

## **EXHIBIT 2005**

## **BIOGRAPHY OF TODD KENNEDY**

Todd Kennedy has successfully litigated some of the world's largest patent cases, for both plaintiffs and defendants. He helped achieve complete defense jury verdicts for Google in the company's first two patent trials—both of which were in the Eastern District of Texas, the favored venue for plaintiffs.

On the plaintiffs' side, Mr. Kennedy successfully represented Sony Electronics in enforcing ten digital television patents in a series of lawsuits spanning five jurisdictions.

Todd clerked for one year on the U.S. Court of Appeals, and two years on the U.S. District Court.

### **Representative Clients and Jurisdictions:**

- Google (E.D. Tex. and International Trade Commission)
- IBM (W.D. Wash.)
- HTC (International Trade Commission)
- Bally Gaming (D. Nev. and Federal Circuit)
- Sony (C.D. Cal., S.D. Cal., D.Wisc., D.N.J., and International Trade Commission)

### **Representative Cases:**

- *Bright Response v. Google Inc. et al.* (E.D. Tex.) – Achieved complete jury verdicts of invalidity and non-infringement for defendant Google.

- ***Function Media, L.L.C. v. Google, Inc. et al.*** (E.D. Tex.) – Achieved complete jury verdicts of invalidity and non-infringement for defendant Google against a plaintiff represented by Susman Godfrey, one of the top trial law firms in the United States.
- ***In the Matter of Certain Personal Data and Mobile Communications Devices and Related Software*** (U.S. International Trade Commission) – Represented HTC in defending against Apple’s claims of infringement of ten patents.
- ***In the Matter of Certain Display Devices*** (U.S. International Trade Commission) – Successfully represented Sony Electronics in asserting claims of infringement of ten patents against Chimei Innolux Corporation.
- ***IGT v. Alliance Gaming Corp.*** (D. Nev.) – Achieved judgments of invalidity and non-infringement for defendant Alliance Gaming. These judgments were affirmed by the Federal Circuit on appeal.
- ***Sony Corp. v. Vizio*** (C.D. Cal.) / ***Vizio, Inc. v. Sony Corp. et al.*** (C.D. Cal. 2009) – Successfully represented Sony in these cases, which involved 14 patents covering a broad range of digital television technology.
- ***Sony Corp. v. Westinghouse Digital Electronics, LLC*** (C.D. Cal.) – Successfully represented Sony in this 10-patent infringement lawsuit against Westinghouse.

**Prior Associations:**

- Quinn Emanuel Urquhart & Sullivan, LLP (2006-2011)
- United States Court of Appeals for the Eighth Circuit, Judicial clerk for the Hon. Duane Benton (2005-2006)
- United States District Court for the Western District of Missouri, Judicial clerk for the Hon. Nanette Laughrey (2003-2005)

**Technical Experience:**

Mr. Kennedy has extensive experience with a wide range of technology. Cases he has litigated in the last five years involved the following technology:

- Artificial intelligence
- Internet advertising
- Mobile telephones
- Digital television
- Casino gaming machines
- Location-based advertising
- Touchscreens
- Digital video and audio distribution
- Object-oriented programming
- Encryption and software verification
- Duplication of digital data

Mr. Kennedy has regularly programmed in various languages for twenty years, and

has developed a number of web-based applications, including an application selected by eBay for demonstration at an industry trade show.

**Education:**

Yale Law School, J.D. (2003)

University of Missouri, B.A., Philosophy, summa cum laude (2000)