Sprint Communications Company LP v. Vonage Holdings Corp., et al Case 2:05-cv-02433-JWL Document 380-3

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## **EXHIBIT B**

von oep 9-4-07.txt standards to get our product offering up and running 18 19 what's an industry standard? Telephone company is a 20 person example you got a nationwide telephone network 21 if you've got one company in the northeast doing 22 technology one way and you've got another company in 23 the southeast doing telephone technology another way 24 and then you have another company in California using 25 tone technology in another way guess what I try from 1 the north east to call somebody in California it 2 ain't gonna work unless we're all on the same page as 3 to how to do something. And so what an industry standard is is when a lot of smart people get 4 5 together typically representatives from companies they get together and they go we all need to agree to 6 7 a way to implement some piece of technology and once 8 we do this then everybody can use it, and here it is, 9 it's open for all the world to see read use take 10 advantage of. Why do I raise that because the 11 building blocks for VoIP arise out of several 12 industry standards and perhaps the most important one 13 is an industry standard that actually goes back to 14 the year 1981 that is some 13 years before Sprint and 15 Mr. Christie identified for their first patent 16 application and this is the internet protocol 17 industry standard drafted in 1981 what we learn from 18 this standard is in internet protocol is designed for 19 use in interconnected systems of packet switched 20 computer communication networks. This is the very 21 standard that we are taking advantage of in 22 connection with voice over the internet there was 23 another industry standard user data gram protocol.

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August 28, 1980, 14 years before Sprint came on the 24 25 scene user data gram protocol it's called UDP. well 48 1 UDP as you will come to learn during this course it 2 is basically the method it's the format by which the 3 packets are traveling over the internet this was 4 around 13 years before any patent application was 5 filed. Another standard that you're going to hear 6 about during this case and I just alluded to it with 7 respect to the textbook, SIP, session initiate 8 protocol 1999 you'll see the authors notice top right 9 corner and, again, you don't see any authors here 10 from Sprint and you don't see Mr. Christie or any 11 other representatives from Sprint in connection with 12 this standard but the session initiation protocol 13 what this standard is all about is on the internet 14 before packets can start going back and forth you 15 need to have the destination address okay where am I 16 sending it and then the destination address in order 17 to community back with me needs to know my IP address 18 it's just like sending a letter if I don't know your address I can't send a letter to you. 19 But if I 20 send -- if I know your address and I send a letter to 21 you and I have a return address there for you, then, 22 you know, how to send a left back to me. Well what 23 SIP does the session initiation protocol is it 24 basically it trades the IP addresses up here it basically establishes the session, if you will, so 49 25 1 that we then can start communicating back and forth. 2 So what you're going to hear during the course of 3 that this case is really there's two parts to making 4 a federal law there's basically getting the Page 39

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5	connections set up if you will and then there's the
6	actual call that takes place once the connections are
7	set up the demonstrative they used it's the the
8	SIP part of it would have been in the old days it
9	would have been the switch board operate or going I
10	need to route you this way to make a phone call. And
11	then the other thing that our guys at Vonage took
12	advantage of is what we call off the shelf technology
13	okay and what do I mean by off the self technology?
14	A telephone if you're a customer of Vonage and you
15	got one of these in your house that's one of the
16	critical pieces that you have to have. You're going
17	to hear lot about terminal adaptors, these are the
18	things that are going to be in your house that your
19	telephone is going to plug into and then these are
20	basically going to plug into the internet and it's
21	this terminal adapt tore that's going to take my
22	voice and it's going to turn it into data packets
23	that are then going to travel across the internet TA
24	and we got various flavors of these you'll see these
25	during the course of the trial back in 2001, 2002, go 50
1	to Cisco Systems, Cisco we need a box of terminal
2	adaptors they sell them to you, these weren't
3	specified specifically for us, you just go to any
4	company and by them they manufacture these.
5	MR. WEBB: Your Honor, may I approach.
6	THE COURT: You may.
7	(Counsel approached the bench and the
8	following proceedings were had:)
9	MR. WEBB: I may have misread your order
10	but I understand that this has already been ruled Page 40