

## STACY A. FRIEDMAN

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### SUMMARY

Creative technology product consultant with over 20 years' experience in product design, development, and IP strategy across several industry sectors, including enterprise software, mobile and online gaming, and casino gambling. Harvard degree in computer science, *magna cum laude*. Key product design resource for several small technology companies leading to over \$500M in total M&A activity.

Named inventor on over 30 U.S. Patents. Managing an IP portfolio of approximately 40 assets including patents and trademarks. *Pro se* and counsel-assisted patent prosecution including initial specification/claims drafting, office action responses, and appeal brief drafting. Successfully negotiated several IP transactions.

Subject matter expert consulting and expert witness testimony in over 40 disputes or litigations in US and internationally (Canada, UK, Australia, Costa Rica). Matters include patent infringement, trade secret misappropriation, USPTO proceedings (*inter partes* review, covered business method review, *ex parte* reexamination), breach of contract, criminal proceedings, and pre-litigation analysis. Over 80 written expert reports or declarations. Testimony at deposition, 13 times. Testimony at hearing or trial, 8 times, including appearances in U.S. district courts, U.S. state courts, and patent courts in UK and Canada.

Expert analysis tasks included: software source code analysis, review of specialty hardware (regulated gaming equipment), game mathematics analysis, technical systems analysis, prior art search/analysis, regulatory compliance analysis, patent claim construction, patent validity and infringement, trade secret analysis, trade secret reverse engineering, analysis of other experts' opinions.

### EXPERT CONSULTANT EXPERIENCE

#### **Patent infringement, networked gaming systems/methods**

Client: counsel for plaintiff. Expected tasks: validity analysis, infringement analysis, source code analysis. 2020-ongoing.

#### **GREE v. Supercell Oy, patent infringement, networked gaming systems/methods (multiple matters)**

Client: Fenwick & West for defendant. Tasks: validity analysis, infringement analysis, source code analysis, expert reports/declarations for district court and USPTO proceedings, deposition testimony. 2020-ongoing.

#### **INAG, Inc. v. Richar, Inc., patent infringement, casino gaming equipment**

Client: Fisher Broyles for defendant. Tasks: validity analysis, infringement analysis, expert reports, deposition testimony. 2020-ongoing.

#### **Epic Tech LLC v. Fusion Skill, Inc. et al., patent infringement, electronic gaming machines**

Client: Dunlap Coddling for defendant Texas Wiz. Tasks: validity analysis, infringement analysis, expert declarations. 2020-ongoing.

#### **Patent infringement, electronic gaming machines**

Client: counsel for defendant. Tasks: validity analysis. 2020, on hold.

#### **Bot M8 LLC v. Sony Corporation of America, patent infringement, networked gaming system**

Client: Kramer Levin Naftalis & Frankel for plaintiff. Tasks: validity analysis, infringement analysis, source code analysis, expert declarations, deposition testimony. Disposition: Asserted patent found invalid. 2019-2020.

#### **Patent infringement, electronic gaming machines**

Client: counsel for defendant. Tasks: validity analysis, infringement analysis, expert declaration. 2019-ongoing.

#### **Tippling Point Gaming v. Caesars Entertainment, misappropriation of trade secret, casino gaming system**

Client: Greenberg Traurig for defendant. Tasks: trade secret analysis, prior art analysis, expert report. Disposition: claims dismissed with prejudice. 2019.

**MGM National Harbor v. Markel Insurance, damage assessment, electronic gaming machines**  
Client: DeCaro Doran for defendant. Tasks: machine evaluation after water damage, damages analysis. 2019.

**Misappropriation of trade secret, gaming machine technology**  
Client: counsel for plaintiff. Tasks: forensic analysis, mathematical analysis. 2019-2020.

**GREE v. Supercell Oy, patent infringement, networked gaming system**  
Client: Fenwick & West for defendant. Tasks: validity analysis, expert reports, deposition testimony, trial testimony.  
Disposition: jury verdict for plaintiff. 2019-2020.

**Supercell Oy v. GREE, Inc., *inter partes* review, networked gaming system**  
Client: Fenwick & West for petitioner. Tasks: validity analysis, expert declarations. Disposition: IPR institution denied. 2019.

**Patent infringement, networked gaming system**  
Client: plaintiff. Tasks: source code analysis, infringement analysis, validity analysis, expert report. 2018-ongoing.

**Patent infringement, electronic gaming machines**  
Client: plaintiff. Tasks: infringement analysis, validity analysis, expert report. 2018-on hold.

**Lego Systems, Inc and Warner Bros. Home Entertainment v. FigureFun LLC, *inter partes* review, electronic gaming machines**  
Client: patent owner. Tasks: validity analysis, expert declarations. Disposition: Final written decision. 2018-2019.

**Bookman v. Resorts World Casino, Genting New York and Int'l Game Technology (IGT), breach of contract & negligence, slot machine abnormality/withheld jackpot**  
Client: Alan Ripka for plaintiff. Tasks: technical investigation, expert affidavit. 2018.

***Inter partes* review, networked gaming system**  
Client: counsel for patent owner. Tasks: validity analysis. 2017-2018.

**Aristocrat Technologies v. High 5 Games, *inter partes* review, slot machine method**  
Client: Covington & Burling for petitioner. Tasks: prior art research, validity analysis, IPR declaration, deposition testimony. Disposition: all claims unpatentable. 2017-2019.

**Video Gaming Technologies (VGT) v. Castle Hill Gaming, misappropriation of intellectual property, Class II gaming machines**  
Client: Covington & Burling for plaintiff. Tasks: functional analysis of Class II gaming machines, trade secret and trade dress analysis, source code analysis, expert reports and declarations, deposition testimony. Disposition: public settlement of \$3M. 2017-2019.

**Compliance investigation, electronic gaming machines**  
Client: counsel for petitioner. Tasks: examine behavior of electronic gaming machines with respect to regulations and state court opinions. 2015-2018.

**Int'l Game Technology (IGT) v. Aristocrat Technologies, patent infringement, gaming machines**  
Client: Covington & Burling for defendant. Tasks: prior art research, validity analysis, IPR declarations. Disposition: confidential settlement. 2015-2016.

**AmTote International v. Kentucky Downs, misappropriation of intellectual property, networked gaming system**  
Client: Gilbert's LLP for plaintiff. Tasks: technical analysis, trade secret analysis, expert report. 2015-2018.

**IGT v. AmTote International, patent infringement (pre-litigation), networked gaming system**  
Client: Gilbert's LLP defendant. Tasks: validity analysis. Disposition: litigation averted due to my analysis. 2015.

**International Internet Technologies, LLC v. Sweepstakes Patent Company, LLC, covered business method review, networked gaming system**  
Client: Schneider Rothman for patent owner. Tasks: validity and infringement analysis, written reports, deposition testimony. Disposition: patent found invalid during CBM review. 2015-2016.

**Abnormality analysis, networked gaming machines**

Client: counsel for defendant. Tasks: log file forensic analysis, source code analysis. Disposition: confidential settlement. 2015-2016.

**MEI-GSR Holdings, LLC d/b/a Grand Sierra Resort v. Peppermill Casinos, Inc., misappropriation of trade secrets, slot machine par settings**

Client: Robison, Belaustegui, Sharp & Low for defendant. Tasks: trade secret analysis, trade secret reverse engineering, damages analysis, written reports, trial testimony. Disposition: jury verdict for defendant. 2014-2016.

**MGT Gaming v. Aruze, patent infringement, slot machine system**

Client: Watson Rounds for defendant. Tasks: claim construction analysis, declaration. Disposition: confidential settlement. 2014-2015.

**SHFL Entertainment v. GTECH, patent infringement, online gaming system**

Client: McCarter & English for defendant. Tasks: validity analysis. Disposition: confidential settlement. 2014.

**Stephenson v. Worldwinner, *inter partes* review, networked tournament system patent**

Client: Merchant & Gould for patent owner. Tasks: validity analysis, expert declaration, deposition testimony. Disposition: patent invalid for anticipation. 2013-2015.

**Agincourt Gaming v. Zynga, patent infringement, network gaming system**

Client: Quinn Emanuel Urquhart & Sullivan for defendant. Tasks: prior art research, validity analysis. Disposition: confidential settlement. 2013-2014.

**eLot v. GTECH, patent infringement, networked lottery system**

Client: Finnegan, Henderson, Farabow, Garrett & Dunner for defendant. Tasks: infringement analysis and validity analysis. Disposition: confidential settlement. 2013.

**Big Daddy Games v. Reel Spin Studios, copyright infringement, gaming machines**

Client: Michael Best for defendant. Tasks: source code analysis, written report, deposition testimony. Disposition: confidential settlement. 2012.

**Seneca Nation of Indians v. State of New York, regulatory dispute, video lottery terminals**

Client: Kanji & Katzen / Harter Secrest & Emery for plaintiff. Tasks: systems and network protocol analysis, gameplay analysis, regulation analysis, written reports, testimony at hearing. Disposition: public settlement of over \$600M dispute. 2012-2013.

**Safe Gaming System Inc. v. Atlantic Lottery Corp., patent infringement, networked gaming system**

Client: Borden Ladner Gervais for defendant. Tasks: infringement analysis, validity analysis, written reports, trial testimony (Federal Court of Canada). Disposition: dismissal / judgment for defendant. 2012-2018.

**eLot v. Atlantic Lottery Corporation, patent infringement, Internet lottery system**

Client: Borden Ladner Gervais for defendant. Tasks: infringement analysis, validity analysis, written report. Disposition: favorable settlement shortly after my report was submitted. 2012-2014.

**Fortunet v. Playbook Publishing, misappropriation of trade secrets, proprietary wagering methods**

Client: Watson Rounds for plaintiff. Tasks: evaluation of differences between wagering methods produced by both parties, written report, trial testimony. Disposition: jury verdict partly in favor of plaintiff. 2011-2013.

**McKee v. Isle of Capri Casinos, breach of contract & consumer fraud, slot machine abnormality/withheld jackpot**

Client: Donnelly Nelson Depolo Murray for plaintiff. Tasks: analysis of slot machine forensic report. My engagement was terminated when I disputed counsel's technical interpretations. Disposition: summary dismissal. 2011-2012.

**Legal iGaming / Zynga v. Int'l Game Technology (IGT), patent interference, networked gaming system**

Client: Morrison Foerster for senior party defendant. Tasks: patent analysis, expert declaration. Disposition: PTO verdict for defendant. 2011.

**Gaming patent review (pre-litigation/confidential). networked gaming machine methods**

**Lottotron v. Allgames Casino, patent infringement, remote wagering system**

Client: Stadheim Gear for plaintiff. Tasks: damages analysis and testimony at damages hearing. Disposition: plaintiff awarded damages over \$14M. 2011.

**WMS Gaming v. Bally Technologies, patent infringement, slot machine technologies**

Client: Quinn Emanuel Urquhart & Sullivan for defendant. Tasks: prior art research, validity analysis. Disposition: confidential settlement. 2011.

**Lottotron v. EH New Ventures, patent infringement of remote wagering system**

Client: Stadheim Gear for plaintiff. Tasks: Infringement analysis, written testimony, deposition testimony, trial testimony. Disposition: jury verdict for defendant. 2010-2012.

**Compliance investigation, charitable bingo machines**

Client: Thunderbird Casino, Costa Rica. Tasks: investigation and analysis of gameplay on electronic bingo machines relative to regulatory language, written report submitted to national legislator. 2010-2011.

**Compliance investigation, charitable bingo machines**

Client: Alabama Attorney General. Tasks: investigation and analysis of gameplay on multiple manufacturers' electronic bingo machines in view of Alabama Supreme Court ruling, pre-litigation technical support. Disposition: project terminated due to Governor's intervention. 2010.

**State of California v. Wilkins, theft, casino loyalty club points**

Client: Public Defender, Humboldt County, CA for defendant. Tasks: evaluation of casino accounting data, damages calculation, written testimony. Disposition: case settled for the amount I calculated. 2009-2010.

**Dottie Janousek v. Canyon Casino, breach of contract, slot machine abnormality/withheld jackpot**

Client: Helmer McElyea for plaintiff. Tasks: analysis of slot machine forensic report and supporting evidence, written testimony. Disposition: based on my testimony, plaintiff received satisfactory settlement. 2009.

**Golden Route v. Ardent Gaming, breach of contract, casino accounting system**

Client: John Peter Lee for defendant. Tasks: contract review, software specification review, system data analysis, written report. Disposition: confidential settlement. 2009.

**Cranway v. Playtech (United Kingdom), patent infringement, online gaming system**

Client: Herbert Smith for plaintiff. Tasks: infringement and validity analysis, written testimony and testimony at trial. Disposition: patent was found invalid as excluded matter under UK patent law. 2008-2009.

**International Gamco v. Multimedia Games, patent infringement, video lottery system**

Client: Luce, Forward, Hamilton & Scripps for defendant. Tasks: infringement and validity analysis, written testimony and deposition testimony. Disposition: summary judgment for defendant. 2006-2010.

**Aristocrat Technologies v. Multimedia Games, patent infringement, video lottery machines**

Client: Luce, Forward, Hamilton & Scripps for defendant. Tasks: infringement and validity analysis, written testimony and deposition testimony. Disposition: settled in favor of defendant shortly after my deposition was taken. 2006-2008.

**HomeBingo v. Multimedia Games, patent infringement, electronic bingo system**

Client: Fish & Richardson for defendant. Tasks: infringement and validity analysis, written testimony. Disposition: settled in defendant's favor after Judge, in Markman ruling, opined that defense construction was "in all respects, proper." 2006-2007.

**State of Mississippi v. (unknown defendant), felony cheating at gambling**

Client: Mississippi Gaming Commission. Tasks: provided statistical evidence for cheating vs. probability of random outcomes. Disposition: indictment handed down by grand jury. 2005.

## PUBLICATIONS AND MEDIA INTERVIEWS

- April 2014 Web radio interview for Casino Enterprise Management podcast “Casino Talk with Brooke Dunn” regarding new casino game concepts.
- January 2011 Video interview for CBS News show “60 Minutes” regarding video slot machine gameplay. Published on the CBS News website.
- March 2010 Written article in Casino Journal: “Gaming’s Greatest Hits: 6 Ideas that Changed the Industry”
- March 2007 Radio interview for National Public Radio show “Justice Talking” regarding slot machine design and mathematics.

## WORK AND BOARD EXPERIENCE

- 2001-present **OLYMPIAN GAMING, LLC**, Lake Oswego, OR  
Gaming industry consulting, intellectual property consulting and game development  
**President**
- Developed profitable consulting practice around casino gameplay development and analysis, including custom software simulation and analysis
  - Designed slot game models and new game features for land-based and online gaming vendors. Client list includes WagerWorks (IGT), Chartwell Technology, Parlay Entertainment, Diamond Game, Phantom EFX, and DEQ Systems.
  - Designed and/or analyzed keno, bingo, lottery, blackjack, craps, roulette, poker, video poker, and many novel gaming propositions
  - Social game design and virtual economy design for casual mobile or web games
  - Advised clients in IP strategy, including patent clearance and potential design-arounds
  - Provided expert witness testimony in many gaming-related lawsuits
  - Developed IP portfolio including over 30 issued US patents and several trademarks
    - Executed IP licenses with several casino operators and gaming vendors
  - Held licenses from Washington State Gambling Commission and Nisqually Tribal Gaming Commission; achieved regulatory game approvals in WA, NV, MS.
- 2014-2020 **CONGREGATION BETH ISRAEL**, Portland, OR  
**Board Treasurer**, 2018-2020  
**Member, Board of Trustees**, 2014-2018
- 2011-2013 **DOUBLE DOWN INTERACTIVE / INTERNATIONAL GAME TECHNOLOGY**, Seattle, WA  
Social casino operator  
**Game Design Consultant / Gaming Strategist**
- Redesigned and corrected casino game implementations for DDI's social casino game website
  - Led casino-industry education efforts for non-casino casual games staff
  - Designed all of DDI's casino gameplay prior to its \$500M acquisition by IGT
  - Product integration between DDI's social games platform and IGT's slot machine content
  - Internal gaming expert for evaluating new product submissions and patent filings
- 2011-2014 **VIZKINECT**, Reno, NV  
A visual data capture and analysis company  
**Member, Board of Advisors**
- Advising early-stage technology company on strategic direction and application of biometric capture technology, including eye tracking and galvanic skin response, across several verticals
- 2006-2008 **NIKE**, Beaverton, OR  
A leading athletic footwear and apparel brand  
**Senior Enterprise Architect**
- Delivered service-oriented architecture (SOA) strategy and web service solutions
  - Facilitated application and service architecture for key eCommerce initiatives
    - Resulted in over \$1.4M in incremental revenue in first quarter after go-live
  - Authored and delivered executive-education presentations on SOA and Web 2.0 collaboration

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