

Alan D. Ball, IDSA

Industrial Designer, Inventor, and Design Expert.

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"I'm going to credit the testimony of Mr. Ball in all respects over the other witnesses who testified to the contrary. I thought his expert report was thorough and credible, and I thought his testimony was thorough and credible. And to the extent that I have not made a full oral ruling in that respect, I'm adopting his testimony because I thought that I found it credible and covered the areas that deal with infringement very well."

- Honorable **Thomas M. Durkin**, United States District Court for the Northern District of Illinois, from the transcript of December 7, 2021, Oral Ruling Vacating TRO and Denying Motion for Preliminary Injunction, **Think Green Limited d/b/a Haakaa v. Medela**, Case No. 1:21-cv-05445.

Expert Witness Employment:

- 2021 **Think Green Limited d/b/a Haakaa v. Medela**, Case No. 1:21-cv-05445, United States District Court for the Northern District of Illinois. Provided expert services to Marshall, Gerstein & Borun LLP representing defendant Medela.
- 2018-2021 **Boehringer Ingelheim Pharmaceuticals, Inc. v. Lupin Atlantis Holdings SA**, Consolidated Civil Action No. 18-cv-12663-BRM-TJB, United States District Court for the District Of New Jersey. Provided expert services to Covington & Burling LLP representing patent owner Boehringer Ingelheim.
- 2020-2021 **Raffel Systems LLC, v. Man Wah Holdings LTD Inc.**, Case No. 2:18-CV-01765, United States District Court for the Eastern District of Wisconsin. Provided expert services to Mayer Brown for defendant Man Wah Holdings.
- 2019-present **United States District Court Central District of California**, appointed Special Master to the Court by Hon. Judge David O. Carter in the matter of Case No.: 8:19-cv-01118-DOC-DFM, Panasonic Corporation, vs. Getac Technology Corporation.
- 2020-present **Skull Shaver, LLC, V. Ideavillage Products Corporation**, CIVIL ACTION No. 2:18-cv-03836, United States District Court for the District Of New Jersey. Provided expert services to Delarosa & Associates representing defendant Ideavillage.
- 2020-2021 **Gentex Corporation v. Galvion Ltd.**, Case No. 19-921-MN, United States District Court for the District of Delaware. Provided expert services to Morgan, Lewis & Bockius LLP representing patent owner Gentex Corp.
- 2020-2021 **Hyper Ice, Inc. v. Addaday LLC, Performance Health Systems, LLC, WODFitters, Massimo Motor Sports, LLC, Kinghood International Logistics Inc., Manybo Ecommerce Ltd., Shenzhen Let Us Win-Win Technology Co., Shenzhen Infein Technology Co., Ltd., Hong Kong Yongxu Capital Management Co., Ltd., Laiwushiyu Xinuan Trading Company, Shenzhen QingYueTang E-commerce Co., Ltd., Shenzhen Shiluo Trading Co., Ltd., Kula eCommerce Co., Ltd., Fu Si, Shenzhen Qifeng Technology Co., Ltd., Rechar, Inc., Ning Chen, Opove, and Shenzhen Shufang E-Commerce Co., Ltd.**, Investigation No. 337-Ta-1206, United

States International Trade Commission Washington, DC. Provided expert services to Lewis Brisbois Bisgaard & Smith LLP representing patent owner Hyper Ice, Inc.

- 2020-2021 **Five Star Gourmet Foods, Inc., v. Ready Pac Foods, Inc.**, Case No. 5:18-cv-2436-DDP-KK, United States District Court Central District of California. Provided expert services to Morgan, Lewis & Bockius LLP representing defendant Ready Pac Foods.
- 2019-2020 **Kolcraft Enterprises, Inc., v. Graco Children's Products Inc.**, Case No. 1:15-cv-07950, United States District Court for the Northern District of Illinois Eastern Division. Provided expert services to Meunier Carlin & Curfman LLC representing defendant Graco.
- 2019 **Radio Flyer Inc., v. American Plastic Toys, Inc.**, Case No. 1:19-Cv-05527, United States District Court for The Northern District of Illinois Eastern Division. Provided expert services to Barnes & Thornburg LLP representing patent owner Radio Flyer Inc.
- 2019 **Hunter Fan Company v. Luminex international Co., LTD.**, Civil Action No. 18-cv-344, United States District Court for the Western District of Wisconsin. Provided expert services to Baker, Donelson, Bearman, Caldwell & Berkowitz, PC representing plaintiff Hunter Fan.
- 2018-2021 **Nike Inc. v. Skechers USA Inc.**, Case No. Case No. 2:17-cv-08509-JAK(Ex), United States District Court Central District of California. Provided expert services to Banner & Witcoff, LTD. representing patent owner Nike.
- 2018 **Spigen Korea Co., Ltd. v. Modne, Inc., et al.**, Civil Action No. 3:17-cv-00771, United States District Court, Central District of California. Provided expert services to Stradling Yocca Carlson & Rauth, P.C. representing defendant Modne, Inc.
- 2018 **Stephen F. Evans & Roof N Box, Inc., v. Building Materials Corporation of America**, Civil Action No.: 16-CV-282-GBL-IDD, United States District Court for the Eastern District of Virginia. Provided expert services to Fitzpatrick, Cella, Harper & Scinto representing defendant Building Materials Corporation of America.
- 2017-2018 **Apple Inc., v. Samsung Electronics Co. Ltd., et al**, Case No. 11-CV-01846-LHK, United States District Court Northern District of California, San Jose Division. Provided expert services to WilmerHale and Morrison & Foerster LLP representing patent owner Apple Computer.
- 2017 **Bridgestone Brands, LLC v. BKT Tires Inc.**, Civil Action No. 3:17-cv-00771, United States District Court, Middle District of Tennessee, Nashville Division. Provided expert services to Covington & Burling LLP representing defendant BKT Tires Inc.
- 2017 **Pono Paani, LLC v. Belkin International, Inc.**, Civil Action No. 1:17-cv-00054-SS, United States District Court, Western District of Texas, Austin Division. Provided expert services to Meyertons, Hood, Kivlin, Kowert & Goetzel (MHKKG) representing plaintiff Pono Paani.
- 2016-2018 **Nike Inc. v. Skechers USA Inc.**, Case No. IPR2017-00621, United States Patent and Trademark Office Before the Patent Trial and Appeal Board. Provided expert services to Banner & Witcoff, LTD. representing patent owner Nike.
- 2016 **Snap-On, L.P. v. Harbor Freight**, Case No. 2:16-cv-01265-LA, United States District Court, Eastern District of Wisconsin, Milwaukee Division. Provided expert services to Quinn Emanuel Urquhart & Sullivan, LLP representing defendant Harbor Freight.

- 2015-2018 **Hinrichs v. Beats Electronics, LLC**, Case No. BC 533089, Superior Court of The State of California, County of Los Angeles. Provided expert services to Morrison & Foerster LLP representing defendant Beats.
- 2015-2017 **C&A Marketing Inc. v. GoPro Inc.**, Case No. 1:15-cv-7854-RMB-JS, United States District Court, District of New Jersey. Provided expert services to Morrison & Foerster LLP representing plaintiff C&A Marketing.
- 2015-2016 **Schluter Systems, L.P. v. Imre Batori and Progress Profiles**, Civil Act No. 1:15cv144 (CMH/IDD), United States District Court for the Eastern District of Virginia, Alexandria Division. Provided expert services to Fish & Richardson P.C. (Dallas) representing plaintiff Schluter Systems.
- 2015-2016 **Hamilton Beach, petitioner v. Courtesy Products, patent owner**, Cases IPR2014-01257 and 01258, United States Patent and Trademark Office, before the Patent Trial and Appeal Board. Provided expert services to Finnegan, Henderson, Farabow, Garrett & Dunner, LLP (Washington DC) representing patent owner Courtesy Products.
- 2014-15 **Caterpillar, Inc., petitioner, V. Miller International, Ltd., patent owner**. Case IPR2015-00416, Patent D673,982 S, United States Patent and Trademark Office, before the Patent Trial and Appeal Board. Provided expert services to Finnegan, Henderson, Farabow, Garrett & Dunner, LLP (Washington DC) representing petitioner Caterpillar, Inc.
- 2014-2018 **Pass and Seymour, Inc., Opposer, v. Lutron Electronics Co., Inc., Applicant**, Application Nos. 85/298,572,85/298,600, 85/298,606, Mark: Product Configuration for Light Dimmer Switch Opposition Nos. 91208865 (parent),91212529, 91212524. United States Patent and Trademark Office before The Trademark Trial and Appeal Board Provided expert services to McCarter English representing opposer.
- 2014-2017 **Dyson, Inc. v. SharkNinja Operating LLC**, Case No. 1:14-cv-00779, United States District Court for the Northern District of Illinois, Eastern Division. Provided expert services to Jones Day representing defendant Shark Ninja.
- 2014-15 **SkyHawke Technologies, LLC petitioner v. L&H Concepts, LLC patent owner**, Cases IPR2014-00437 & IPR2014-00438, United States Patent and Trademark Office, before the Patent Trial and Appeal Board. Provided expert services to Fish & Richardson P.C. (Austin) representing US 5,779,566 patent owner L&H Concepts, LLC.
- 2014 **Sunlight Supply Inc. v. Maverick Sun Inc.**, Case No. 2:13-cv-2052, United States District Court Western District of Washington at Seattle. Provided expert services to Betts Patterson Mines (Seattle) representing defendant Maverick Sun.
- 2013-14 **Nokia Corporation et al. v. HTC Corporation et al.**, Investigation Number 337-TA-847. United States International Trade Commission, Washington DC. Provided expert services to Finnegan, Henderson, Farabow, Garrett & Dunner, LLP (Washington DC) representing the defendant, HTC.
- 2013-14 **Ethicon Endo-Surgery, Inc. et al. v. Covidien Inc., et al.**, 11-cv-871 (S.D. Ohio). Served as the expert witness for the plaintiff, Ethicon, concerning alleged infringement of design patents US D661,801; US D661,802; US D661,803; and US D661,804. Provided expert services to Patterson Belknap Webb & Tyler LLP (NYC) representing plaintiff Ethicon.

- 2012 **Emerson Electric Company v. Anaheim Manufacturing Company**, In the Matter of Certain Food Waste Disposers and Components and Packaging Thereof, Investigation Number 337-TA-838. United States International Trade Commission, Washington DC. Provided expert services to Dechert LLP (Philadelphia) representing defendant Anaheim.
- 2012 **Samsung Electronics (UK) LTD. v Apple Inc.**, Case No: HC 11 C 03050, In the High Court of Justice, Chancery Division Patents Court. Provided expert services to Morrison & Foerster LLP (San Francisco) and Freshfields Bruckhaus Deringer, (London) representing Apple computer.

Design Employment:

- 2002-present Alan Ball Industrial Design, Inc. (A.B.I.D.), Somerville, Massachusetts, President.
- 2006-present Margit Manufacturing Company, Somerville MA, President
- 2011-2013 Respiargames Inc., Somerville MA, Director of Product Development.
- 2000-2002 Ziba Boston LLC, Arlington, Massachusetts, Managing Director.
- 1994-2000 Shinola LLC, Somerville, MA, Founder and President.
- 1992-2000 Altitude Inc., Somerville, Massachusetts, Founder and Principal, Director of Design.
- 1991-1992 Herbst Lazar Bell, Inc., Cambridge, Massachusetts, Freelance Industrial Designer.
- 1988-1991 Design Continuum, Inc., Boston, Massachusetts, Industrial Designer.
- 1987-1988 Group Four Design Inc., Avon, Connecticut, Industrial Designer.

Education:

- 2008 IDSA Expert Witness Certification Seminar, Reston, VA.
- 1981-1987 Syracuse University, Syracuse NY, Bachelor of Industrial Design, Minor in Information Studies, 1987. Magna Cum Laude.

Awards, Honors and Other Activities:

- 2007 DIMe Mexican Design Industry Congress, featured keynote speaker.
- 2005 Best in Category, 2nd Annual HomeWorld Business® Housewares Design Awards, CSC-650 Slow Cooker, Cuisinart Inc.
- 2004 Innovations CES Design and Engineering Showcase Award, PepperPad Handheld Tablet Computer, Pepper Computer Inc.
- 2002 IDSA/BusinessWeek IDEA Gold Award, Xpressa IP Business Telephone, Pingtel Corporation.
- 2000 IDSA/BusinessWeek IDEA Silver Award, DeWalt Worksite Radio/Charger, Black and Decker, Inc.

- 2000 IDSA/BusinessWeek IDEA Silver Award, ID Research Process, PDT 7200 Barcode Scanner Terminal, Symbol Technologies, Inc.
- 1999 IDSA/BusinessWeek IDEA Bronze Award, Brita Cascade Water Filtration Pitcher, the Clorox Company.
- 1998 IDSA/BusinessWeek IDEA Gold Award, P300 Phaser Barcode Scanning Terminal, Symbol Technologies, Inc.
- 1998 IDSA/BusinessWeek IDEA Silver Award, LS2100 Hotshot Retail Barcode Scanner, Symbol Technologies, Inc.
- 1998 IDSA/BusinessWeek IDEA Silver Award, Cyclone Retail Scanner Concept, Symbol Technologies, Inc.
- 1998 IDSA/BusinessWeek IDEA Bronze Award, LeashLight Dog Leash w/integrated flashlight, Black and Decker, Inc.
- 1998 Bronze Bean Award: IDSA Boston Chapter, Award for leadership and contribution to the local design community.
- 1997 IDSA/BusinessWeek IDEA Gold Award, DLL 5010M Laser Barcode Scanner, Symbol Technologies, Inc. and Datalogic S.p.A.
- 1997 IDSA/BusinessWeek IDEA Bronze Award, Snake Light Outdoor Lanterns, Black and Decker, Inc.
- 1997 IDSA/BusinessWeek IDEA Bronze Award, DeWalt 12.0 Volt Flexible Floodlight, Black and Decker, Inc.
- 1997 IDSA NE Regional Conference Serious Fun Syracuse NY. Featured Speaker.
- 1997 Industrie Forum (iF) Seal for Design Excellence, PPT4600 Plato Barcode Scanning Terminal, Symbol Technologies, Inc.
- 1997 Industrie Forum (iF) Seal for Design Excellence, LS4000 Eclipse Retail Barcode Scanner, Symbol Technologies, Inc. and Datalogic S.p.A.
- 1996 IDSA/BusinessWeek IDEA Gold Award, PPT4600 Plato Barcode Scanning Terminal, Symbol Technologies, Inc.
- 1996 IDSA/BusinessWeek IDEA Silver Award, LS4000 Eclipse Retail Barcode Scanner, Symbol Technologies, Inc.
- 1996 IDSA/BusinessWeek IDEA Silver Award, PDT 4000 Zircon Barcode Scanning Terminal, Symbol Technologies, Inc.
- 1987 IDSA Student Merit Award.

US Design Patents (57):

- 2012 D690,992 Beverage Filter Stand, Eternal East (HK) Ltd. (Bonavita).
- 2010 D611,760 Blender, Cuisinart (Conair Corporation).
- 2009 D586,807 Hand-held Computer, Pepper Computer.
- 2008 D561,758 Hand-held Computer, Pepper Computer.
- 2008 D575,578 Slow Cooker, Cuisinart (Conair Corporation).
- 2008 D575,579 Slow Cooker, Cuisinart (Conair Corporation).

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