003).

4 12. Attached hereto as Exhibit 11 is a true and correct copy of a U.S. Patent Office
5 Action communication, dated October 28, 2004 and contained in the U.S. Patent Office's File
6 History for U.S. Patent No. 7,024,381.

7 13. Attached hereto as Exhibit 12 is a true and correct copy of Netflix's Reply to the
8 U.S. Patent Office Action, dated January 31, 2005 and contained in the U.S. Patent Office's File
9 History for U.S. Patent No. 7,024,381.

10 14. Attached hereto as Exhibit 13 is a true and correct copy of pages from the Oxford
11 English Dictionary Online (2d ed. 2006), a subscription service found at
12 <http://dictionary.oed.com>.

13 I declare under penalty of perjury under the laws of the State of California that the
14 foregoing is true and correct. Executed on this 6th day of December 2006, at San Francisco,
15 California.

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/s/ Ashok Ramani