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.

Computer Forensics Tools
> Guidance Software's EnCase, Image MASSter 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: 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.
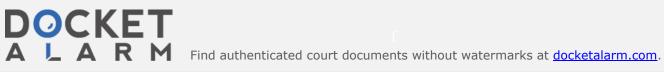   Safeway, Inc. v. Consonus, Inc. et al.

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 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: 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 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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