

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF VIRGINIA
NORFOLK DIVISION

NADER ASGHARI-KAMRANI and
KAMRAN ASGHARI-KAMRANI,

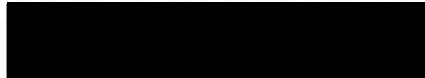
Plaintiffs,

v.

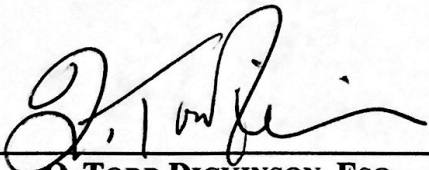
UNITED SERVICES AUTOMOBILE
ASSOCIATION,

Defendant.

Civil Action No. 2:15-cv-00478-RGD-RJK



EXPERT REPORT OF Q. TODD DICKINSON, ESQ.
February 28, 2017



Q. TODD DICKINSON, ESQ.

2/28/17
DATE

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I. INTRODUCTION

1. I, Q. Todd Dickinson, have been retained by Nader Asghari-Kamrani and Kamran Asghari-Kamrani (“Plaintiffs”) as an expert witness in the above-referenced matter.

2. I have been asked to provide information, opinion and expert testimony on practices and procedures governing the prosecution and examination of patent applications in the United States Patent and Trademark Office (“USPTO” or “PTO”) relevant to and at the time of the prosecution of United States Patent No. 8,266,432 (“the ’432 patent”). I have also been asked to address certain opinions and testimony made by an expert witness retained by the Plaintiff in this action, Mr. Nicholas P. Godici, relating to the same.

3. This report is submitted pursuant to Rule 26(a)(2) of the Federal Rules of Civil Procedure. I reserve the right to supplement or amend this report pursuant to Rule 26(e) if additional information that affects my opinions becomes available.

II. QUALIFICATIONS

4. I am currently a Senior Partner in the law firm, Polsinelli, PC, and have worked as an attorney, U.S. government official and policy leader in the field of intellectual property (“IP”) for almost 40 years. I have served as an expert witness or declarant more than 15 times.

5. I have previously served in the USPTO, beginning as a Senior Advisor to the U.S. Secretary of Commerce and culminating as the Under Secretary of Commerce for Intellectual Property and Director of the United States Patent and Trademark Office (USPTO), having been nominated by the President of the United States and confirmed by the U.S. Senate. As Director of the USPTO, I was the Chief Executive Officer of an agency of over 8,000 employees and a budget of approximately \$1.5 billion. I was also the principal advisor to the President of the United States on all aspects of intellectual policy and practice.

[REDACTED]

6. I reported directly to the Secretary of Commerce and was also responsible for the management and direction of all aspects of the work of the USPTO, including patent operations. Among my responsibilities were the oversight and final say on the drafting and implementation of all patent examination policies, regulations, and guidelines.

7. Both as Director and in private practice, I have testified before Congressional committees of both the House and Senate on various patent and USPTO related issues.

8. After leaving the USPTO, I joined the Washington, D.C. law firm of Howrey Simon Arnold & White, where I served as co-chair of its intellectual property practice and represented numerous companies in intellectual property matters, remaining there until 2004. Among other work, I acted as an expert witness in a number of matters, and routinely provided opinions on client matters referred to me.

9. I then served as the Vice President and Chief Intellectual Property Counsel of the General Electric Company from 2004-2008, having corporate-wide responsibility for all IP matters, which included oversight of the process and procedures used by a major corporation in the preparation, filing and maintenance of patents and patent applications, oversight of patent litigation and appellate matters, and development and implementation of intellectual property policy matters.

10. Until recently, I served as Executive Director of the American Intellectual Property Law Association (AIPLA), which is an independent bar association specializing in intellectual property matters. AIPLA has approximately 15,000 members and has been in existence for over 100 years. As Executive Director, I was the Chief Executive Officer, having overall management responsibility for the organization, including overseeing advocacy matters,

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