
From: Jason Livingood [jason_livingood@cable.comcast.com]
Sent: Monday, February 22, 2010 4:42 PM
To: Hume Vance; Chris Griffiths
Cc: Frank Manning; Tom Hanson; Paul Prohodski; David Don
Subject: Re: Zoom Telephonics upcoming DOCSIS 3.0 CM

Hume -

I know you and Chris have already spoken. This test bottleneck affects not just Zoom but any other device manufacturer as well. It is relatively new for us to see so many new DOCSIS devices coming to retail. While this is great, it poses some short-term logistical challenges.

As we saw this coming we budgeted for and are making lab investments to expand our testing capacity, which should be available soon (and we have also reorganized our lab test organization to better suit this). I am also charged with developing a fair process for all vendors like yourself, that could be shared publicly, with test interval commitments and so on. I suspect we may need to try to get your device tested before all of that is finalized.

Thanks for your continued patience and we will be in touch soon. While you are out, it would be helpful for you to designate a good day-to-day operational contact at Zoom that we can work with as we move ahead.

Regards,
Jason

Jason Livingood
Executive Director
Internet Systems Engineering
National Engineering & Technical Operations
Comcast Cable Communications
215-286-7813
jason_livingood@cable.comcast.com

On 2/22/10 3:28 PM, "Hume Vance" <humev@zoom.net> wrote:

> Hi Chris,
>
> I want to emphasize that it's urgent for us to get through your testing in
> time for product getting onto retail shelves.
>
> Can we count on a fast turnaround time? We really need your help with this.
> Thank you.
>
> Hume
>
> -----Original Message-----
> From: Hume Vance
> Sent: Monday, February 22, 2010 2:35 PM
> To: 'Griffiths, Chris'
> Cc: Frank Manning; Jason Livingood; Tom Hanson; Paul Prohodski
> Subject: RE: Zoom Telephonics upcoming DOCSIS 3.0 CM
>
> Hi Chris,
>
> Thanks for your call a little while ago. I appreciate your explanation that
> Comcast has had to halt all testing of new devices while you work through some
> issues in your lab.

>
> Follow-up questions: once you have worked through those issues, how soon can
> we expect you will be able to start testing our product? Is it true that your
> testing runs roughly 4-6 weeks from start to finish?

>
> As I mentioned in our call, I am copying two colleagues on this email. I will
> be out for about ten days starting this coming Thursday. Please copy Tom and
> Paul on any emails that you send. They will make sure to respond in my
> absence.

>
> Thanks,

>
> Hume

>
> -----Original Message-----

> From: Griffiths, Chris [mailto:Chris_Griffiths@Cable.Comcast.com]

> Sent: Monday, February 22, 2010 1:30 PM

> To: Hume Vance

> Cc: Frank Manning; Jason Livingood

> Subject: Re: Zoom Telephonics upcoming DOCSIS 3.0 CM

>
> I am well aware of our conversations so far and have communicated to
> you as I have had updates. We are on hold for all new devices not
> currently in testing as we work through our internal processes. I
> understand you have your own processes and timelines and ask for your
> patience in this matter.

>
> Thanks

>
> ---

> Chris Griffiths

> Comcast

>
> On Feb 22, 2010, at 1:23 PM, "Hume Vance" <humev@zoom.net> wrote:

>
>> Hi Chris,

>>
>> I'm very surprised and disappointed by the email you sent today. In
>> that email you said: "We are on hold for testing your devices at
>> this time as we work through our testing processes. I will be back
>> in touch if and when we decide to certify your device on the Comcast
>> network."

>>
>> As you know, Comcast is by far the largest cable service provider in
>> the country. And as you probably know, the US Congress and the FCC
>> have made it very clear that they want to encourage consumer choice
>> in Internet-access equipment. They do not want this equipment area
>> monopolized by anyone, and they do not want it effectively
>> controlled by the largest cable service provider in the country.
>> There has to be a process whereby equipment is certified for use on
>> the Comcast network. We understand that Cablelabs certification is
>> part of that process. Comcast has chosen to require additional
>> testing, and we are attempting to get that testing done. This is
>> urgent for us, as we have commitments from both Best Buy and Staples
>> to carry our DOCSIS 3.0 cable modem soon. We can't live with the
>> idea that you may decide not to test our device for certification.
>> And frankly, we don't think that the FCC would live with it either.

>>
>> Your email quoted above suggests some obvious questions:

>> 1) You say you are on hold for testing our devices at this time.
>> Are you on hold for testing all other cable modems?

>> 2) You say that you will be back in touch "if and when we decide
>> to certify your device on the Comcast network." Who is "we"? Who
>> at Comcast makes that decision?

>>
>> We have been in communication since January 15, when I sent an email
>> introducing myself and letting you know that Zoom has a DOCSIS 3.0

>> cable modem. I said we wanted to submit our cable modem for testing
>> and certification in Comcast's labs.
>>
>> I followed up on Jan. 21 with more details about the Hitron product
>> on which our design is based, and I explained that our product would
>> be placed at retail in Best Buy. We need to ship high volumes to
>> Best Buy in April.
>>
>> On February 9 I sent a brief email touching base and following up on
>> an email from Norm Baker. Norm had advised me that you would be
>> getting in touch relative to scheduling Comcast testing for our
>> product.
>>
>> On February 10 you responded with two emails. The first email
>> invited us to submit our product to Comcast's test labs. A second
>> email retracted that invitation pending internal Comcast discussions.
>>
>> I responded with an email later that day, requesting a call so that
>> we could understand your process better.
>>
>> I followed up with a call the next day (Feb. 11) that went to
>> voicemail. You responded either later that day or the next with a
>> voicemail to me. I returned that call, and gave you my cell phone
>> number to call in case I wasn't at my desk when you called back.
>>
>> I left two or three other phone messages over the subsequent week
>> and again this morning. I appreciate finally getting your email
>> response below. However, we really need to have a definite plan for
>> testing now, one consistent with our required ship date to Best Buy.
>>
>> We are trying very hard to be cooperative. However, we feel that
>> you and Comcast have a responsibility to cooperate with us. A good
>> start is for Comcast to provide a reasonable schedule for
>> certification, one consistent with our needs and the needs of Best
>> Buy.
>>
>> I hope to hear from you soon.
>>
>> Sincerely,
>>
>> Hume Vance
>> Director of Firmware Engineering, Zoom Telephonics
>>
>> cc: Frank Manning, Zoom Telephonics President and CEO
>>
>>
>>
>> -----Original Message-----
>> From: Griffiths, Chris [mailto:Chris_Griffiths@Cable.Comcast.com]
>> Sent: Monday, February 22, 2010 12:03 PM
>> To: Hume Vance
>> Cc: Chandrashekar, Sumi; Iveson, Earle; Baker, Norman
>> Subject: Re: Zoom Telephonics upcoming DOCSIS 3.0 CM
>>
>> We are on hold for testing your devices at this time as we work
>> through our
>> testing processes. I will be back in touch if and when we decide to
>> certify
>> your device on the Comcast network.
>>
>> Thanks
>>
>>
>> On 2/22/10 9:23 AM, "Hume Vance" <humev@zoom.net> wrote:
>>
>>> Hi Chris,

>>>
>>> I'm checking to make sure you have received the several voice mails
>>> I left for
>>> you over the last week and a half.
>>>
>>> Do you make the final decision on what CMs to test in your labs? If
>>> not you,
>>> to whom should I be directing our inquiries? We at Zoom need to
>>> understand
>>> what we need to do in order to get our DOCSIS 3.0 CM into your lab.
>>>
>>> As I have mentioned before, our CM is scheduled to go into 2500 or
>>> so retail
>>> outlets in mid-April. Zoom certainly doesn't want to subject our
>>> customers to
>>> the confusion that would ensue if these CMs could not be attached
>>> to Comcast
>>> service, and I imagine Comcast wouldn't want that to happen, either.
>>>
>>> Regards,
>>>
>>> Hume
>>>
>>>
>>> Hume Vance
>>> Director, Firmware Engineering
>>> Zoom Telephonics, Inc.
>>> 207 South Street
>>> Boston, MA 02111
>>> USA
>>> humev@zoom.com
>>> +1 617 753-0032w
>>> +1 617 895-6979c
>>>
>>>
>>> -----Original Message-----
>>> From: Iveson, Earle [mailto:Earle_Iveson@Cable.Comcast.com]
>>> Sent: Thursday, January 21, 2010 5:24 PM
>>> To: Hume Vance; Griffiths, Chris; Baker, Norman
>>> Cc: Chandrashekar, Sumi
>>> Subject: RE: Zoom Telephonics upcoming DOCSIS 3.0 CM
>>>
>>> I think it's Chris G. on this thread..
>>>
>>> Chris if you are not the right guy, any ideas??
>>>
>>> Thanks,
>>> Earle
>>>
>>>
>>> -----Original Message-----
>>> From: Hume Vance [mailto:humev@zoom.net]
>>> Sent: Thursday, January 21, 2010 3:43 PM
>>> To: Iveson, Earle; Griffiths, Chris; Baker, Norman
>>> Cc: Chandrashekar, Sumi
>>> Subject: RE: Zoom Telephonics upcoming DOCSIS 3.0 CM
>>>
>>> Hi Earle,
>>>
>>> Do you know the answer to the below? If not, who should I be
>>> directing
>>> my questions to?
>>>
>>> Thanks,
>>>
>>> Hume
>>>

>>> -----Original Message-----

>>> From: Hume Vance
>>> Sent: Sunday, January 17, 2010 10:07 PM
>>> To: Iveson, Earle; Griffiths, Chris; Baker, Norman
>>> Cc: Chandrashekar, Sumi
>>> Subject: RE: Zoom Telephonics upcoming DOCSIS 3.0 CM

>>> Hi Earle,

>>> Thank you. Who should I be talking to about the decision to certify
>>> our
>>> product? Would that person also be able to address the other needs
>>> that
>>> you refer to?

>>> Thanks,

>>> Hume

>>>

>>> From: Iveson, Earle [Earle_Iveson@Cable.Comcast.com]
>>> Sent: Saturday, January 16, 2010 11:17 AM
>>> To: Hume Vance; Griffiths, Chris; Baker, Norman
>>> Cc: Chandrashekar, Sumi
>>> Subject: Re: Zoom Telephonics upcoming DOCSIS 3.0 CM

>>> Hume,

>>> When/If the decision is made at Comcast to certify your device my lab
>>> would need a minimum of 10 devices. There may be other needs that I
>>> can
>>> not speak to so please do not consider that to be the end result.

>>> Thanks,
>>> Earle

>>>

>>> From: Hume Vance <humev@zoom.net>
>>> To: Griffiths, Chris; Iveson, Earle; Baker, Norman
>>> Cc: Chandrashekar, Sumi
>>> Sent: Fri Jan 15 15:17:12 2010
>>> Subject: RE: Zoom Telephonics upcoming DOCSIS 3.0 CM

>>> Chris,

>>> Thanks, and I appreciate your communication with the Comcast QA team.

>>> Can you or someone else indicate how many test units you will need
>>> from
>>> us? It will help us in our planning to know that.

>>> Hume

>>>

>>> From: Griffiths, Chris [mailto:Chris_Griffiths@Cable.Comcast.com]
>>> Sent: Friday, January 15, 2010 3:11 PM
>>> To: Hume Vance; Iveson, Earle; Baker, Norman
>>> Cc: Chandrashekar, Sumi
>>> Subject: Re: Zoom Telephonics upcoming DOCSIS 3.0 CM

>>> Hume,

>>> We expect all vendors to go through CL certification first, then
>>> complete the full Comcast certification before we will certify your
>>> device to come onto the network regardless of it being only sold at
>>> retail. We will need to make sure that the appropriate folks are
>>> aware
>>> this is coming. Earle's team is one part of that certification
>>> process.

>>> I am also copying in the QA team so they can be aware as well.
>>>
>>> Thanks
>>>
>>>
>>> On 1/15/10 11:19 AM, "Hume Vance" <humev@zoom.net> wrote:
>>> Hi Earle,
>>>
>>> Our CM will be sold at retail. We'd of course be happy to sell
>>> direct to
>>> Comcast, but there is currently no agreement to do so.
>>>
>>> How many units will you need us to submit once we have the CL OEM
>>> certification?
>>>
>>> Thanks,
>>>
>>> Hume
>>>
>>>
>>> From: Iveson, Earle [mailto:Earle_Iveson@Cable.Comcast.com]
>>> Sent: Friday, January 15, 2010 9:41 AM
>>> To: Hume Vance
>>> Cc: Chandrashekar, Sumi; Griffiths, Chris
>>> Subject: RE: Zoom Telephonics upcoming DOCSIS 3.0 CM
>>>
>>> Hi Hume,
>>>
>>> As for getting this device accepted by the Business Unit I would
>>> refer
>>> you to Chris Griffiths.. As for CL cert, we do require you to
>>> complete
>>> that certification prior to Comcast starting our certification..
>>>
>>> Thanks much,
>>> Earle
>>>
>>>
>>> _____
>>>
>>> From: Hume Vance [mailto:humev@zoom.net]
>>> Sent: Wednesday, January 13, 2010 1:41 PM
>>> To: Iveson, Earle
>>> Cc: Chandrashekar, Sumi
>>> Subject: RE: Zoom Telephonics upcoming DOCSIS 3.0 CM
>>>
>>> Hi Earle,
>>>
>>> I look forward to hearing from you.
>>>
>>> Thanks,
>>> Hume
>>>
>>>
>>> From: Chandrashekar, Sumi
>>> [mailto:Sumi_Chandrashekar2@cable.comcast.com]
>>> Sent: Wednesday, January 13, 2010 11:24 AM
>>> To: Hume Vance
>>> Cc: Iveson, Earle
>>> Subject: RE: Zoom Telephonics upcoming DOCSIS 3.0 CM
>>>
>>> Hi Hume,
>>> Please contact our Director, Earle Iveson (CC'ed).
>>>
>>> Thanks,
>>> Sumi
>>>

>>>
>>> _____
>>>
>>> From: Hume Vance [mailto:humev@zoom.net]
>>> Sent: Wednesday, January 13, 2010 10:28 AM
>>> To: Chandrashekar, Sumi
>>> Cc: dennis_matthew@cable.comcast.com
>>> Subject: RE: Zoom Telephonics upcoming DOCSIS 3.0 CM
>>>

>>> Hi Sumi,
>>>
>>>
>>>

>>> Relative to my earlier email, the copy to Dennis bounced, so I
>>> infer he
>>> is no longer at Comcast.
>>>
>>>

>>> Would you be able to respond to my below query? We plan to submit our
>>> OEM submission to CableLabs next week or early the following week. We
>>> anticipate samples would be available to provide to Comcast a week or
>>> two following.
>>>
>>>

>>> Regards,
>>>
>>>
>>>

>>> Hume
>>>
>>>
>>>
>>> _____

>>> From: Hume Vance
>>> Sent: Friday, January 08, 2010 5:46 PM
>>> To:
>>> 'dennis_matthew@cable.comcast.com<dennis_matthew@cable.comcast.com>';
>>> 'sumi_chandrashekar2@cable.comcast.com<sumi_chandrashekar2@cable.comcast
>>> .com>'
>>> Subject: Zoom Telephonics upcoming DOCSIS 3.0 CM
>>>
>>>
>>>
>>>

>>> Hi Dennis and Sumi,
>>>
>>>
>>>

>>> We are excited that Zoom will soon be offering a DOCSIS 3.0 CM. We
>>> will
>>> be submitting the CM as an OEM submission to Cable Labs very
>>> shortly. We
>>> will also wish to submit to your labs for certification.
>>>
>>>

>>> Could you please forward me information on requirements for your
>>> certification?
>>>
>>>
>>>

>>> Do you require the completion of the CL OEM certification before you
>>> will accept a submission from us, or given that the OEM version of

>>> the
>>> CM has already been certified by Cable Labs, will you accept our
>>> submission in parallel?
>>>
>>>
>>> Thanks and best regards,
>>>
>>>
>>> Hume
>>>
>>>
>>> PS Do you have any status on the updated 5241 CMs that I believe
>>> are in
>>> your labs?
>>>
>>>
>>>
>>> _____
>>> From: Hume Vance
>>> Sent: Wednesday, November 25, 2009 1:17 PM
>>> To:
>>> 'dennis_matthew@cable.comcast.com<dennis_matthew@cable.comcast.com>';
>>> 'sumi_chandrashekar2@cable.comcast.com<sumi_chandrashekar2@cable.comcast
>>> .com>'
>>> Subject: Contact change at Zoom Telephonics
>>>
>>>
>>>
>>>
>>> Hi Dennis and Sumi,
>>>
>>>
>>>
>>> Dean Panagopoulos has left Zoom, and I am taking over his
>>> responsibilities relative to interfacing with cable service
>>> providers. I
>>> have already exchanged communications with Sumi in my role as
>>> engineering manager for our cable projects.
>>>
>>>
>>> I believe that sample Zoom 5241 CMs with updated code are going
>>> through
>>> your labs. Please let me know if you have any updates on the status
>>> of
>>> your evaluation.
>>>
>>>
>>> My contact information is below. Please don't hesitate to get in
>>> touch
>>> for any reason.
>>>
>>>
>>> Regards,
>>>
>>>
>>> Hume
>>>

>>>
>>>
>>> Hume Vance
>>>
>>> Director, Firmware Engineering
>>>
>>> Zoom Technologies, Inc.
>>>
>>> 207 South Street
>>>
>>> Boston, MA 02111
>>>
>>> USA
>>>
>>> humev@zoom.com
>>>
>>> +1 617 753-0032
>>>
>>>
>>>
>>>
>>> --
>>> Chris Griffiths
>>> Comcast Cable Communications, Inc.
>>> National Engineering and Technical Operations
>>> 215-286-3992 - Desk
>>> 215-776-6416 - Cell
>>
>> --
>> Chris Griffiths
>> Comcast Cable Communications, Inc.
>> National Engineering and Technical Operations
>> 215-286-3992 - Desk
>> 215-776-6416 - Cell
>>

From: Iveson, Earle [Earle_Iveson@Cable.Comcast.com]
Sent: Friday, June 04, 2010 3:39 PM
To: Hume Vance
Cc: Livingood, Jason; Griffiths, Chris
Subject: Re: Test wave wrap-up

Hume,

Thanks for the calls..

To clarify, Zoom has passed our lab-based certification tests for a retail-only device. As noted before, this means we did not execute physical and environmental tests since these are not devices to be purchased by Comcast. The final phase of certification is the completion of a field soak test, which ensures that nothing unexpected happens. We have had devices pass the lab portion of certification and then encounter issues in the field, which is why this is an important quality check. That being said, if you are under tremendous pressure to get devices into retail, then you may wish to consider the lab testing completion as a conditional approval, which is now only contingent upon a successful field test. Hopefully that can relieve the pressure you may be under, as long as you bear in mind that it is still possible that a severe issue could cause a failure in the field (we'd of course work with you to try to resolve any issues to the extent we can assist). In addition, until the field test is completed, we do not have bootfiles across the entire network so during this phase a device purchased at retail would not yet work anywhere in the network.

Earle

From: Hume Vance <humev@zoom.net>
To: Iveson, Earle
Cc: Livingood, Jason; Griffiths, Chris
Sent: Fri Jun 04 14:46:05 2010
Subject: RE: Test wave wrap-up

Hi Earle,

Thanks for this email.

I'm following up on a voicemail I left a few minutes ago. I'm happy to hear we're moving on to field trials. Does this mean we passed the cert wave?

At the same time, I'm confused. I was unaware of a field trial phase to Comcast's testing. What does this mean relative to when the devices may be attached to the Comcast network? In other words, when can our retail partners start selling the units?

Thanks and regards,

Hume

From: Iveson, Earle [mailto:Earle_Iveson@Cable.Comcast.com]
Sent: Friday, June 04, 2010 1:56 PM
To: Hume Vance
Cc: Livingood, Jason; Griffiths, Chris
Subject: RE: Test wave wrap-up

Hume,

We just did our test results review and with a couple exceptions we have decided to move to field trials with your device. We need to start the process on our end which includes getting a small number of devices out to certain markets for testing. Can we get Zoom to ship us 10 units for this activity? We will then redistribute to two markets (5 each) once those are identified.

Thanks in advance,
Earle

From: Hume Vance [mailto:humev@zoom.net]
Sent: Tuesday, June 01, 2010 11:47 AM
To: Iveson, Earle
Cc: Livingood, Jason
Subject: Test wave wrap-up

Hi Earle,

I hope you had an excellent holiday weekend.

I want to let you know where we are on clarifying the IPv4 vs IPv6 questions, and I want to ask how your schedule looks relative to giving us final word about approval.

We want to do the best possible job for Comcast relative to the IPv4 to IPv6 question. We anticipate code that will address the MPP Override issue very shortly. We have also been working to precisely define IPv4 vs IPv6 behavior w.r.t. the 1.4.0.26 code that is under test.

We have worked with Hitron to refine their test plan relative to IPv4 & IPv6, and to re-test where necessary. They have done this. We simply need to confirm that Hitron is setting Router Advertisement messages with M & O bits set appropriately to indicate whether the CM should request IPv4 or IPv6 Addresses, and that the CM is responding to these messages. I will send the updated plan and results as soon as we have this clarification.

On the second point, as you know, my management is extremely anxious to receive the earliest possible answer relative to Comcast approval. How soon could that be?

Regards,

Hume

Hume Vance
Director, Firmware Engineering
Zoom Telephonics, Inc.
207 South Street
Boston, MA 02111
USA
humev@zoom.com
+1 617 753-0032

EXHIBIT 8

**EXHIBIT CONFIDENTIAL
NOT FOR PUBLIC INSPECTION**

EXHIBIT 9

**EXHIBIT CONFIDENTIAL
NOT FOR PUBLIC INSPECTION**

EXHIBIT 10

**EXHIBIT CONFIDENTIAL
NOT FOR PUBLIC INSPECTION**

EXHIBIT 11

**EXHIBIT CONFIDENTIAL
NOT FOR PUBLIC INSPECTION**

EXHIBIT 12

**EXHIBIT CONFIDENTIAL
NOT FOR PUBLIC INSPECTION**