

## Bruce D. Abramson, Ph.D., J.D.

[bdabramson@gmail.com](mailto:bdabramson@gmail.com)

phone: +1-646-688-4157

### Overview

Experienced technologist, economist, and attorney with a multidisciplinary practice representing clients in litigation, negotiation, growth, technology assessment, merger, and regulatory settings. Expertise includes valuing intellectual property and other asset classes; assessing damages and royalties; evaluating and deploying patents, products, digital copyrights, and technologies; devising growth strategies; drafting licenses, contracts, and patents; determining and predicting competitive effects and market responses; modeling and analyzing complex data; assembling and managing cross-functional teams; facilitating communication among engineering, management, and legal teams; marketing and cultivating client relationships; teaching, research, and public speaking; publishing books and articles on technology, business, and law. Career highlights include:

- Devising and implementing a strategy that secured a seven figure patent settlement for small inventor.
- Enabling divestiture of an asset blocking a merger valued over fifty billion dollars, securing clearance for the deal.
- Obliterating plaintiff's damage theory in litigation, reducing client defendant's exposure by 99%.
- Altering major oil company's approach and behavior in political risk assessment.
- Securing an assessment of zero damages for unindicted co-conspirator in a complex price-fixing case.

### Experience

#### **Keystone Strategy, LLC** (2014–present)

*Senior Expert* | Expert Witness, Technology and Economic Consultant

- Attracted law-firm clients to the expert witness practice of a major strategic and economic consulting firm.
- Testified on a range of technical and economic issues, including both damages and the infringement of intellectual property rights involving software, business methods, and the Internet.
- Provided consulting services to a range of firm clients in matters involving valuation, intellectual property analysis, and strategy.

#### **Informationism, Inc.** (2004–present)

*CEO* | Strategic Counsel, Expert Witness, and Research Lead

- Built a solo practice generating hundreds of thousands of dollars in annual revenues melding legal, strategic, and technical advising.
- Defended litigation clients against claims spiraling into many hundreds of millions of dollars, typically generating favorable confidential settlements at a small fraction of plaintiff's demands.
- Secured sizable confidential settlements for litigation plaintiffs.
- Published books, articles, and monographs about the interplay among technology, business, law, and public policy. Keynoted international conferences by invitation from their sponsors.
- Mediated numerous disputes to successful resolutions favorable to both parties.
- Helped major research universities, governments, and intergovernmental agencies refine and revise IP policies.
- Collaborative appointments have included: Senior Consultant at Charles River Associates; Expert at Rosenfarb, LLC; Counsel at Cittone & Chinta, LLP; and Mediator at SEEDS.
- Prominent clients include: the World Bank; Rensselaer Polytechnic Institute; Technical Chamber of Greece; Sheppard Mullin; Quinn Emanuel; DLA Piper; Alston & Bird; Turner Boyd; Wiley Rein; Rosen Saba; Foley & Lardner; Hantman and Associates; the Electronic Frontier Foundation; and the Alameda County, CA Courts.

#### **Rimon, P.C.** (2011–2014)

*Partner* | IP Advisory and Litigation Services

- Devised and deployed factual analyses for litigation clients. Settled numerous matters on confidential terms that clients deem strongly favorable.
- Drafted and critiqued contracts, licenses, and patents that meld technical, legal, and business concerns. Provided the mechanisms necessary for clients to secure millions of dollars of business.
- Attracted, recruited, and served clients generating significant firm revenues.

#### **United States Court of Appeals for the Federal Circuit (2003-2004)**

*Clerk* | Chambers of the Hon. Arthur J. Gajarsa

- Wrote over forty bench memos to help a Federal Appeals Court Judge prepare for oral argument and decide cases relating to a broad range of legal issues in intellectual property, international trade, claims against the U.S. government, veterans affairs, personnel, and other areas of the law.
- Drafted a dozen recommended legal opinions for a Federal Appeals Court Judge tasked with writing for the Court in cases involving patents, digital copyrights, antitrust, government contracting, veterans' affairs, tax, takings, and personnel. Worked closely with the Judge on both substance and presentation, and helped usher the opinions through the panel process to successful publication.
- Prominent cases included: *The Chamberlain Group, Inc. v. Skylink Technologies, Inc.*, 381 F.3d 1178 (Fed. Cir. 2004); *SmithKline Beecham Corp. v. Apotex Corp.* 365 F.3d 1306 (Fed. Cir. 2004); and *Unitherm Food Sys. v. Swift-Eckrich, Inc.*, 375 F.3d 1341 (Fed. Cir. 2004).

#### **Charles River Associates, Inc. (2000-2003)**

*Principal* | Valuation, Antitrust, and Technology Economist

*also: Consultant*, Competition (1998-2000); *Senior Consultant*, Competition & IP (2004-2014)

- Generated over four million dollars in revenues for major consulting firm;
- Devised and implemented valuation strategies for plaintiffs and defendants in lawsuits involving billions of dollars, including several bet-the-company cases;
- Gained regulatory clearance for clients seeking to complete multi-billion dollar mergers;
- Provided critical industry analyses to regulatory agencies involved in restructuring critical economic sectors;
- Managed and supervised teams of junior analysts within a matrixed organization.
- Prominent clients included: Procter & Gamble, HotJobs, AOL, RealNetworks, Bandag, Pitney Bowes, IBM, Northrop, Duke Energy, and Neopost.
- Also maintained contracting affiliations as a Consultant (1998-2000) and as a Senior Consultant (2004-14).

#### **Gordian Solutions, Inc. (1996–2000)**

*President* | Economic and Technical Consultant, and Research Lead

- Applied advanced techniques for data extraction, data integrity, and quantitative analysis to legal issues in support of litigation experts opining about hundreds of millions of dollars.
- Proved an assessment of zero damages against an unindicted co-conspirator client in a complex price-fixing case.
- Explored the applicability of innovations from Artificial Intelligence and Decision Analysis to the energy, environmental, and defense sectors. Obtained hundreds of thousands of dollars in research grants.
- Supervised teams of analysts involved in the collaborative preparation of economic expert reports.
- Prominent clients/collaborators included Carnegie Mellon University (as an adjunct Professor of Engineering and Public Policy), The Brattle Group, and Charles River Associates.

#### **Cambridge Research Associates, Inc. (1994-96)**

*Director* | Economic and Policy Analysis, Defense Conversion

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- Managed the engineering team conducting a process-oriented review of advanced military logistics. Developed a simulation system useful in identifying bottlenecks in logistical planning, and in deriving recommendations for speeding troop preparedness and deployment under a six-figure government contract.
- Identified defense conversion opportunities for projects that employed flight simulation and process simulation in the trucking, oil drilling, and commercial satellite industries capable of generating millions of dollars in additional revenues.
- Prepared a political security analysis for an American-allied air force subject to a multi-million dollar contract.

#### **Information Extraction and Transport, Inc. (1993-94)**

*Principal Scientist* | Advanced Computing and Military Intelligence

- Conducted technical and scientific research working primarily on ARPA (the Advanced Projects Research Agency) projects. Contributed to proposals necessary to secure government funding in the millions of dollars.
- Served as key member of scientific team developing Bayesian techniques to coordinate intelligence derived from numerous sources with varying degrees of credibility. Worked closely with both engineers and intelligence analysts.

#### **University of Southern California (1987-93)**

*Assistant Professor* | Department Computer Science, Social Science Research Institute

- Taught graduate and undergraduate courses in computer programming, artificial intelligence, decision analysis, and expert systems. Received a university-wide award for projects in innovative teaching.
- Pioneered research on heuristic search techniques; the use of both classical and Bayesian statistics in the design of search algorithms; techniques for generating automated consensus drawn from divergent data sources; and the applicability of structured interviewing techniques first developed for small-scale problem solving into spaces containing tens of thousands of variables.
- Applied cutting-edge research to develop full-blown simulation systems for predicting price movements in the oil markets, and for forecasting severe summer storms.
- Prominent collaborators included the Atlantic Richfield Company, the National Oceanic and Atmospheric Administration, Arthur Andersen & Co., and Putnam, Hayes & Bartlett.

#### **Education**

J.D.	Georgetown University Law Center, 2000
Ph.D.	Computer Science, Columbia University, 1987
M.S.	Computer Science, Columbia University, 1985
B.A.	Computer Science and Mathematics, Columbia University, 1983

#### **Certifications, Registrations, Admissions**

Certificate in Mediation	University of California, 2009
Registered Patent Attorney	United States Patent and Trademark Office, 2013
Admitted to the Bars of	California, 2000; District of Columbia, 2001; New York, 2013

#### **Academic Honors and Awards**

- Graduated *magna cum laude*, Georgetown University Law Center (2000)
- Elected to the Order of the Coif, Georgetown University Law Center (2000)
- *Fellow*, Institute for International Economic Law, Georgetown University Law Center (1999–2000)
- John M. Olin Prize in Law and Economics, Georgetown University Law Center (1999)
- *Fellow*, John M. Olin Foundation for Law and Economics, Georgetown University Law Center (1998–99)

- CALI Awards for Excellence (4) in the study of Administrative Law; Law and Economics; Constitutional Law; and Antitrust Economics and Law, Georgetown University Law Center (1999–2000)
- Editorial Staff, *Georgetown International Environmental Law Review* (1998–2000)
- Resident Faculty Fellow, University of Southern California (1990–93)
- Projects in Innovative Teaching Award, University of Southern California (1989)
- Graduate Fellow, Columbia University Department of Computer Science (1983–87)
- Dean’s List, Columbia University, every undergraduate semester (1980–83); and Georgetown University Law Center, every year of law school (1998–2000).

### Books, Monographs, and Volumes

- *The Secret Circuit: The Little-Known Court Where the Rules of the Information Age Unfold* (Rowman & Littlefield, 2007).
- *India’s Journey Toward an Effective Patent System*. Policy Research working paper no. WPS 4301 (World Bank, 2007).
- *Digital Phoenix: Why the Information Economy Collapsed and How it Will Rise Again*. (MIT Press, 2005) (Simplified Chinese version, ShangHai Yuandong Press, 2008).
- Probability Forecasting. Edited with Robert Clemen. Special issue of the *International Journal of Forecasting* 11(1), 1995.
- The Expected-Outcome Model of Two-Player Games. Part of the series, *Research Notes in Artificial Intelligence* (Morgan Kaufmann, 1991).

### Scholarly Articles\*

- Trolling Around the Patent/Antitrust Interface: The Roots of the NPE Challenge and the Role of Antitrust in Patent Reform. *The Antitrust Bulletin* 59:2, Summer 2014.
- Patent Strategy in the Modern Economy. *The Licensing Journal*, 34(2): 12-18, Feb. 2014.
- Preventing and Predicting Software License Disputes, *SRR Journal*, Spring 2011, 107.
- Are “Online Markets” Real and Relevant? From Monster/Hotjobs to Google/DoubleClick, *Journal of Competition Law and Economics* 2008; doi: 10.1093/joclec/nhn026, 2008.
- Topics in Medical Economics: Medical Malpractice (with Joseph Bernstein and Duncan MacCourt) *Journal of Bone and Joint Surgery*, 90:1777-1782, 2008.
- Intellectual Property and the Alleged Collapsing of Aftermarkets. *Rutgers Law Journal*, 38: 399-472, 2007.
- Phoenix Rising over the Aegean? Economic Lessons of the Early Information Age, In *ΣΥΝΕΔΡΙΟ ΤΕΕ ~ Ελληνική Βιομηχανία: προς την οικονομία της γνώσης* (Technical Chamber of Greece, 2006).
- The Move to Counter the Move to Counter Fair Use. Available at SSRN: <http://ssrn.com/abstract=2119664>, (TPRC, August 15, 2005).
- The Fettered Liberty to Integrate: Legal Implications of Software Engineering. With Dmitri Mehlhorn. *Boston University Journal of Science and Technology Law*, 10: 209-224, 2004.
- From Investor Fantasy to Regulatory Nightmare: Bad Network Economics and the Internet’s Inevitable Monopolists. *Harvard Journal of Law and Technology*, 16: 159-228, 2002.
- Promoting Innovation in the Software Industry: A First Principles Approach to Intellectual Property Reform. *Boston University Journal of Science and Technology Law*, 8: 75-156, 2002.
- Analyzing Antitrust Analysis: The Roles of Fact and Economic Theory in Summary Judgment Adjudication. *Antitrust Law Journal* 69: 303-343, 2001.
- Blue Smoke or Science? The Challenge of Assessing Expertise Offered as Advocacy. *Whittier Law Review* 22: 723–778, 2001. Reprinted as *Defense Law Journal* 51: 233-286, 2002.
- Hailfinder: Bayesian Prediction of Severe Weather. With John Brown, Ward Edwards, Allan Murphy, and Robert Winkler. *International Journal of Forecasting* 12: 57–71, 1996.
- Probabilistic Forecasts from Probabilistic Models: A Case Study in the Oil Market. With Anthony Finizza. *International Journal of Forecasting* 11: 63–72, 1995.

\* Excludes papers in conference proceedings that were subsumed by later journal articles or book chapters.

- Probability Forecasting. With Robert Clemen. *Intl. Journal of Forecasting* 11: 1–4, 1995.
- Decision-Analytic Networks in Artificial Intelligence. With Izhar Matzkevich. *Management Science* 41: 1–22, 1995.
- Probabilistic Multi-Knowledge-Base Systems. With Keung-Chi Ng. *Journal of Applied Intelligence* 4: 19–236, 1994.
- The Constructed Producer Behavior Approach to Oil Market Forecasting. With Anthony Finizza. In *Proceedings, IAAE 16th Annual North American Conference* (International Association for Energy Economics, 1994), 332–341.
- The Design of Belief Network-Based Systems: A Case Study in the World Oil Market. *Computers and Electrical Engineering* 20: 163–180, 1993.
- Towards an Art and Science of Knowledge Engineering: A Case for Belief Networks. With Keung-Chi Ng. *IEEE Transactions on Knowledge and Data Engineering* 5: 705–712, 1993.
- A Decision-Theoretic Framework for Integrating Sensors into AI Plans. *IEEE Transactions on Systems, Man, and Cybernetics* 23: 366–373, 1993.
- A Belief Network-Based System that Forecasts the Oil Market by Constructing Producer Behavior. With Anthony Finizza. In *Proceedings, IAAE 15th Annual North American Conference* (International Association for Energy Economics, 1993), 152–159.
- Some Complexity Considerations in the Combination of Belief Networks. With Izhar Matzkevich. In *Uncertainty in Artificial Intelligence – 93*, D. Heckerman and A.J. Mamdani, eds. (Morgan Kaufmann, 1993), 152–158.
- Deriving a Minimal I-Map of a Belief Network Relative to a Target Ordering. With Izhar Matzkevich. In *Uncertainty in Artificial Intelligence – 93*, D. Heckerman and A.J. Mamdani, eds. (Morgan Kaufmann, 1993), 159–165.
- Consensus Diagnosis: A Simulation Study. With Keung-Chi Ng. *IEEE Transactions on Systems, Man, and Cybernetics* 22: 916–928, 1992.
- On the Design of Belief Networks for Knowledge-Based Systems. In *Artificial Intelligence Frontiers in Statistics*, D.J. Hand, ed. (Chapman and Hall, 1992), 67–81.
- The Topological Fusion of Bayes Nets. With Izhar Matzkevich. In *Uncertainty in Artificial Intelligence – 92*, D. Dubois, M.P. Wellman, B. D'Ambrosio, and P. Smets, eds. (Morgan Kaufmann, 1992), 191–199.
- Using Belief Networks to Forecast Oil Prices. With Anthony Finizza. *International Journal of Forecasting* 7: 299–316, 1991.
- A Sensitivity Analysis of Pathfinder: A Follow-Up Study. With Keung-Chi Ng. In *Uncertainty in Artificial Intelligence – 91*, B. D'Ambrosio, P. Smets, and P.P. Bonissone, eds. (Morgan Kaufmann, 1991), 242–248.
- On Knowledge Representation in Belief Networks. In *Uncertainty in Knowledge Bases*, B. Bouchon-Meunier, R.R. Yager, and L. Zadeh, eds. (Springer-Verlag, 1991), 86–96.
- Dynamic Tradeoff Evaluation for Real-Time Spacecraft Monitoring. With Ursula Schwuttke and Les Gasser. In *Proceedings of the Fifth Annual Workshop on Space Operations, Applications, and Research*, NASA Conference Publication 3127, 1991.
- A Sensitivity Analysis of Pathfinder: A Follow-Up Study. With Keung-Chi Ng. *Proceedings of the Sixth Conference on Uncertainty in Artificial Intelligence*, 1990, 204–211.
- Competent Systems: Effective, Efficient, Deliverable. *Journal of Interactive Instructional Development* 3: 3–8, 1990.
- On Learning and Testing Evaluation Functions. *Journal of Experimental and Theoretical Artificial Intelligence* 2: 241–251, 1990.
- The Statistics of State-Spaces. *Annals of Mathematics and Artificial Intelligence* 2: 5–20, 1990.
- An Analysis of Expected-Outcome. *Journal of Experimental and Theoretical Artificial Intelligence* 2: 55–73, 1990.
- Uncertainty Management in Expert Systems. With Keung-Chi Ng. *IEEE Expert* 5: 29–48, 1990.
- Expected-Outcome: A General Model of Static Evaluation. *IEEE Transactions on Pattern Analysis and Machine Intelligence* 12: 182–193, 1990.
- Control Strategies for Two-Player Games. *ACM Computing Surveys* 21: 137–161, 1989.
- Divide-and-Conquer Under Global Constraints: A Solution to the N-Queens Problem. With Moti Yung. *Journal of Parallel and Distributed Computing* 6: 649–662, 1989.
- Review of “A Theory of Heuristic Information in Game-Tree Search,” by Chun-Hung Tzeng. *Mathematical Reviews* 6364, 1989.

- A Model of Two-Player Evaluation Functions. With Richard Korf. In *Proceedings, Sixth National Conference on Artificial Intelligence* (AAAI, 1987), 90–94.
- An Explanation of and Cure for Minimax Pathology. In *Uncertainty in Artificial Intelligence*, L. Kanal and J. Lemmer, eds. (North Holland, 1986), 495–504.

### Grants, Awards, and Research Contracts

- Towards Consensus in Belief Networks: Theoretical Development and an Application to Clean Coal Technologies. (With Jayant Kalagnanam and Ed Rubin), National Science Foundation (NSF), July 1995 - June 1998. (Co-Principal Investigator).
- USACOM Readiness System Integration and Support (Subcontract from SAIC to Cambridge Research Associates, Inc.). Advanced Research Projects Administration (ARPA), May 1995 - March 1996. (Project Manager).
- System Designer Support for the War Breaker Intelligence and Planning Component. (Contract to Information Extraction & Transport, Inc.). (With Tod Levitt). Advanced Research Projects Administration (ARPA), September 1993 - September 1999 (Investigator).
- HAILFINDER: Bayesian Prediction of Severe Weather. (With Ward Edwards, Allan Murphy, and Robert Winkler), National Science Foundation (NSF), August 1991 - July 1993, (co-Principal Investigator).
- Strategic Planning in an Uncertain World: From Theory to Prototype. National Science Foundation (NSF), July 1989 - June 1991, (Principal Investigator).
- An Introduction to Computing as a Discipline. USC Projects in Innovative Teaching, August 1989, (Principal Investigator).
- Decision Analysis and Artificial Intelligence: The Right Tools for the Right Problems. USC Faculty Research and Innovation Fund, July 1988 - June 1989, (Principal Investigator).

### Patents and Applications

- System and Method for Processing Contracts for Conditional and Unconditional Forward Sales of Retail Goods. U.S. Patent Application No. 13/225,085, Publication No. 20120116943, (published May 10, 2012) (Bruce Abramson, applicant).

### Amicus Briefs

- Alice Corp. Pty. Ltd. v. CLS Bank International, *et. al.*, Brief of The New York Intellectual Property Law Association as Amicus Curiae in Support of Neither Party, (No. 13-298, Supreme Court of the United States, 2014).
- Association for Molecular Pathology, *et. al.* v. Myriad Genetics, *et. al.*, Brief of Amici Curiae University of Baltimore/Johns Hopkins University Center for Medicine & Law, and Law Professors Gregory Dolin, M.D., *et. al.* (No. 12-398, Supreme Court of the United States, 2013).
- Storage Technology Corp. v. Custom Hardware Engineering & Consulting, Inc. and David York, Amicus Curiae Brief of Electronic Frontier Foundation in Opposition to Plaintiff-Appellee's Petition for Rehearing or Rehearing En Banc (Appeal No. 04-1462, United States Court of Appeals for the Federal Circuit, 2005).

### Testimony and Expert Reports

Case Name: Capital One, N.A. v. RSA Security, Case no. 01-14-0000-203 (American Arbitration Association)

Issues: Software licensing; Indemnification; Patent Infringement; Industry Custom & Practice

Services Provided: Written report and arbitration hearing testimony on behalf of Capital One

Counsel: Duane Morris

Disposition: Pending

Date: 2015-

Case Name: Academy of Motion Picture Arts and Sciences v. GoDaddy.com, Inc., Case No. CV10-3738-ABC (CW) (C.D. Ca.)

Issues: Trademarks; Cybersquatting; Industry Practice

Services Provided: Written report on behalf of AMPAS

Counsel: Boies Schiller

Disposition: Pending

Date: 2015

  

Case Name: Robertson Transformer v. General Electric, *et. al.*, Civil Action no. 1:12-cv-080904 (N.D. Ill.)

Issues: Damages

Services Provided: Written report and deposition testimony on behalf of Defendants

Counsel: McDonnell, Boehnen, Hulbert & Berghoff

Disposition: Pending

Date: 2014-

  

Case Name: Innovative Communications Technologies, Inc. v. Ballabon, AAA Case no. 13 166 02650 12 (American Arbitration Association)

Issues: Damages

Services Provided: Written report, deposition and arbitration hearing testimony on behalf of Ballabon

Counsel: Shibolet, LLP

Disposition: Arbitrator entered final ruling

Date: 2014

  

Case Name: Veracode, Inc. and Rovi Solutions Corp. v. Appthority, Civil Action No. 1:12-cv-10487-DPW (D. Ma.)

Issues: Patent Damages

Services Provided: Written report and trial testimony on behalf of Appthority

Counsel: Turner Boyd

Disposition: Jury Trial

Date: 2014-

  

Case Name: Celebrity Cards International, Inc. v. Earvin Johnson, Jr. *et. al.*, Civil Action No. 13-cv-22197-UU (S.D. Fl.)

Issues: Trademark valuation; Damages

Services Provided: Written report and deposition testimony on behalf of CCI

Counsel: Hantman & Associates

Disposition: Settled

Date: 2014

  

Case Name: United Video Properties, Inc. and Index Systems, Inc., v. Haier Group Corp. and Haier America Trading, LLC, Case No. 11-1140-KAJ (D. Del.)

Issues: Patent Damages

Services Provided: Written report and deposition testimony on behalf of Haier

Counsel: Alston & Bird

Disposition: Settled

Date: 2013-14

Case Name: Modus, LLC v. Encore Legal Solutions, Inc., Case. No.: 2:12-CV-00699-JAT (D. Ariz.)  
Issues: Damages; Trade Secrets; Employees  
Services Provided: Written report and deposition on behalf of Epiq  
Counsel: Fennemore Craig; Littler Mendelson  
Disposition: Settled  
Date: 2013-14

Case Name: Epicor Retail Solutions, Corp. v. Kliger-Weiss Infosystems, Inc. (American Arbitration Association)  
Issues: Breach of contract; Industry custom and practice  
Services Provided: Arbitration testimony on behalf of Kliger-Weiss  
Counsel: Ruskin Moscou Faltischek  
Disposition: Arbitrator issued final ruling  
Date: 2012-2013

Case Name: Malico, Inc. v. Cooler Master USA Inc., et al., Case No. C 11-04537 RS (N.D. CA)  
Issues: Patent Damages; Patent infringement  
Services Provided: Written report on behalf of Cooler Master  
Counsel: Alston & Bird / Turner Boyd  
Disposition: Summary Judgment  
Date: 2013

Case Name: Encore Legal Solutions, Inc.; Epiq Systems, Inc. v. Curtis Craghead, et al. (American Arbitration Association)  
Issues: Damages; Trade Secrets; Employees  
Services Provided: Written report on behalf of Epiq  
Counsel: Fennemore Craig  
Disposition: Settled  
Date: 2012-13

Case Name: E-Pass Technologies, Inc. v. Moses & Singer and Stephen Weiss Case No. 3:09-cv-05967-EMC (N.D. CA)  
Issues: Damages; Patent valuation; Patent litigation; Negligence; Malpractice  
Services Provided: Written report and deposition testimony on behalf of E-Pass  
Counsel: Rosen Saba  
Disposition: Settled  
Date: 2012

Case Name: Zions Bancorporation *et. al.* vs. RSA Security LLC (American Arbitration Association)  
Issues: Software licensing; Indemnification; Patent Infringement; Industry Custom & Practice  
Services Provided: Written report and deposition testimony on behalf of Zions  
Counsel: Wiley Rein  
Disposition: Settled  
Date: 2012

Case Name: NetJumper Software, Inc. v. Google, Inc., Civil Action no. 2:04-cv-70366-JAC-RSW (E.D. Mich.)  
Issues: Patent Infringement; software technology; Internet  
Services Provided: Written report on behalf of NetJumper  
Counsel: Prebeg, Faucett & Abbott / Sommers Schwartz



Disposition: Settled  
Date: 2012-15

Case Name: Authorized City Towing, *et. al.* v. City of San Diego, *et. al.* Case No. 37-2009-00087082-CU-BT-CTL (CA – C.D. San Diego County)

Issues: Trade Secrets; Breach of Confidentiality

Services Provided: Written declaration on behalf of defendant Dispatch & Tracking Solutions, LLC

Counsel: Clinton Bailey

Disposition: Summary Judgment

Date: 2012

Case Name: Actuate Corp. v. Aon Corp. and TWG Warranty Group, Case No. 4:10-CV-05750-WHA (N.D. CA)

Issues: Breach of contract; Software licensing; Industry Custom & Practice

Services Provided: Deposition testimony and written report on behalf of Aon and TWG

Counsel: Foley & Lardner

Disposition: Settled

Date: 2012

Case Name: Web2Web Marketing, Inc. (d/b/a Acteva, Inc.) v. GlobalLogic, Inc. (CA)

Issues: Breach of contract; Software licensing; Damages

Services Provided: Report submitted on behalf of Acteva

Counsel: Dhillon & Smith

Disposition: Settled

Date: 2011

Case Name: Buckheit v. Dennis, *et. al.* (CA – San Mateo County)

Issues: Damages; Lost wages;

Services Provided: Report submitted on behalf of Buckheit

Counsel: Carey & Carey

Disposition: Summary Judgment

Date: 2011

Case Name: vBulletin Solutions, Inc. v. Xenforo Ltd., Case No. CV 10 8209 (C.D. CA)

Issues: Copyright infringement; Trade secret misappropriation; Employees

Services Provided: Deposition testimony and written report on behalf of vBulletin

Counsel: Ervin, Cohen & Jessup, LLP

Disposition: Settled

Date: 2011-13

Case Name: Bachner & Co. v. White Rose Food, *et. al.*, (D.N.J., Case No.: 2:09-CV-2640-PGS-ES)

Issues: Breach of contract; Trade secret misappropriation; damages

Services Provided: Deposition testimony and written report on behalf of Bachner & Co.

Counsel: Hantman & Associates

Disposition: Settled

Date: 2011-13

Case Name: Actuate Corp. v. Oracle USA, Inc., (CA Case No. CIV 481387)

Issues: Software licensing

Services Provided: Designation and testimony outline on behalf of Oracle USA

Counsel:	Holme, Roberts & Owen, LLP
Disposition:	Settled
Date:	2010
 Case Name:	 Vianix Delaware, LLC v. Nuance Communications, Inc., (Del. Ch.)
Issues:	Software licensing; Damages
Services Provided:	Trial testimony, deposition, and written report on behalf of Nuance Communications
Counsel:	Quinn, Emanuel, Urquhart & Sullivan, LLP
Disposition:	Bench trial
Date:	2009
 Case Name:	 Ascom Hasler Mailing Systems, Inc., et. al. v. U.S. Postal Service (D.D.C.)
Issues:	Government contracting; Takings; Damages
Services Provided:	Trial, hearing, and deposition testimony, and written report, on behalf of Neopost/Ascom
Counsel:	DLA Piper
Disposition:	Bench trial
Date:	2009 –12
 Case Name:	 Cogent Systems, Inc. v. Northrop Grumman, Inc. No. BC 332 199 (LASC)
Issues:	Software licensing; Government contracting; Industry Custom & Practice
Services Provided:	Written report and deposition on behalf of Northrop Grumman
Counsel:	Sheppard, Mullin, Richter & Hampton, LLP
Disposition:	Settled
Date:	2007
 Case Name:	 Beckerman and Rainforest Botanicals, LLC v. Heiman and Epicuren (C.D. California)
Issues:	Breach of contract; Royalties
Services Provided:	Written report submitted to litigation and settlement talks on behalf of Beckerman
Counsel:	Greenberg Traurig, LLP
Disposition:	Settled
Date:	2007
 Case Name:	 Palmer v. Globalive, et. al., (S.D. NY)
Issues:	Technology licensing; Breach of contract; Fraud; Damages
Services Provided:	Written report and mediation testimony on behalf of Palmer.
Counsel:	Hantman & Associates
Disposition:	Settled
Date:	2006-09
 Case Name:	 Fair Isaac Corp. v. International Business Machines Corp., (D. Minnesota)
Issues:	Software copyrights
Services Provided:	Expert Report submitted on behalf of IBM
Counsel:	Fitzpatrick, Cella, Harper & Scinto
Disposition:	Settled
Date:	2005
 Case Name:	 Statement of Objections Case No. Comp/C-3/37.792 Microsoft (European Commission)
Issues:	Antitrust; Software markets
Services Provided:	Report submitted on behalf of AOL Time Warner

Counsel:	O'Melveny & Myers
Disposition:	Administrative ruling
Date:	2001-03

  

Case Name:	In re: Basic Research (National Advertising Division, NY, NY)
Issues:	Consumer protection; Statistical inference
Services Provided:	Testimony on behalf of Basic Research, Inc.
Counsel:	Nagin, Gallop, Figueredo
Disposition:	Dismissed
Date:	2002

  

Case Name:	Monster/HotJobs Merger
Issues:	Internet; Advertising; Merger
Services Provided:	Reports prepared on behalf of HotJobs
Counsel:	Axxin, Veltrop & Harkrider, LLP
Disposition:	Withdrawn
Date:	2001

  

Case Name:	Clearfax, Inc. v. Cynet, Inc., (S.D. California)
Issues:	Internet economics; Breach of contract
Services Provided:	Expert Report submitted on behalf of Cynet, Inc.
Counsel:	Akin, Gump, Strauss, Hauer & Feld, LLP
Disposition:	Dismissed
Date:	2001

*Updated November 20, 2014*