KENDYL A. ROMÁN

<u>AREA OF EXPERTISE</u>

Intellectual Property

Federal Special Master. Court appointed expert. Patents, Trade secrets, Copyright, Computer Data Recovery and Analysis. Forensic Computer Scientist/Expert. Consulting and testifying experience.

Object Oriented Programming Languages

Java, C++, C#, Visual Basic, perl, JavaScript, XML, XAML, Delphi, Python, Apple Media Language, Mentor AMPLE, Lisp, NewtonScript, PenBasic, Dylan, MacApp.

Traditional Programming Languages

C, perl, Assembly (680x0, 80x86, VAX, Nova, DEC-10, IBM 3x0), RISC Assembly (PowerPC, SPARC, MIPS, HP Precision Architecture), COBOL, PL/I, PL/X, Pascal, APL, Forth, Lisp, Basic, JCL, awk, ABAP.

Web Frameworks

HTML, XHTML, CSS, PHP, CSLA, PEAR, CEP, Django, Flask, REDIS, jQuery, AJAX, JSON, SQLAlchemy.

Computer Software

Microsoft Windows NT/95/98/2000/XP/Vista/7, MS/DOS, UNIX Internals and Utilities (Linux, MacOS X, FreeBSD, SunOS, Solaris, MIPS, HP-UX, A/UX, Berkeley, AT&T, AIX, Amdahl UTS, SCO, POSIX, OSF), IBM MVS/TSO/ISPF, IBM VM/CMS, SQL Relational Database Systems (Oracle, SAP, SQL Server, Access, FoxPro, FoxBase, ingres, postgres, Progress, System-R), SAP, FileMaker Pro, X-Windows (X11, motif, MacX, HP VUE, OpenLook), Delphi, dBase, Visual Studio, QA Partner/Silk, PenPoint, Macintosh Programmers Workbench, Macintosh Internals, HyperCard, Multimedia (Real Networks, Windows Media, QuickTime, Apple Media Tool, Premiere, Photoshop, Illustrator, Director, Flash, MediaTracks, SoundEdit), Documentation (FrameMaker, MS Word, MacWrite II), IBM PC/AT BIOS, Windows for Pens, Dialogic Toolkit & OS, HP 3000 MPE & MPE/XL, Mentor Graphics & Daisy Systems.

Computer Hardware

IBM PC and Wintel compatibles, HP Precision Architecture HP9000/300's; 400's; 700's; & 800's—HP3000/900, VAX 11/780, IBM 360, 370 & 4300, Apple Macintosh (all models since 1984), Firewire IEEE 1394, USB, Apple LaserWriter, Scanner, CD-ROM, CD and DVD Recorder, SGI (MIPS) Systems, Sun SPARC & 386i, Daisy, NCR NotePad, Apple II, DEC-10, NOVA.

Computer Forensics Tools

Guidance Software's EnCase, Image MASSter Solo2 Forensics/Professional & Secure Hash Signature Generator (MD5, CRC32 Hashes), DriveImage, Ghost.

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LITIGATION SUPPORT

Orrick, Herrington, & Sutcliffe, New York, NY   *1999-2002*
Project: Software expertise and code analysis: copyright/trade secrets. Two related cases, testifying expert in second case. Tradescape.com, Inc., et al. v. Shivaram, et al.

Hale & Dorr, LLP, Boston, MA   *1999*
Project: Patent prior art search and analysis (Internet eCommerce). BroadVision, Inc. v. Art Technology Group

Russo & Hale, LLP, Palo Alto, CA   *1999*
Project: Patent prior art analysis and expert report (Interactive TV). John Berman v. Wink Communications, Inc.

Evers & Hendrickson, LLP, San Francisco, CA   *2000*
Project: Patent prior art analysis.

Orrick, Herrington, & Sutcliffe, New York, NY   *2000*
Project: Database and eCommerce software expertise and code analysis in copyright/trade secret case. RIA Telecommunications v. DollarsDirect.com, et al.

Zelle, Hofmann, Voelbel & Gette, Dallas, TX   *2000-2001*
Project: Database and Internet patent case. Prior art, Markman hearing, infringement analysis, etc. Konrad v. General Motors, et al.

Superior Court of California, Santa Clara County   *2000-2001*
Project: Court appointed expert in software trade secret case. Aspect Communications Corporation v. eConvergent, Inc., et al.

Quadros & Johnson, Santa Clara County, CA   *2000-2001*
Project: Trial testimony regarding Internet video, chat, database, and email software and server hardware. Hype Media, Inc. v. Anthony Siress & Lestat, Inc. (and cross action)

BakerBotts, New York, NY   *2001-2002*
Project: Claim interpretation and infringement testifying expert in Internet/TV patent case. Markman testimony. ACTV, Inc. and HyperTV Networks, Inc. v. The Walt Disney Co., ABC, Inc. and ESPN, Inc.

Tom Casazza, Napa County, CA   *2001-2002*
Project: Data recovery, embezzlement analysis, Internet, pornography. Contempt hearing testimony. Laguna Hermosa Corporation v. Clarence White, et al.

Gibbons, Del Deo, Dolan, Griffinger & Vecchione, New York, NY   *2002-2003*
Project: Patent infringement declaration regarding Firewire IEEE 1394. Dynacore Holdings, et al. v. U.S. Philips Corporation, et al. and Dynacore Holdings, et al. v. Sony Electronics Inc., et al.

Epstein Becker & Green, New York, NY   *2002*
Project: Video compression and Internet transmission analysis & report. On2.com Inc. v. Ecoin Co., Ltd.

HS Law Group, San Jose, CA   *2002*
Project: Forensic data recovery and Internet email analysis.
           Seema Chawla v. Alphasoft Services Corporation, et al.

Adams, Coogler, Watson & Merkel, West Palm Beach, FL   *2002-2003*
Project: Analysis of medical communication system in wrongful death.
           Deposition. Rubin v. Bethesda Memorial Hospital et al.

Friedman, Peterson, Stroffe & Gerard, Irvine, CA   *2002-2003*
Project: Design patent prior art search and invalidity declaration.
           Turn-Luckily Intl, Inc. v. Fry's Electronics, Inc.

Superior Court of California, Santa Clara County   *2003-2004*
Project: Court appointed expert for computer drive analysis
           (financial/pornography). Ribeiro v. Weichselbaumer

Naval Legal Service (JAG), Pearl Harbor, HI   *2003*
Project: Testified as Computer Forensic Expert in Brady Hearing and
           General Court-Martial (Internet/child pornography).
           United States v. Alec Schultz

Foley & Lardner, Milwaukee, WI   *2003*
Project: Patent infringement analysis/report and invalidity rebuttal
           regarding electronic vehicle compasses and mirrors.
           Donnelly Corporation v. Johnson Controls (cross action)

Hunton & Williams, Washington, DC   *2003*
Project: Rexamination Prior Art Declaration under 37 C.F.R. § 1.132.
           In re U.S. Patent No. 6,279,033 (Microstrategy, Inc.)

Kirkland & Ellis, Washington, DC   *2003*
Project: Federal Circuit Appeal: Judges Linn, Plager, Friedman.
           ACTV, Inc. and HyperTV Networks, Inc. v. The Walt Disney Co., ABC,
           Inc. and ESPN, Inc.

Plant, Christensen & Kanell, Salt Lake City UT   *2003-2005*
Project: Analysis of computer system, failure data, and surveillance
           video in data center fire suppression incident.
           Safeway, Inc. v. Consonus, Inc. et al.

Knopik Varner Moore, Tampa, FL   *2004*
Project: Retained to Plaintiff after deposition and settlement with Dr.
           Fisher. Rubin v. Bethesda Memorial Hospital et al.

Skadden, Arps, Slate, Meagher & Flom, Washington, D.C.   *2003-2004*
Project: Analysis of over two million lines of source code regarding
           trade secret misappropriation arbitration in Atlanta.
           CAPS Logistics, Inc. v. Ratliff, et al.

Fenwick & West LLP, Silicon Valley, CA   *2004-2005*
Project: Mainframe software trade secret/copyright infringement.
           Compuware Corporation v. International Business Machines Corp. (IBM)

Pillsbury Winthrop LLP, Fort Worth, TX   *2004-2005*
Project: Copyright/trade secret/license defense in database conversion.
    Wayne Fowler v. Bell Helicopter Textron, Inc.

Simpson Thacher & Bartlett LLP, Palo Alto, CA   *2004*
Project: Patent validity and infringement: Internet videoconferencing.
    Collaboration Properties, Inc. (Avistar) v. Polycom, Inc.

BakerBotts, New York, NY   *2004-2005*
Project: Patent invalidity regarding Internet pay-per-click advertising
    Overture Services, Inc. (Yahoo) v. FindWhat.com, Inc.

Pritchard and Kay, San Jose, CA   *2004-2005*
Project: AAA testimony regarding auto dealership computer system.
    Universal Computer Services, Inc. et al. v. Roulette Dealership

DLA Piper Rudnick Gray Cary LLP (formerly Gray Cary Ware & Freidenrich), Palo Alto, CA   *2004-2005*
Project: Patent invalidity: keyboard control of CD audio.
    ITC Investigation No. 337-TA-519 (Gateway v. Hewlett-Packard)

California Department of the Youth Authority, Sacramento, CA   *2005*
Project: Forensic video analysis and administrative hearing testimony.
    N.A. Chaderjian Youth Correctional Facility—Use of Force Appeal

Wilson, Sonsini, Goodrich & Rosati, Palo Alto, CA   *2005*
Project: Patent invalidity/non-infringement: Data-driven multimedia
    Datamize v. Fidelity, Scottrade, Interactive Brokers Group, et al.

Greenberg Taurig LLP, Denver, CO   *2005-2006*
Project: Patent interpretation/invalidity/non-infringement: FDC chips
    Phillip M. Adams, et al. v. Gateway

Law Offices of Dan MacGuire, Davis, CA–Law Offices of Donald J. DeShaw, Sacramento, CA   *2005-2006*
Project: Software/hardware copyright/trade secrets: Opthalmic imaging
    Opthalmic Imaging Systems v. Mark Fukuhara, et al.

Russ, August, & Kabat, Los Angeles, CA   *2005-2006*
Project: Trade secrets and defamation defense: Video game enhancement
    Electro Source, LLC. v. Fire Intl' Ltd. Inc, et al.

Simpson Thacher & Bartlett LLP, Palo Alto, CA   *2005-2007*
Project: Patent validity and infringement: Internet videoconferencing.
    Collaboration Properties, Inc. v. Tandberg, Inc. & Tandberg ASA

Pillsbury Winthrop LLP, Palo Alto, CA   *2006-2007*
Project: Copyright/trade secret video compression/pattern recognition.
    eTreppid Technologies LLC v. Dennis Montgomery

California Department of Personnel Administration, Sacramento, CA   *2006*
Project: Forensic video analysis, videogrammetry, and photogrammetry.
    Chaderjian Youth Correctional Facility—Civil Case Defense

Law Offices of Owen P. Rafferty, Los Angeles, CA   *2006*
Project: Forensic surveillance video analysis and photogrammetry.
    People v. Michael Gralapp

Greenberg Taurig LLP, Denver, CO   *2006-2007*
Project: Patent scope/interpretation/invalidity/non-infringement:
           Vehicle bus interface. Markman and jury trial testimony.
           Omega Patents, LLC v. Directed Electronics, Inc.

Fish & Richardson P.C., Washington, D.C.   *2006-2007*
Project: Patents: online advertising and electronic catalogs.
           International Business Machines Corp. (IBM) v. Amazon.com, Inc.

Townsend and Townsend and Crew, LLP, San Francisco, CA   *2007*
Project: Patents: container terminal database systems including image
           processing, crane controllers, GPS, and wireless networking.
           APS Technology Group, Inc. v. Paceco Corporation

James E Carty III, P.C. New York, NY (and NJ)   *2007-2010*
Project: Patents: employee tracking database systems with telephone
           verification
           Infocrossing, Inc. v. Sandata Technologies, Inc.

Bohm, Matsen, Kegel & Aguilera, LLP, Costa Mesa, CA   *2007*
Project: Enterprise networked database and ERP system (contract terms).
           QAD Inc. v. Ingersoll-Rand Company

Heller Ehrman, LLP, San Francisco, CA & Quinn Emanuel, Redwood Shores, CA   *2007-2008*
Project: Patents prior art research, system reconstruction, & analysis
           Disk Link Corporation v. H&R Block Digital Tax Solutions, et al.

Heller Ehrman, LLP, Menlo Park, CA   *2007-2008*
Project: Patents: targeted Internet advertising based on profile
           ValueClick, Inc. v. Revenue Science, Inc.

Terran Steinhart, Esq., Los Angeles, CA   *2009*
Project: Testimony regarding Computer Adaptive Testing (CAT) security
           Board of Nursing v. Thelma Macabeo

William Campisis, Berkeley, CA   *2009*
Project: Analysis of computer medical records system.
           Nader v. Kaiser

Capshaw DeRieux, Longview, TX; Vanek Vickers & Masini, Chicago, IL; Watson Rounds   *2009-2011*
Project: Patents: network devices including firewalls
           GraphOn Corporation v. Juniper Networks, Inc.

Laminack, Pirtle & Martines LLP; Matthews, Lawson & Bowick, PLLC, both of Houston, TX   *2009-2012*
Project: Trade secret & patent: Automated end-to-end Purchase to Pay
           Wellogix, Inc. v. BP America, Inc. et al. (Arbitration)
           Wellogix, Inc. v. Accenture et al. (Jury Trial)
           SAP v. Wellogix, Inc.

Gutride Safier LLP, San Francisco, CA   *2009-2012*
Project: Class Action: OEM version of Microsoft Windows Vista
           Kevin Embry v. Acer America Corporation

Capshaw DeRieux, Longview, TX; Eugene M. Cummings, P.C., Chicago, IL   *2010-2011*
Project: Patents: digital music organization, management, and download
           Premier International v. (Microsoft) Verizon, Real Networks, et al.

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