

# **Exhibit 10**

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**From:** Alexey Kuznetsov  
**Sent:** Tuesday, October 20, 2009 10:17 AM  
**To:** Nathan Day  
**CC:** kuznet@parallels.com  
**Subject:** Re: FW: contact request

Hello!

> A company is claiming that they own a patent that covers the rt\_hash and  
> rt\_intern\_hash functions in route.c. The patent is:  
> <http://www.google.com/patents/about?id=X4QXAAAEBBAJ>.  
This is ridiculous. The patent is obviously invalid, hashing  
cannot be covered by a patent, it is described in all the textbooks  
since Computer Science emerged. :-)  
Even formally the patent is filed on Jan 2, 1997. The code in net/ipv4/route.c  
was written in 1995 (see linux kernel source archives) and got to its final  
stable version in linux-2.0, which is dated by Jul 1996. Since that  
time code was only optimized, all the history is linux repositories.

> We are trying to  
> find where the code came from to find out if there are code examples  
> that existed before the patent was issued.  
1. Any textbook.  
2. As I said above, the code itself was written before the patent has been  
issued.  
> Would it be possible to discuss this further with you?  
No. I wrote tens of thousands of code during my life  
and hope to write some more. :-) I definitely cannot devote  
remaining years of my life to collect memories how I invented  
that or another trivial thing. Probably later, when I will write  
some memoirs. :-)  
Alexey

**Defendants' Exhibit**  
Exhibit No. 436  
Case No. 6:09-cv-00269-LED