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 The Regents of the University of California

16 UNITED STATES DISTRICT COURT
 17 DISTRICT OF NEW JERSEY

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19	UNIX SYSTEM LABORATORIES, INC.,	Civil Action No. 92-1667
		: (DRD)
20	Plaintiff,	
		: DECLARATION OF KEITH
21	-against-	BOSTIC IN SUPPORT OF
		: THE UNIVERSITY'S
22	BERKELEY SOFTWARE DESIGN, INC.,	AMICUS BRIEF RE
23	and the Following Individuals in their	: USL'S MOTION FOR
24	Collective Capacity as THE REGENTS OF	PRELIMINARY INJUNCTION
	THE UNIVERSITY OF CALIFORNIA:	
25	PETE WILSON, LEO T. MCCARTHY,	Date: January 22, 1993
	WILLIE L. BROWN, JR., et al.,	: Time: 10:00 a.m.
26	Defendants.	Judge: Honorable
		: Dickinson R.
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 DECLARATION OF KEITH BOSTIC IN SUPPORT OF THE UNIVERSITY'S
 AMICUS BRIEF RE USL'S MOTION FOR PRELIMINARY INJUNCTION

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I, Keith Bostic, declare as follows:

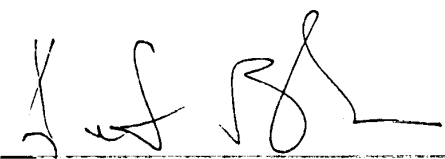
1. I, Keith Bostic, am one of the principal developers at the University of California at Berkeley Computer Systems Research Group (CSRG) for the Berkeley Software Distribution (BSD). I submit this Declaration on behalf of Defendant, The Regents of the University of California (the University), as a rebuttal to USL's contention that applicants for a commercial license for the UNIX Operating System "must be a corporation."

2. Attached hereto as Exhibit A, is a true and correct copy of a license agreement between AT&T and Glenn Hightower, an individual, for the System V UNIX Operating System, effective July 1, 1983. I just discovered this document on January 20, 1993 at approximately 4:00 p.m. This document has been kept in CSRG's files in the regular course of CSRG's operations, along with other licenses between AT&T and its licensees, so that CSRG can verify that recipients of BSD software are actually AT&T licensees. CSRG has routinely verified the licensing status of recipients of BSD software so that software developed by CSRG which contains AT&T's source code or discloses its trade secrets is not distributed to non-AT&T licensees. Exhibit A at page 3 indicates that, in addition to System V, 32V was available to Mr. Hightower as an AT&T licensee either directly from AT&T or from other AT&T licensees through AT&T's source code exchange program.

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attached hereto as Exhibit B, is true and correct copy of a license agreement between AT&T and H. M. Greenspun, for the System V UNIX Operating System, effective February 1, 1984. I just discovered this document on January 20, 1993 at approximately 4:00 p.m. This document has been kept in CSRG's files in the regular course of CSRG's operations, along with other licenses between AT&T and its licensees, so that CSRG can verify that recipients of BSD software are actually AT&T licensees. Page 3 of Exhibit B, as well as the last page of Exhibit B, indicates that in addition to System V, 32V was available to Mr. Greenspun as an AT&T licensee either directly from AT&T or from other AT&T licensees through AT&T's source code exchange program.

I declare under penalty of perjury under the laws of the United States that the foregoing is true and correct. Executed in Alameda County, California, this 22nd day of January, 1993.



Keith Bostic