

# KENDYL A. ROMÁN

## AREA OF EXPERTISE

### 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, ruby, 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), ABAP, COBOL, PL/I, PL/X, SAS, Pascal, Lua, APL, Forth, Lisp, Basic, JCL, awk.

### Web Frameworks

HTML, XHTML, CSS, Ruby on Rails, Resque, 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.

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Computer Forensics Tools

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

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: Reexamination 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 Traurig 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: Ophthalmic imaging Ophthalmic 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. eTrepid 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 Traurig 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.

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