

Ivan Zatkovich

301 W. Platt St. #365 ■ Tampa, FL 33606 ■ (813) 601-8142 ■ izatkovich@ecompsconsultants.com

Ivan Zatkovich is an eBusiness Director and Technology Consultant specializing in Telecommunications, Network and Mobile Communications. Ivan brings over 30 years experience in a diverse set of technologies including, Security Network and Facility Monitoring, Mobile Geolocation, Secure wireless communications and mobile applications. Ivan has been a testifying expert for over 24 cases including 12 Network and Wireless patent litigation cases.

Mr. Zatkovich has implemented Wireless and Network infrastructure for clients including GTE / Verizon, Bell Canada, Qwest telephone, Deutsche Telekom, Citicorp, GEICO.



Director / Project Manager	13 years	Managed 6 to 35 member teams. Software development, systems Integration, critical path management, PMP/CMM methodologies.
Telecommunications, Mobile / Wireless	11 years	Computer Telephony Integration (CTI) since 1984. Wireless Messaging and Transaction Systems, Cell phone provisioning and updates (Verizon, Bell Canada, PTT Netherlands, and Mercury Communications).
Security Systems	4 years	Security Networks, Remote monitoring, Data System security, forensics analysis of financial transaction encryption/decryption, Incursion testing and detection using MITM.
Expert Witness	9 years	Expert testimony and damage assessment for ecommerce litigation, internet & software copyright, telecommunications. Over 24 cases providing expert reports, depositions, & trial testimony.

Education:

B. S. Computer Science	1980	University of Pittsburgh
Minor in E.E. digital circuit design		
Master's study and thesis in Computer Networks, Results published in Byte Magazine		

Sample Case Experience:

Bear Creek Technologies v. Verizon et.al

Jurisdiction:	Eastern District of Virginia
Client:	Bear Creek
Nature of Case:	Patent Litigation
Nature of Engagement:	Testifying expert, VoIP, IP based integrated voice, media, and data messaging. Infringement report and Deposition.
Represented by:	Cooley Manion Jones
Status:	Pending MDL aggregation

3M Futures South Africa v. STD Bank, MDT telecom

Jurisdiction: South Africa Superior Court, Pretoria
Client: 3M Futures
Nature of Case: Patent Litigation
Nature of Engagement: Testified in South Africa for eCommerce technology, Transaction notification messaging, Credit Card authentication and transaction authorization.

Represented by: Stema Lubbe, Ltd
Status: Court ruled in favor of all 36 Infringement and Invalidity rebuttal testimony points. Defendant is appealing

Nuance Communications v. TellMe Networks (Microsoft)

Jurisdiction: U.S. District Court, Delaware
Client: TellMe Networks, A MicroSoft Subsidiary
Nature of Case: Patent Litigation
Nature of Engagement: Provided expertise in speech recognition, digital signal pattern matching, and call center technology. Performed prior art investigation, provided opinions on patent validity and non-infringement.

Represented by: Patterson Belknap Webb & Tyler, LLP
Status: Expert Reports and deposition completed 2009. Summary Judgment in favor of Defendant 2010.

Ronald A. Katz v. Fifth Third Bank (and expert for 5 other defendants)

Jurisdiction: U.S. District Court, Northern California
Client: Defendants
Nature of Case: Patent Litigation for Call Center, and Telecom technology
Engagement: Expertise in Call center systems for Banking, Mortgage, credit cards. Analyze client call center applications, prepare non-infringement and rebuttal reports.

Status: Open
Represented by: Vorys LLP, Wood Herron and Evans.

Professional Experience:**2000 to
Present****Principal Consultant
eComp Consultants****Tampa, FL**

Provide consulting on design and development of software product development, and ecommerce technology. Provide technology consulting and expert support for telecommunications, internet, and ecommerce applications in the areas of:

- Cybersecurity audit methodology and security incursion testing
- Independent consulting for Alcatel-Lucent (AT&T Bell Labs) to review, recommend, and rate Alcatel's extensive Patent portfolio specifically in the area of telecommunications and web-based ecommerce.
- Patent litigation consulting for telecommunications and internet technology patents.
- Provide mobile geolocation for forensics analysis and event location.
- Development of Mesh Network technology, Mobile GUI interfaces for message routing and notification.
- Commercial websites, search engine, and web marketing strategies.
- Sample clients include: Alcatel-Lucent, LogicLink, NWI Corp, Jones Day, Finnegan Henderson, Fish & Richardson, Cozen O'Connors, Morrison Foerster

2007 to 2008**Global Web Manager
Smith & Nephew Inc.****Clearwater, FL**

Smith & Nephew is a global manufacturer of medical, wound, orthopedic, and surgical supplies. Smith & Nephew has facilities in 33 countries and maintains 35 websites for different product areas and country marketing.

- Designed the Smith & Nephew corporate web architecture for all intranet, extranet, and internet sites.
- Directed a staff of web professionals in developing and managing 35 individual Smith & Nephew websites maintained in the US and 14 countries for both Smith & Nephew clients and internal users.
- Managed and maintain the 650 domains currently owned by Smith & Nephew
- Optimized search engine ranking and website meta tagging.
- Developed corporate technology and IT standards and policies including:
- Created web hosting agreements and IT service contracts (SLAs)
- Defined web development standards
- Researched page ranking, redirection, and domain optimization strategies.

2002 to 2007**eBusiness Director
Eva-Tone Inc****Clearwater, FL**

Eva-Tone is a \$45M commercial multimedia company specializing in ecommerce and marketing solutions, media and content customization, order processing and fulfillment, print & web publishing, CD & DVD manufacturing.

- Set strategic direction of client service offerings in ecommerce and content management.
- Consulted with clients on: web marketing strategy using personalized sales collateral. Defined client profile information to be used to generate customized presentations and brochures.
- Aggressively controlled project scope, managed project timelines, budgets and client expectations.
- Projects proposed and delivered included:

- McGraw-Hill – Enterprise Content Management and automated Web publishing system.
- ProMarine USA – B2B storefront, complex part search, order processing and fulfillment.
- Resource Rabbit – Sales collateral manager. This system retrieves user preferences and client profile information to generate customized electronic presentations and brochures.
- AAA Travel – CRM sales collateral system, instant customized brochures, print-on-demand.

1999 to 2002

eBusiness Engagement Manager
Tanning Technology and IMRGlobal

Tanning Technology is an international systems integrator specializing in network infrastructure and channel integration for financial markets and the insurance industry. Proposed and managed eBusiness and Internet infrastructure projects focused on client and user personalization, data mining, and web marketing practices.

Client web engagements proposed and managed:

- Eckerd Pharmacy – Developed eBusiness and web marketing for personalized client web content.
- GEICO – Developed a personalized policyholder web service that uses clients' account history and demographics to customize product literature for cross-sell & up-sell opportunities.
- Developed Integrated VoIP contact and messaging center, to cross-utilize call center resources for simultaneous Telephone, IVR, Chat room, and Call Back messaging and notification. (Geico Insurance)
- Hartford Insurance – Integrated 3 tier online claims processing & subrogation with legacy systems
- Citicorp Bank – Designed mortgage and loan payment system; managed sale of loan contracts
- Smith Barney – Developed remote access network infrastructure & wireless PDA financial system
- Medwerks – Created medical insurance clearinghouse, MDs centrally process insurance payments

1996 to 1999

Director of Network & Customer Support
Utility Partners, Inc.

Tampa, FL

Utility Partners developed and customized utility company software for scheduling service appointments, assigning and routing mobile workforce (field technicians), and dispatching and coordinating resources during power outages.

- Mobile data integration – Develop cellular and wireless data messaging for Mobile Field devices
- MobileUp – Wireless field dispatching system and Geolocation of mobile devices.
- Developed system and network monitors for real-time client system monitoring
- Received trouble calls & provided live client support for the following applications:
- TroubleUP – Power outage manager
- Smartnom – Web Gas Auction System for private gas auctions
- CAS – Customer Appointment and Call Center application

1987 to 1996

Project Manager: Telecom Software
GTE Data Services (currently Verizon)

Tampa, FL

GTE was an \$8B Telecommunications company and formed the Commercial Services

division to customize their telephone business software to sell to other telephone companies internationally.

- Managed large product implementations for Telecom billing, service order, and Switch management.
- Developed project proposals, and provided client pre-sales support.
- Created project plans, managed resources, and set expectations for customer delivery projects.
- Specific projects managed:
 - Mercury Communication – setup Service Bureau to bill their new intelligent network services.
 - PTT Netherlands – managed \$5M inter-carrier billing project for PTT Netherlands
 - Bell Canada – developed Pricing Plan & Table Management system
 - Deutsche Telekom – designed and developed a German billing prototype system.
 - Received GTE personal best award.

1980 to 1987 Software Engineer / Technical Lead
Digital Equipment Corp.

Maynard, MA

As Technical Lead, led the development of manufacturing automation and control software. Projects Included:

- Supply Chain, CAD/CAM – Designed system to retrieve parts information from circuit board CAD design. Developed a parts ordering system based on expected volumes.
- Pick & place automation – Automatically program IC insertion machines. Developed system to determine IC insertion order, generate machine instructions, and download program to machine.

As Software Engineer for embedded controllers and video subsystems, designed and developed PDP-11 operating system and device drivers.

- Enhanced high-speed DecNet drivers for Synch, Asynch, and Parallel communications.
- Designed/developed disk firmware and drivers for floppy & Winchester disks.
- Developed and enhanced video controller firmware and layered graphics system for PRO-350.
- Developed Computer Telephony Integration (CTI) product for telephone answering machines.

Technical Tools & Environments:

- Unix, Windows, NT, Microsoft .NET, C#, C/C++, VB, Assembler
- Java, Java script, JSP, IBM Websphere, Microsoft Commerce engine, Blue Martini
- SQL, Oracle, Foxpro, DB2, Crystal Reports, Active-Reports, MQ Series, Tuxedo, Documentum, Interwoven

Certifications & Publications:

- Industry Speaker: Internet Publishing standards (Momentum conference)
- Department of Justice: Proposal for internet forensics technology
- IBM Websphere – Certified ecommerce Solutions Expert
- Byte Magazine – Published Network Design articles
- Sync Magazine – Published Programming Techniques and Tutorials
- IEEE SigGraph – Presented ICGS Computer Graphic Standards for IEEE SigGraph conference.

- CMM & PMP – Project management methodologies
- ISO and ANSI – On International ISO and National ANSI Committees for Disk and Media format standards

Ivan Zatkovich - Consulting, Testimony & Publications

Companies consulted for in past 5 years:

- eComp Consultants
- Alcatel – Lucent
- Verisign
- United Illuminating
- Smith & Nephew
- Evatone, Inc
- McGraw Hill
- AAA Travel
- Pro Marine
- Wachovia
- Capitol One
- Network 1 Security Solutions
- **Vaud Advisors Social Media Technology Funds**

Certifications & Publications:

- Industry Speaker: Internet Publishing standards (Momentum conference)
- Department of Justice: Proposal for internet forensics technology
- IBM Websphere – Certified ecommerce Solutions Expert
- Byte Magazine – Published Network Design articles
- Sync Magazine – Published Programming Techniques and Tutorials
- IEEE SigGraph – Presented ICGS Computer Graphic Standards for IEEE SigGraph conference.
- CMM & PMP – Project management methodologies
- ISO and ANSI – On International ISO and National ANSI Committees for Disk and Media format standards

Court Testimony Experience:

- Logiclink v. Keylink, CV07-1056-DOC(MLGx) (C.D. Cal.)
Patent infringement dispute for the Plaintiff, concerning eCommerce for Kiosks for Hotel Business centers. Bench trial: The judge ruled in favor of, and awarded damages to the Plaintiff.
- 3M Future Africa (PTY) LTD v. The Standard Bank of South Africa LTD, MTN Group Limited and MTN Mobile Money SA (PTY) LTD, Case #: Patent 2002/2337 (South African High Court) Testifying expert patent infringement and patent validity for the Plaintiff for Online Payments Technology. Bench trial: Testified on the stand for 2.5 days (bench trial). The judge ruled in favor of the Plaintiff on all points of contention for both Infringement and Patent Validity and cited the expert's opinion in each ruling.
- Kenneth Nkosano Makate v Vodacom, Case number: 08/20980 (SOUTH GAUTENG HIGH COURT, JOHANNESBURG, SOUTH AFRICA)
Testifying Expert with Report and Trial Testimony opining on the viability of Makate's concept idea for the "Buzzing Option" that became the "Please Call Me" product; explain other similar concepts used by other service providers and how other business would reward for such a concept that significantly increase revenue and profit for the company. Technology in this case was Unstructured Supplementary Service Data (USSD) a protocol used by GSM cellular telephones to communicate with service provider's computers. USSD can be used for WAP browsing, prepaid callback service, mobile-money

services, location-based content services, menu-based information services, and as part of configuring the phone on the network. The judge ruled that Makate should be granted an arbitration hearing to receive compensation for his invention.

- *Black Hills Media, LLC v. Samsung, et al.* INV# 337-TA-882 [ITC case]
Samsung, LG, Panasonic, Toshiba, Sharp
Testifying Expert on infringement and patent validity for the plaintiff, regarding media streaming, playlists, and geolocation technology. Testified at the ITC hearing. The ITC administrative judges ruled that the accused products did meet the limitation of the claims, but were not in an infringing state at the time of importation.
- *Swapalease, Inc. v. Sublease Exchange.com, Inc.*, 1:07 CV 00045-SSB (S.D. Ohio 2007)
Expert for Plaintiff on infringement for the Plaintiff. Patent litigation involving online auto leasing technology. Testified at Markman Hearing. The judge accepted 3 out of 5 of the Plaintiff's claim constructions.
- *Holt Holt v US Government* – Criminal Cell phone forensics - Testifying expert for the defendant on cell phone location and source of illegal material on the defendant's device (27 counts). Jury Trial: Testified that the source of 20 of the illegal items was not as a result of the defendant's actions, therefore the jury only found the defendant guilty of 7 counts of illegal material vs. the original 27 counts.
- *CertusView v. Securix*, 2:13-cv-346 (MSD) (LRL) (Virginia)
Testifying Expert regarding geolocation. U.S. PATENT # 8,265,344, 8,290,204, 8,340,359, 8,407,001, AND 8,532,341. Testifying Expert in inequitable conduct trial concerning impact of undisclosed prior art.

Case History:

Within the past five years, I have testified and/or provided expert services in the following matters (the underlined party identifies which party I was retained by):

- *Bid For Position v. AOL, Google, Microsoft, MIVA, et al.* 2:07-cv-582 JBF/TEM (E.D. VA 2010) (settled 2008)
Expert for Defendant MIVA on Patent Invalidity for Internet Search Engine technology. Provided expert invalidity report regarding the auctioning of keywords in paid searches.
- *Imboff Associates v. America's Criminal Defense* (S.D. CA) (settled 2009)
Expert for Defendant ACD for accused Internet Search Engine mis-direction (fraud). Provided expert consulting and identified the unintentional actions of the defendant which caused the search mis-direction.
- *Zamora v. CBS Radio et al.* 09-20940-CIV-MORENO (S.D. FL 2010) (settled 2010)
Last.fm, Ltd., CBS Radio, Inc., CBS Corp., Slacker, Inc., Pandora Media, Inc., Rhapsody America LLC, Realnetworks, Inc., DKCM, Inc., AOL, LLC, Accuradio, LLC, Yahoo! Inc. and Soundpedia, Inc.
Expert for Plaintiff on Patent Infringement for Internet Radio Technology. Provided expert report and deposition regarding the use of streaming media and Web Radio players.
- *Nuance v. Tellme (a Microsoft subsidiary)* C.A. No. 06-105-slz (S.D. Del 2009) (settled 2010)
Expert for Defendant on Speech Recognition software. Provided expert report and deposition on non-infringement and invalidity for speech recognition used in automated phone directories.

- *TGIP, Inc. v. IDT*, 512 F. Supp. 2d 727 (E.D. Tex. 2007) (settled 2007).
Expert for Defendant on non-infringement. Patent and prior art dispute concerning call processing center and service provisioning in which I analyzed telephone network, call processing center, and call routing patents; developed detailed non-infringement chart; and rebutted plaintiff's expert.
- *Swapalease, Inc. v. Sublease Exchange.com, Inc.*, 1:07 CV 00045-SSB (S.D. Ohio 2007) (Pending)
Expert for Plaintiff on infringement. Patent and prior art dispute concerning commercial auto lease web site. Expert infringement report, testified at *Markman* Hearing.
- *Ronald A. Katz v. DHL Express*, 2:2007 CV 02192 (N.D. Cal.)
Patent infringement dispute concerning call processing center and call routing patents. Developed non-infringement reports and deposed.
- *Ronald A. Katz v. Cox Communications*, 2:2007 CV 02299 (N.D. Cal.)
Patent infringement dispute concerning call processing center and call routing patents. Developed non-infringement reports and deposed.
- *Ronald A. Katz v. Earthlink*, 2:2007 CV 02325 (N.D. Cal.). Patent infringement dispute concerning call processing center and call routing patents. Developed non-infringement reports and deposed.
- *Ronald A. Katz v. Fifth Third Bank*, 2:2007 CV 04960 (N.D. Cal.)
Patent infringement dispute concerning call processing center and call routing patents. Developed non-infringement reports and deposed.
- *Ronald A. Katz v. Huntington National Bank*, 2:2007 CV 04960 (N.D. Cal.)
Patent infringement dispute concerning call processing center and call routing patents. Developed non-infringement reports and deposed.
- *Ronald A. Katz v. Echostar*, 2:2007 CV 06222 (N.D. Cal.) (pending)
Patent infringement dispute concerning call processing center and call routing patents. Developed non-infringement reports and deposed.
- *ABC v. ENC, CISCO, WebEx communications, et.al.*, H-06-1032 (S.D. TX.)
Patent infringement dispute concerning computer remote control, remote command processing, and remote communication. Developed non-infringement and invalidity rebuttal reports and deposed.
- *Logiclink v. Keylink*, CV07-1056-DOC(MLGx) (C.D. Cal.)
Patent infringement dispute concerning eCommerce for Kiosks for Hotel Business centers. Developed infringement report and invalidity rebuttal report. Trial Testimony.
- *eBay v. IDT corp*, IDT 4:08-cv-4015-HFB (W.D. Ark) (settled 2010)
Patent infringement. Perform analysis of Voice Over IP providers and prior art candidates; provide non-infringement (suit) and infringement (counter suit) expert reports.
- *i2 Technologies, Inc. v. Oracle Corporation*, 6:09-CV-194-LED (E.D. Tex)
Patent infringement, testifying expert for Supply Chain Management software, Manufacturing Automation, and Sales projection system software. Provide infringement and Invalidity rebuttal.
- *IslandIP Inc. v. Deutsche Bank Corporation*, 1:09-cv-04673-VM (S.D. NY)
Patent infringement, testifying expert for Financial Transaction, Omnibus account consolidation and settlement for Banks and Broker Dealers. Provide infringement and Invalidity rebuttal reports.

- *3M Future Africa (PTY) LTD v. The Standard Bank of South Africa LTD, MTN Group Limited and MTN Mobile Money SA (PTY) LTD*, Case #: Patent 2002/2337 (South African High Court)
Patent infringement, testifying expert for Online Payments Security. Provide infringement, validity and trial support.

- *Cohen v. US*, 07-154-C (U.S. District Court of Federal Claims)
Copyright infringement testifying expert for Cohen. US Government FEMA distributed copy righted documents without Cohen's knowledge or approval. Provide expert report, damages and deposition.

- *SFA v. 1-800-Flowers, et.al*, 6:2009-cv-00340-LED (E.D. Tex)
- *SFA v. Barnes & Noble, et.al*, 6:2011-cv-00399-LED (E.D. Tex)
1-800-Flowers.com, Inc., The Plow & Hearth, Inc., including D/B/A Wind & Weather, Inc., The Popcorn Factory, Inc., Winetasting Network, Inc., The Children's Group, Inc., Problem Solvers, Inc., Barnes & Noble, Inc., Barnesandnoble.com LLC, Blockbuster, Inc., BUILD-A-BEAR WORKSHOP, INC., CDW Corporation GameStop, Corp., GameStop, Inc., GameStop.com, Inc., Gander Mountain Company, Overton's, Inc., J & R Electronics, Inc., Newegg, Inc., Newegg.com, Inc. Northern Tool & Equipment Company, Inc., Northern Tool and Equipment Catalog Co. Office Depot, Inc., Omaha Steaks International, Inc., OmahaSteaks.com, Inc. The Timberland Company, Tupperware Brands Corporation, Tupperware.com, Inc.
Patent infringement, for Computerized Sales Force Automation System. Testifying expert for joint invalidity (9 defendants) and non-infringement (5 defendants).

- *Bloom v. Intuitive*, 06 CV 6301 (S.D. NY)
Software contract dispute, testifying expert concerning Document Management and Publishing for Pharmaceuticals and Regulatory agencies. Comparison of product features and software reuse.

- *Dallal v. New York Times*, 1:2003-cv-10065 (S.D. NY) (settled 2008)
Testifying Expert, Deposition, for Web Copyright. Provided expertise in standard media publishing practices, content licensing, and web content customization.

- *LA Times v. Software AG*, 2:2007-cv-01289-SVW-JWJ (C.D. Cal.) (settled 2008)
Testifying Expert in Network & Database Software licensing dispute. Prepared expert report and deposition on software licensing practices.

- *Bear Creek Technologies v. Verizon Services Corp.*, 1:11-cv-00880-TSE -JFA (E.D. Virginia)
Testifying Expert, provided infringement and invalidity of VoIP related patents.

- *Cequint v. Apple*, 1:2011-cv-01224 (Wilmington) (pending)
Testifying Expert. Performed code review of Cequint's City ID Software product to determine if and how they are practicing the key limitations of the patents-in-suit focused on Caller ID, CND Messages, City, State lookups, WAP interfaces, Database synchronicity (automatic update of database), Display of incoming caller information and Call Answer and set-up code.

- *Tel-tron Corporation v. Stanley Security Solutions d/b/a Stanley Healthcare Solutions*, 6:2011-cv-01448 (M.D. Florida)
Testifying Expert regarding network systems for displaying data relating to emergency call systems.

- *Microsoft v 5R Processors, LTD. and Thomas Drake*, 3:12-cv-00263-slc, (W.D. Wisconsin)
Testifying Expert. Evaluate the Microsoft Windows Professional XP OEM Licensing Agreement and Microsoft Refurbished PC Licensing Guidelines and opine on 5R adherence.

- *Walker Digital, LLC v. Fandango, Inc., et al.*, 1:11-cv-00313-SLR (Delaware)

Facebook Inc., Fandango, Inc., Expedia, Inc., Amazon.com, Inc., American Airlines, Inc., eBay Inc., and Zappos.com, Inc.

Testifying Expert regarding e-commerce, shopping carts, e-marketing, and the promotion of financial products such as credit and debit cards for retail, business-to-business (“B2B”), and financial industries. Provided Infringement (Amazon, Expedia, Zappos) Reports and Invalidity Rebuttal Report.

- *Trialcard v. P.S.K.W. & Associates*, 3:11-cv-05693-FLW-TJB (New Jersey)

Testifying Expert for patent re-exam concerning eCommerce technology based on a method of dispensing, tracking, and managing pharmaceutical products by communicatively linking prescribers and pharmacies to a central computing system

- *Catalina Marketing Corporation v. Coupons, Inc.*, JAMS Reference No. 11000654507 (San Francisco)

Testifying Expert to analyze the following Coupons systems, Microsite System & Brandcaster™ System and determine if either system is an “Infringing Capable System”. Provided Expert Report and Mediation Trial support.

- *AKH Co., Inc. v. The Reinalt-Thomas Corp. & Southern California Discount Tire Co., Inc.*, SACV10-1626 CJC

Testifying Expert regarding trademark infringement & cybersquatting. Provided Expert Report and deposition.

- *Soverain v. Euromarket Design*, et al. 6:12-cv-00145-LED (E.D. Texas) (pending)

Testifying Expert regarding e-commerce systems/online shopping carts technology.

- *e-LYNXX Corporation v. InnerWorkings, Inc., et al.* 1:10-CV-2535 (M.D. PA)

InnerWorkings, Standard Register, Cirqit.com and R.R. Donnelley & Sons Co.

Testifying Expert regarding supply chain, custom print jobs, matching job requirements to vendors technology. Provided Infringement, Invalidity and Non Infringement Rebuttal Reports and deposition.

- *Joao Bock Transaction Services v. USAmeribank, et al.*, 8:11-cv-00887-MSS-TGW (Tampa)

USAmeribank, Everbank and BankFirst

Testifying Expert regarding secure transactions on electronic financial accounts.

- *Lodsys v. Brother Intl Group et al.*, 2:11-cv-90(JRG) (E.D. Texas)

Brother Intl Corp, Canon U.S.A., Inc., Hewlett-Packard Company, Hulu, LLC, Lenovo (United States) Inc.

Lexmark International, Inc., Motorola Mobility, Inc., Novell, Inc., Samsung Electronics Co., LTD.,

Samsung Electronics America, Inc., Samsung Telecommunications America, LLC, Trend Micro Incorporated

Testifying Expert regarding interactive media enabling CRM technology. Provided Invalidity Rebuttal Reports and deposition testimony.

- *Progressive v. State Farm, et al.* CBM2012-00003, CBM2013-00004

State Farm Insurance, Hartford Insurance, Liberty Mutual Insurance, Safeco Insurance, Ohio Casualty Insurance, Open Seas Solutions, Octo Telematics

Testifying Expert regarding e-Commerce and vehicle telematics systems. Provided Patent Re-exam Declarations.

- *Black Hills Media, LLC v. Samsung, et al.* INV# 337-TA-882 [ITC case] (pending)

Samsung, LG, Panasonic, Toshiba, Sharp

Testifying Expert regarding Google Latitude running on smartphones and smart phones running software which can direct the streaming of content between, for example, a laptop and a TV or Blu-ray player. Providing device analysis and code review, Infringement Reports and Rebuttal Reports.

- *Rembrandt Social Media, LP v. Facebook, Inc. and ADDTHIS, Inc.*, 1:13cv158 (TSE/TRJ) (Virginia)

Testifying Expert regarding social media user content and 3rd party interaction -the diary page and "Like" feature. Provided Non Infringement Report and deposition.

- *Indacon, Inc v. Facebook, Inc.* 5:130cv966-OLG (TX)

Testifying Expert regarding automated creation of user-defined hyperlinks in a database. Provided Non Infringement Report and deposition.

- *GeoTag, Inc v. Frontier Communications Corp. et al.* 2:10-cv-00265 (TX) [Multiple cases]

Macy's, Genesco, AGCO Corp., The Rockport Company, LLC., Hennes & Mauritz LP (H&M), Gander Mountain Company, Godiva Chocolatier, DSW, National Interlock Systems

Testifying Expert regarding e-Commerce, Geo location, store locator based technology. Provided Non Infringement Reports for multiple defendants.

- *CareerFairs.com v. United Business Media, LLC, et al.*, 11-20329-CIV-KING (S.D. Florida)

Testifying Expert regarding videoconferencing, virtual career fairs technology.

- *Transauction LLC v. eBay Patent 7343339* 3:2009cv03705 (N.D. CA)

Expert regarding computerized electronic auction payment systems.

- *Ameranth v. Six Continents Hotels*, 09-CV3819 (GA)

Testifying Expert regarding Internet Advertising & Website Technology. Expert Report and deposition.

- *Carolina Power & Light Company v. Aspect Software* 5:08-cv-00449-BO (E.D. NC)

Testifying Expert in telecommunications technology.

- *Dominion v. Aspect Software*, 3:08-cv-00737-REP (Virginia)

Testifying Expert in telecommunications and IVR call processing. Provided expert declaration and testimony.

- *ComplementSoft v. SAS Institute*, 12-C-7372 (N.D. IL)

Expert regarding software development tools, database manipulation, SAS programming.

- *Moricz v. Google*, 10-cv-01240-RSL (Seattle)

Expert regarding use of deep search methodology. Claim Construction support.

- *Media Rights Technologies v. Capital One, et al.*, 1:13cv476-AJT/TRJ (Virginia)

Expert regarding secure internet Banking System technology USPatent# 7316033.

- *CertusView v. S&N*, 2:13-cv-346 (MSD) (LRL) (Virginia)

Testifying Expert regarding geolocation. U.S. PATENT # 8,265,344, 8,290,204, 8,340,359, 8,407,001, AND 8,532,341.

- *Bright Edge v. SearchMetrics*, 3:14cv-01009 (San Francisco)

Testifying Expert regarding search optimization, USPatent# 8478700, USPatent# 8478746.

- *Black Hills Media, LLC v. Sonos*, 2:14-CV-00486 SJO (PJWx) (California Western Division)

Testifying Expert regarding delivery of stored and streaming audio content over wide-area and local area networks. U.S. PATENT # 6,757,517, 7,236,739, 7,742,740 and 6,826,283

- *Yamaha Corp of America v. Black Hills Media, LLC*, IPR2013-00593, IPR2013-00594, (PTO)

Testifying Expert regarding software which can direct the streaming of content between devices, for example, a laptop and a TV or Blu-ray player. Providing Inter Partes Review Declaration Reports. U.S. PATENT # 8,050,652, 8,045,952

- *Samsung Electronics, et al. v. Black Hills Media, LLC*, IPR2014-00737, IPR2015-00334, IPR2014-00740, IPR2015-00340, IPR2014-00735 (PTO)

Testifying Expert regarding software which can direct the streaming of content between devices, for example, a laptop and a TV or Blu-ray player. Providing Inter Partes Review Declaration Reports. U.S. PATENT # 8,050,652, 8,045,952, 6,618,593

- *GT Nexus v Intra, Inc.*, 4:11-cv-02145-SBA (California Northern Division)

Testifying Expert regarding networks & systems used for logistics management. Provided Declaration for CBM petitions. U.S. Patent No. 7,761,387, 7,752,142, 7,827,119, 7,756,794

- *MyKey Technology, Inc. v. Intelligent Computer Solutions, Inc.*, 2:13-ml-02461-AG (PLAx) MDL NO. 2461 (Central California Southern Division)

Testifying Expert regarding hard drives and other mass storage devices, how to access "hidden" storage and cleaning a disk. Provided Validity Rebuttal and MSJ Declaration. U.S. Patent No. 6,813,682, 7,228,379

- *Biosignia Inc. v. Life Line Systems*, 1:12-cv-01129-UA-JEP (MDL NC)

Testifying Expert regarding Contract Dispute concerning Health Risk Assessment System.

- *Kenneth Nkosano Makate v Vodacom*, Case number: 08/20980 (SOUTH GAUTENG HIGH COURT, JOHANNESBURG, SOUTH AFRICA)

Testifying Expert with Report and Trial Testimony opining on the viability of Makate's concept idea for the "Buzzing Option" that became the "Please Call Me" product; explain other similar concepts used by other service providers and how other business would reward for such a concept that significantly increase revenue and profit for the company. Technology in this case was Unstructured Supplementary Service Data (USSD) a protocol used by GSM cellular telephones to communicate with service provider's computers. USSD can be used for WAP browsing, prepaid callback service, mobile-money services, location-based content services, menu-based information services, and as part of configuring the phone on the network.

- *Parus Holdings, Inc. v. Airtran Airways, Inc., et al.*, 8:11-cv-01685 (MDL FL)

Testifying Expert regarding expertise in voice recognition, isolated word recognition, natural speech recognition, unified messaging systems, interactive voice response systems, and travel reservation systems for invalidity analysis report. Provided invalidity report.

- *Versata Software, Inc. et al. v. Callidus Software Inc.*, C.A. No. 1:10-cv-00781-SLR (Delaware)

- *Versata Software, Inc. et al. v. Callidus Software Inc.*, C.A. No. 1:12-cv-00931-SLR (Delaware)

Testifying Expert regarding expertise in sales force automation, workflow analysis, process automation, event management and detection, rules based systems. Provided analysis for infringement report.

- *BuySafe v. Google*, 3:13-cv-00781-HEH (Richmond, VA)

Testifying Expert regarding patent litigation concerning eCommerce specifically to determining the efficacy (effectiveness, strength, success, etc.) of offers that are related to online transactions. The efficacy is determined based on a user's actions in the online environment.

- *Phoenix v. General Motors*, 2:13-cv-1093 (ED Texas)

Testifying Expert regarding patent litigation concerning US Patent 5,987,434 - Apparatus and method for transacting marketing and sales of financial products, US Patent 7,890,366 - Personalized communication documents, system and method for preparing same, US Patent 8,352,317 - System for facilitating production of variable offer communications.

- Macropoint v. FourKites, 1:15-cv-01002 (ND Ohio)

Testifying Expert regarding patent litigation concerning U.S. Pat. Nos. 8,604,943, 9,070,295, 9,082,097, 9,082,098, and 9,087,313. At a very high level, the patents are directed to methods and systems for monitoring and tracking the location of a vehicle or freight in transit. Evaluated the claims of the asserted patents to opine on whether the claims are: 1) directed to an abstract idea, and 2) in the event the court would find the claims directed to an abstract idea, how the limitations of the claims transform that abstract idea into patentable subject matter based on the Supreme Court Alice decision being barely a year old.

- Longitude v. Apple, 3:14-cv-04275 (San Francisco)

Testifying Expert regarding patent litigation concerning Flash Memory Technology. Provided claim construction support.

- Global Tel Link Corp. v. Securus Technologies, Inc., CBM2015-00145 (US PTAB)

Testifying Expert regarding a CBM concerning the 7,860,222 patent titled “Systems and Methods for Acquiring, Accessing, and Analyzing Investigative Information,” generally directed to acquiring, accessing, and analyzing investigative information or phone call monitoring using speech recognition/transcription of inmates within a jail.

- Global Tel Link Corp. v. Securus Technologies, Inc., IPR2015-01222 (US PTAB)

Testifying Expert regarding an IRP concerning the patent 8,750,486 titled “Call Center for offering goods and services to an inmate population,” generally directed to acquiring, accessing, and analyzing investigative information or phone call monitoring using speech recognition/transcription of inmates within a jail.

- Global Tel Link Corp. v. Securus Technologies, Inc., IPR2015-01225 (US PTAB)

Testifying Expert regarding an IRP concerning the patent 8,886,663 titled “Multi-party Conversational analyzer and logger,” generally directed to acquiring, accessing, and analyzing investigative information or phone call monitoring using speech recognition/transcription of inmates within a jail.

- CaptionCall v. Ultratec, Inc., IPR2015-01355 (5,974,116), IPR2015-01357 (6,934,366), IPR2015-01358 (7,006,604), IPR2015-01359 (6,493,426), IPR2015-00636 (8,917,822), IPR2015-00637 (8,908,838) (US PTAB)

Testifying Expert regarding IPRs concerning call routing/switching that happens when a deaf or hearing impaired individual makes a phone call.

- Centrak, Inc. v. Sonitor Technologies, Inc., 14-183-RGA (Delaware)

Testifying Expert regarding patent litigation concerning an application on a smart phone which allows a person to walk into a hospital, have infrastructure pick up patient information and send it to say, an MRI office, so office is ready for the patient when patient arrives. Expertise in low energy blue tooth and way finding and Ultrasonic Tags communicate with Stations. Provided infringement report and invalidity rebuttal.

- Intellectual Ventures II LLC v. T-Mobile USA, Inc., et al., C.A. No. 13-1633-LPS (D. Del.);

Intellectual Ventures II LLC v. Nextel Operations, et al., (on behalf of Sprint) C.A. No. 13-1635-LPS (D. Del.); Testifying Expert regarding non-infringement of US Patent No. 6,115,737 and the 5,339,352 concerning accessing customer contact services over a network and a Directory assistance call completion via mobile systems.

- Askeladden LLC v. N5 Technologies LLC IPR2017 – 7,197,297;

Testifying Expert regarding IPR of US Patent No. 7,197,297 concerning mobile messaging and authentication of mobile device users.

- Askeladden LLC v. Verify Smart Corp. IPR2017 – 8,285,648;
Testifying Expert regarding IPR of US Patent No. 8,285,648 concerning electronic transactions and authentication of customers using mobile devices.

Expert Consulting Experience:

- Uniloc v Autodesk, 2:15-cv-01187 (ED Texas)
Consulting Expert regarding non infringement of US Patent No 7783,523 & 8,515,820 concerning systems that facilitated the pricing of construction projects.
- Bellsouth v American Infoage, Sago Data Center (Atlanta)
Consulting Expert regarding contract dispute where Bellsouth claims they are entitled to easement / free space and power in Sago Data Center. Providing consulting expertise on telecommunication acts, and LEC / CLEC regulation and Data Center practices.
- Kashless v BuyWithMe, 2:11-cv-00293-MJP (Seattle)
Consulting Expert regarding eCommerce Coupon Pricing - 6 Patents involved
- eWin Win v Groupon, 8:10-CV-02678-SCB-AEP (Tampa)
Consulting Expert regarding patent litigation concerning eCommerce on Pricing Models.
7593871 - Multiple Price Curves & Attributes
7693748 - Price & Volume Schedule
7689469 - eCommerce Volume Pricing
7747473 - Demand Aggregation

