

# Michael Nranian

## Expert in Intellectual Property & Product Liability

10945 Stoney Point • South Lyon, MI 48178

Cell: 248-376-0338 • Fax: 248-446-4052

WEBSITE: [trialexpertwitness.com](http://trialexpertwitness.com)

Emails: [mnranian@charter.net](mailto:mnranian@charter.net)

[mnranian@peoplepc.com](mailto:mnranian@peoplepc.com)

### Education

#### Wayne State University

MS Electrical Engineering, 1991

BS Electrical & Computer Engineering, 1993

BS Chemical Engineering, 1984

Juris Doctor, 1999

#### University of Michigan

MBA, 2002



### Qualifications

Six Sigma Black Belt – American Society for Quality & International Quality Federation; Licensed Professional Engineer; Certified Project Management Professional; Eagle Scout; Accident Reconstruction – Northwestern University; Active Secret Security Clearance; Admitted to State Bars of Michigan & Texas, United States Patent and Trademark Office, U.S. Supreme Court

### INTELLECTUAL PROPERTY SERVICES AND EXPERIENCE INCLUDE:

- Evaluation of patent infringement/non-infringement, and patent validity/invalidity, including America Invents Act, and 101, 102, 103, 112 and prior art arguments including analyses under literal infringement and the under the doctrine of equivalents. Prosecution history estoppel.
- Development of claim charts for Markman hearings, ITC & federal cases, Inter Partes reviews. Expert reports, depositions, hearing and trial testimony.
- Technology standards boards and licensing authorities, antitrust/DOJ, technology development and transfer, patents, trademarks, trade secrets, copyrights, data rights, trademark infringement/dilution, unfair competition/trade, false/deceptive advertising Lanham Act, Class Actions, etc.
- Georgia-Pacific factors analyses for determining reasonable royalty for plaintiff or defense. Willful infringement arguments.
- Development and Analysis of Markman briefs, claim charts, conducting prior art searches, and the analyses of patent file wrappers.
- Discovery and motion practice, summary judgment proceedings, evidentiary hearings, motions in limine, opposition and reply briefs.
- Patent Cooperation Treaty Applications, U.S. applications, international filings. Post-Grant Review, Inter Partes Review, Patent Trial & Appeal Board.
- Prior art/patentability research in technical literature, publications, product specifications, and dissertations to analyze validity and obviousness.
- Litigation support and technology education in patent disputes, Federal Cases, ITC cases, & re-examinations, derivation proceedings, prior user rights.
- Represent clients in all aspects of electrical, chemical, software, computers, microprocessors, & automotive components/systems for all aspects of intellectual property/litigation. Cellular, telecommunication, GPS/navigation, mobile, telematics, info/data/transmission, Human Machine Interfaces, etc.
- Deposition, hearing and trial experience in state and federal jurisdictions throughout the United States.
- **Cases include:** Magna v. TRW; Bradley v. Fontaine Trailer; ATI; Remy v. WAI (ITC); AVS v. Takata et al. (IPR); Lucent/Gateway/MPEG; IQASR v. Wendt; Mobilye v. Picutup; Transtex v. Ridge; Speedguage v. Inthinc; Voxx v. JSI; Freedom Motors v. Allegiant; Bosch v. Autel; Dorman v. Paccar & many other cases

### PRODUCT LIABILITY SERVICES AND EXPERIENCE INCLUDE:

- Direct participation in more than 300 litigation cases with in-depth evaluations of multiple high-dollar claims and lawsuits. Forensic Analyses.
- Expert witness reports, inspections, accident reconstruction, photographs, occupant kinematics & injury causation, component and system analyses.
- Development of case and trial strategy, summary judgment proceedings, evidentiary hearings, motions in limine, opposition and reply briefs.
- Deposition, hearing and trial experience in state and federal jurisdictions throughout the United States as Expert Witness and Corporate Representative.
- All areas of discovery, preparing and/or obtaining sets of requests for production, interrogatories, requests for admissions. E-discovery.
- Preparation of other witnesses prior to their depositions and trial testimonies, including all potential cross-examination questions. Forensic Analyses.
- Product Liability Law, indemnification, injury thresholds and regulatory requirements, including all FMVSS interpretation/compliance.
- Optical/vision systems, warning systems, forward collision/lane departure warning, medical devices, wheelchairs, and handicap assistance devices.
- Automotive, truck (including tractor-trailer) systems, sensing systems, including all crash recorders (Direct design experience in these modules for over 20 years). Accident reconstruction and analysis of crash pulse information. Electrical, electronic, electro-mechanical components and systems.
- Design validation plans and reports, failure modes and effects analyses, product prove-out, design verification, reliability/durability analyses/assessment.
- Analysis of component defects including seats, seatbelts, curtains, airbags, roof crush, structure, doors, all modes of sensors, crashworthiness.
- Electrical systems and architecture, fire cause and origin, lidar/radar, sensors, camera/optical/vision, warning & diagnostic system & fault code analyses.
- Insurance law, no fault insurance law, subrogation. Automotive domestic/international OEMs, customers, suppliers, manufacturing, operations.
- Field Analysis of Product Liability Issues and the Implementation of Design Changes to Reduce Exposure. Forensics. Analysis of Alternative Designs.
- Regulatory pre-emption arguments, express, implied, or fact-specific analyses. Workplace safety/standards/polices, Fall Protection, - OSHA, ANSI, etc.
- Depositions, Expert Testimony, Trial Testimony. *FCA v. Lear, Delphi - Please see Judicial Experience/Testimony History on website (too much to list here).*

### Summary of Professional Experience

*Principal - AUTOMOTIVE DESIGN ANALYSIS, South Lyon, MI* - Technical consulting practice conducting objective, expert analysis, research, and investigation of all aspects of Intellectual Property; Patents, Products and Technologies; and Product Liability, defect investigation, Regulatory compliance. Forensic Analyses.

*TARDEC/TACOM - U.S. Army, Warren, MI* - Cyber Security- Computer Engineer Direct. IP - Invention disclosures/patents/contracts. (GTA & Alion contractual).

*Associate, Intellectual Property - Vivacqua Law, Ann Arbor, MI* - Represent clients in all intellectual property aspects of electrical, chemical, software, and automotive.

*Principal Systems Engineer - TACOM - U.S. Army, Warren, MI* - Conduct Systems Engineering/ Manage Cross-Functional Teams. DoD contracts. Consult via Raytheon Risk Analysis/Decision Analysis Lead - General Dynamics, Sterling Hts., MI - Decision analysis, trade studies, systems engineering, risk analysis, & mitigation.

*Intellectual Property Litigation Associate, Dechert LLP, Austin, TX* - Represent clients in all aspects of electrical, chemical, software, and computers involving all aspects of intellectual property, including licensing, USPTO matters, joint development agreements, contracts, opinion work, infringement analyses, standards boards, copyrights, trade secrets, & antitrust issues. Discovery, motion practice, trial/ settlement procedures. Cases include Lucent/MPT v. Gateway MPEG proceedings, Apple Computer-Lucent Licensing negotiations, Tendler v. Onstar, and Acer/Gateway v. Hewlett Packard International Trade Commission litigation.

*Design Analysis Engineer/Technical Specialist/Engineering Manager, FORD, Dearborn, MI* - Technical analysis of vehicles, systems, components, and diagnostics. Act as corporate representative and expert witness; testify in trials and depositions. Conduct accident investigations and prepare expert witness reports and responses to requests for discovery. Expert in FMVSS, ECE, regulatory, due-care, corporate standards, warnings, SAE and NHTSA publications, information for NHTSA inquiries, recalls, notices, vehicle diagnostic, OBDII interfaces, vehicle bus interfaces, communication protocols, human machine interface, analysis/interpretation of electrical components, system information stored in electronic crash sensors, diagnostic modules, system modules. Lead design, development, testing, and implementation of advanced-technology passive/active restraint systems. Conducted numerous (hundreds) crash, sled, and component tests. Developed design verification plans & reports, failure modes & effects analyses, product & production validation plans, and then develop the products & systems to meet these requirements. Quality control/assurance.

*Senior Project Engineer, General Motors, Troy, MI* - Design, development, testing, and release of electrical system, software/algorithm, sensing, and airbag and airbag

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## ADDITIONAL INFORMATION



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- Automotive, truck (including tractor-trailer) systems, sensing systems, including all crash recorders (Direct design experience in these modules for over 20 years). Accident reconstruction and analysis of crash pulse information. Electrical, electronic, electro-mechanical components and systems. Computer, algorithm, software, analyses. Occupant sensing and Out-of-position sensing and injury mitigation.
- Design validation plans and reports, failure modes and effects analyses, product prove-out, design verification, reliability/durability analyses/assessment.
- Analysis of component defects including seats, seatbelts, load limiters, pretensioners, curtains, airbags, roof crush, structure, doors, all modes of sensors, crashworthiness. Occupant position sensing, Occupant Out-of-position sensing, and injury mitigation systems & strategies.
- Workplace safety standards, practices, policies. Fall Protection, - OSHA, ANSI, etc. Inertia mechanisms, harnesses. Safety/machine guards.
- Electrical systems and architecture, fire cause and origin, lidar/radar, sensors, camera/optical/vision, warning & diagnostic system & fault code analyses. Human machine interfaces, controls, displays, warnings, diagnostic. Data/information/parameter storage & retrieval.
- Insurance law, no fault insurance law, subrogation, class actions. Automotive domestic/international OEMs, customers, suppliers, manufacturing, operations. NHTSA Complaints and Responses. FMVSS, IIHS, Sled and Barrier testing and analyses. Injury assessment.
- Field Analysis of Product Liability Issues and the Implementation of Design Changes to Reduce Exposure. Analysis of Alternative Designs.
- Regulatory pre-emption arguments, express, implied, or fact-specific analyses.
- Depositions, Expert Testimony, Trial Testimony. *FCA v. Lear, Delphi & numerous other cases - Please see Judicial Experience/Testimony History*

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## JUDICIAL APPEARANCES AND TESTIMONY HISTORY (PAGE 1 OF 3)

### Depositions

- Kupovits v. Wright & Fillipis, Oakland County Circuit Court, Michigan, August 23, 2000
- Paisner v. Chonus, Superior Court of New Jersey, October 9-10, 2000
- Brown v. Ford, Greenup Circuit Court, Greenup, Kentucky, April 3, 2001
- Davis v. Ford, United States District Court, District of Nevada, January 9, 2002
- Estate of Edward Thompson, Lisa Bryant v. Ford, United States District Court, Eastern District of Tennessee, March 7, 2002
- Dotson v. Ford, United States District Court, Western District of Virginia, July 26, 2002
- O'neal and Johnson v. Ford et al, Circuit Court of Warren County, Mississippi, August 29, 2003
- Galam et al v. Ford et al, Los Angeles County Superior Court, September 22, 2004
- Lindop/Billich v. Ford, Santa Clara County Superior Court, San Jose California, March 17, 2005
- Davis v. Ford, Contra Costa County Superior Court, Martinez, California, March 31, 2005
- Davis v. Ford, Contra Costa County Superior Court, Martinez, California, May 26, 2005
- Sister Guadalupe Gonzalez v. Ford et al, Superior Court of California, County of Los Angeles, July 13, 2005
- Davis v. Ford, Contra Costa County Superior Court, Martinez, California, July 28-29, 2005
- Carney (Wisnewski) v. Darrin Ray Cochran, Dennis Cochran, and Ford, Circuit Court of Kanawha County, West Virginia, August 17, 2005
- Davis v. Ford, Contra Costa County Superior Court, Martinez, California, September 7, 2005
- Sister Guadalupe Gonzalez v. Ford et al, Superior Court of California, County of Los Angeles, September 13, 2005
- Cox v. Ford et al, 14th Judicial District Parish of Calcasieu Louisiana, October 21, 2005
- Mancha et al v. Ford et al, 23rd Judicial District Wharton County, Texas, November 3, 2005
- McCoy v. Ford et al, Court of Common Pleas County of Richland, South Carolina, November 8, 2005
- Davis v. Ford, Contra Costa County Superior Court, Martinez, California, November 17, 2005
- Shannon/Lynthacum v. Ford, General Court of Justice, Superior Court Division, County of Richmond, North Carolina, January 12, 2006
- Walker v. Ford, United States District Circuit Court of the 17th Judicial District, Southern District Broward County, Florida, February 2, 2006
- Cook v. Ford, Marion County Superior Court, County of Marion, State of Indiana, July 11, 2006.
- Elliot v. Ford, United States District Court, District of Arizona, September 20, 2006.
- In the Matter of Certain Starter Motors and Alternators, Inv. No. 337-TA-755, United States International Trade Commission, Washington, D.C., August 31, 2011
- Zachery Bradley, et al v. Fontaine Trailer Company, Inc., Case No. 3:06 CV 0062 (WWE), United States District Court District of Connecticut, September 27, 2011
- Mobileye, Inc. v. Picutup Corp., et al, Case No. 12 CV 1994, United States District Court Southern District of New York, August 28, 2012
- Cody Cormier, et al v. Tammy Threatts, et al 15<sup>th</sup> Judicial District Court Parish of Acadia State of Louisiana, Docket No. 2009-10199, Div. B, April 8, 2014
- Sunday Brumfield, Individually and as Tutrix of the Minors Shane Brumfield and Dalton Brumfield, v. Dana Shell, Ford Motor Company, Mississippi Farm Bureau Casualty Insurance Company, City of Baker, City of Baton Rouge, 20<sup>th</sup> Judicial District Court for the Parish of East Feliciana, State of Louisiana, Docket No. 39,092 Division B, May 15, 2014
- Toyota Motor Corp., Petitioner, v. Leroy G. Hagenbuch, Patent Owner, Case IPR2013-00483, Patent 8,014,917, Administrative Patent Judge Jameson Lee, USPTO-PTAB July 8, 2014
- CHRISTINA M. DAVIS, individually and on behalf of her minor child, BRANDON DAVIS, Plaintiff, v. Isuzu Motors Limited, a foreign corporation; Isuzu Motors America, LLC, a California limited liability company; Suburu of Indiana Automotive, Inc., an Indiana corporation, f/n/a Suburu-Isuzu Automotive, Inc.; Ronnie O. Underwood and Jane Doe Underwood, husband and wife, and Does 1-100, Inclusive, Defendants, In and for the County of Navajo, In the Superior Court of the State of Arizona, NO. CV201000098, August 21, 2014
- Vehicle Interface Technologies, L.L.C. v. Ford Motor Company, L.L.C., United States District Court for the District of Delaware, C.A. No. 12-1284-RGA, August 27-29, 2014
- Vehicle Interface Technologies, L.L.C. v. Jaguar Land Rover North America, L.L.C., United States District Court for the District of Delaware, C.A. No. 12-1285-RGA, August 27-29, & September 3, 2014
- Toyota Motor Corp., Petitioner, v. Leroy G. Hagenbuch, Patent Owner, Case IPR2013-00638, Patent 8,014,917, Administrative Patent Judge Jameson Lee, Michael W. Kim, & Adam V. Floyd, USPTO-PTAB September 19, 2014

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## JUDICIAL APPEARANCES AND TESTIMONY HISTORY (PAGE 2 OF 3)

### Depositions

- CHRISTINA M. DAVIS, individually and on behalf of her minor child, BRANDON DAVIS, Plaintiff, v. Isuzu Motors Limited, a foreign corporation; Isuzu Motors America, LLC, a California limited liability company; Suburu of Indiana Automotive, Inc., an Indiana corporation, f/n/a Suburu-Isuzu Automotive, Inc.; Ronnie O. Underwood and Jane Doe Underwood, husband and wife, and Does 1-100, Inclusive, Defendants, In and for the County of Navajo, In the Superior Court of the State of Arizona, NO. CV201000098, September 22, 2014
- Toyota Motor Corp., Petitioner, v. Leroy G. Hagenbuch, Patent Owner, Case IPR2014-00123 Case IPR2014-00124, Patent 8,532,867, Administrative Patent Judge Jameson Lee, Michael W. Kim, & Adam V. Floyd, USPTO-PTAB September 30, 2014
- Ford Motor Company, BMW of North America LLC, v. Vehicle Operation Technologies, LLC Patent Owner, Case IPR2014-00594, Case IPR2014-00600, Case IPR 2014-00601, Case IPR2014-00602, Case IPR2014-00603 U.S Patent No. 7,145,442 Vehicle Operation Display System, Administrative Patent Judges Glenn J. Perry, Brian J. McNamara, & Bart A. Gerstenblith USPTO-PTAB, April 7, 2015
- Steven Newbern and Claudia Newbern Plaintiffs, v. Ford Motor Company and Stephen Ronald McGee Defendants, Court of Common Pleas for the Ninth Judicial Circuit, State of South Carolina, C/A No. 2013-CP-2928, April 30, 2015
- TRW Automotive US LLC, Petitioner, v. Magna Electronics Inc., Patent Owner Case IPR2014-01010 Patent 7,533,998 B2, Administrative Patent Judges James P. Calve, Michael J. Fitzpatrick, & Barry L. Grossman, USPTO-PTAB, May 19, 2015
- Sunday Brumfield, Individually and as Tutrix of the Minors Shane Brumfield and Dalton Brumfield, v. Dana Shell, Ford Motor Company, Mississippi Farm Bureau Casualty Insurance Company, City of Baker, City of Baton Rouge, 20th Judicial District Court for the Parish of East Feliciana, State of Louisiana, Docket No. 39,092 Division B, May 21, 2015
- Steven Newbern and Claudia Newbern Plaintiffs, v. Ford Motor Company and Stephen Ronald McGee Defendants, Court of Common Pleas for the Ninth Judicial Circuit, State of South Carolina, C/A No. 2013-CP-2928, July 29, 2015
- Magna Electronics Inc. Plaintiff, v. TRW Automotive Holdings Corp; TRW Automotive US LLC; and TRW Vehicle Safety Systems Inc. Defendants – United States District Court for the Western District of Michigan - Civil Action No. 1:12-cv-00654, Civil Action No. 1:13-cv-00324, Honorable Paul L. Maloney, July 7, 2015
- Margaret Scholan, as guardian for Meta Scholan and Bailey Scholan, Plaintiff, vs. Toyota Motor Corporation, a foreign Corporation, Toyota Motor Sales USA, a foreign Corporation, and Daytona BR-GD, Inc. d/b/a Daytona Toyota, a Florida corporation, Defendants; Circuit Court Seventh Judicial Circuit in and for Volusia County Florida- Case No. 2013-31068 CICI Division 31, August 5, 2015
- TRW Automotive US LLC, Petitioner, v. Magna Electronics Inc., Patent Owner; Cases IPR2014-01497 Patent 8,531,278, IPR2014-01499 Patent 8531279; Administrative Patent Judges Jamison Lee, Barry L. Grossman, & Bart A Gerstenblith, USPTO-PTAB, September 15, 2015
- Velocity Patent, LLC, Plaintiff, v. Mercedes USA, LLC; Mercedes-Benz U.S. International, Inc., & FCA US, LLC, Defendants, Case Nos. 1:13-cv-08413, Case Nos. 1:13-cv-08419, United States District Court for the Northern District of Illinois Eastern Division, Case Nos. 1:13-cv-08419 Judge John W. Darrah Magistrate Judge Michael T. Mason, February 1, 2016
- Dorman Products, Inc., Plaintiff, v. Paccar Inc., Defendant, Civil Action No. 2.13-cv-06383-JD, United States District Court for the Eastern District of Pennsylvania, April 8, 2016
- Gayle N. Robbins, Plaintiff, v. Ford Motor Company, Defendant, Case No. 415cv01360hea, United States District Court, Eastern District of Missouri, Eastern Division, August 16, 2016
- Unified Patents Inc, Petitioner v. American Vehicular Sciences, LLC Patent Owner, IPR2016-00364 Patent 9,043,093, Administration Patent Judges Benjamin D. M. Wood, Jennifer Meyer Chagnon, Timothy J. Goodson, USPTO-PTAB, October 14, 2016
- FCA US, Plaintiff, v. Lear Corporation, Defendant/Third Party Plaintiff, v. Delphi Connection Systems US, Inc., f/k/a FCI Automotive USA, Inc., DPH Holdings Corp. and Delphi Automotive LLP, Third Party Defendants, Case No. 15-146773-CK, State of Michigan, In the Circuit Court for the County of Oakland, Hon. James M. Alexander, October 25, 2016
- Autoliv ASP, Inc.; Nihon Plast Co., LTD.; Neaton Auto Products Manufacturing Inc.; Takata Corp.; TK Holdings, Inc.; Toyoda Gosei Co. Ltd.; Hyundai Mobis Co., Ltd.; Mobis Alabama, LLC; and Mobis Parts America LLC, Petitioner, v. American Vehicular Sciences, LLC, Patent Owner, IPR2016-01790 Patent 9,043,093 Administration Patent Judges Trevor M. Jefferson, Jennifer Meyer Chagnon, and Scott C. Moore, USPTO-PTAB, August 29, 2017
- Autoliv ASP, Inc.; Nihon Plast Co., LTD.; Neaton Auto Products Manufacturing Inc.; Takata Corp.; TK Holdings, Inc.; Toyoda Gosei Co. Ltd.; Hyundai Mobis Co., Ltd.; Mobis Alabama, LLC; and Mobis Parts America LLC, Petitioner, v. American Vehicular Sciences, LLC, Patent Owner, IPR2016-01794 Patent 9,043,093 Administration Patent Judges Trevor M. Jefferson, Jennifer Meyer Chagnon, and Scott C. Moore, USPTO-PTAB, August 30, 2017

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## JUDICIAL APPEARANCES AND TESTIMONY HISTORY (PAGE 3 OF 3)

### Trial Expert Testimonies

- Schicksnider v. Ford, 17th Judicial District Court, Parish of Lafourche, Louisiana, October 30, 2003
- Schach v. Ford and Bridgestone/Firestone, United States District Court, Middle District of Pennsylvania, May 5-6, 2004
- Colton v. Ford, General District Court for City of Newport News Virginia, Southeastern District of Virginia, January 12, 2005
- Laing v. Ford, 19th District Court Dearborn, Michigan, March 10, 2005
- Edwards v. Ford, 7th Judicial District Court Parish of Concordia Vidalia, Louisiana, May 2, 2005
- Walker v. Ford, United States District, Circuit Court of the 17th Judicial District Southern District, Broward County, Florida, March 8, 2006
- Sunday Brumfield, Individually and as Tutrix of the Minors Shane Brumfield and Dalton Brumfield, v. Dana Shell, Ford Motor Company, Mississippi Farm Bureau Casualty Insurance Company, City of Baker, City of Baton Rouge, 20th Judicial District Court for the Parish of East Feliciana, State of Louisiana, Docket No. 39,092 Division B, June 2-3, 2015
- Margaret Scholan, as guardian for Meta Scholan and Bailey Scholan, Plaintiff, vs. Toyota Motor Corporation, a foreign Corporation, Toyota Motor Sales USA, a foreign Corporation, and Daytona BR-GD, Inc. d/b/a Daytona Toyota, a Florida corporation, Defendants; Circuit Court Seventh Judicial Circuit in and for Volusia County Florida- Case No. 2013-31068 CICI Division 31, November 3, 2015
- FCA US, Plaintiff, v. Lear Corporation, Defendant/Third Party Plaintiff, v. Delphi Connection Systems US, Inc., f/k/a FCI Automotive USA, Inc., DPH Holdings Corp. and Delphi Automotive LLP, Third Party Defendants, Case No. 15-146773-CK, State of Michigan, In the Circuit Court for the County of Oakland, Hon. James M. Alexander, April 28, 2017

### Hearings

- Paisner v. Chonus, Superior Court of New Jersey, June 28, 2000
- O'neal and Johnson v. Ford et al, Circuit Court of Warren County, Mississippi, October 9, 2003

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