

**Round Table Group  
Consultant Curriculum Vitae**

**Jack D. Grimes, Ph.D.**

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## **Expertise**

- Wireless data systems
  - Computer Graphics
  - Ergonomics/Human Factors
  - Internet Architecture & Security
  - Internet Payment Systems
  - Smart Card Technology
  - Internet Platform Technology
  - Video Capture & Overlay Systems
  - Video Display Devices, ASIC Design
  - User Interface Design
  - Video Graphics Architecture
  - Engineering Development Practices
  - Software development
  - Object oriented, software systems
  - Compressed Video
  - Consumer Television
  - Digital Satellite TV Technology
  - System Reliability
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## **Professional Summary**

Over twenty years experience at the senior levels of management in large and small high technology companies. Dr. Grimes has been responsible for incorporating original technology in a number of new products. His expertise includes: Internet platform technology, including Java, security and payments; Internet payment systems, including credit and debit cards, SET, ACH and other payment methods, including chip cards. He is recognized as an industry technologist and spokesman with excellent verbal and written communication skills. Dr. Grimes is an experienced and well-regarded testimonial expert in intellectual property and contract disputes related to video and other technologies.

## **Employment History**

- From: 1989      **Independent Consultant**  
To: Present      San Jose, CA
- Provide studies, strategies and opinions to industry and the legal profession, with particular emphasis on the following areas:
- Internet commerce strategies including Java, ASP, Unix, NT, scalability, security and payments.
  - Payment security, including digital certificates, DES and other encryption based approaches.
  - Internet data security approaches, e.g., PKI
  - Financial payments strategies for Internet commerce, including credit & debit cards, SET, ACH, and other methods, with special emphasis on chip cards.
  - User interfaces & ergonomics.

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- Computer graphics & television video systems.
- Business, marketing and engineering practices for startup companies.
- Engineering practices for large, object-oriented projects.
- Engineering practices for electronics design and manufacturing.

From: 1999      **ServiceHub Corporation**  
To: 2000      Cupertino, CA  
Title: *Chief Technical Officer*  
Responsible for Internet technology architecture, strategy and market development for this internet startup (www.servicehub.com). Developed the company's business plan that combined web-based dispatch services with wireless data to SMS and browser capable mobile phones. Initiated business alliances with leading European Operators that featured data services. Represented the company at major wireless data conferences and trade shows in the US and Europe.

From: 1996      **Visa International**  
To: 1999      San Francisco, CA  
Position: *Senior Vice President, Technology, Architecture & Strategy*  
Responsibilities included developing the strategies for Visa in chip card technology, management of large-scale software projects, and the evaluation of investments in technology companies. Duties included management of two technology and strategy groups containing over 30 people. One group provided chip card and related technology development for new products and services, including SET. The other was responsible for the global network and processing architecture strategy to replace the current VisaNet services. Internal consultant on Internet payment systems.

From: 1996      **ICVerify**  
To: 1996      Qakland, CA  
Position: *Vice President, Development*

- Startup, developing and marketing payment systems for mid-sized merchants.

Responsibilities included managing the development group, staffing, budgets, etc. for this payment systems company. Developed a product for Internet payment systems.

From: 1992      **Taligent, Inc.**  
To: 1995      Cupertino, CA  
Position: *Director, Technology Evaluation and Evangelism*

- Taligent was founded as a \$200M joint venture formed by

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Apple, IBM, and later joined by Hewlett Packard, that employed 350 people. Taligent's charter was to develop and deliver a new, object-oriented application environment. In December 1995, the joint venture became a subsidiary of IBM.

*1994-1995: Director, Technology Evaluation and Evangelism*  
Managed strategic technology acquisitions and major account, pre-sales consulting. Duties included:

- Initiated strategic acquisitions for the products so that the technology could be more rapidly delivered to the market.
- Developed the technology valuation methodology for the HP investment. HP became 15% equity owner.
- Lead the effort to convey benefits to key customers (personally and at conferences) within the US, Canada, Europe and Japan.
- 234 formal briefings, including 12 conference presentations. 53 press interviews/conferences. 12 conference and journal papers.

*1992-1993: Manager, User Environment Department*

Managed one of 5 engineering departments. Promoted to Director. Achievements included:

- Grew and managed seven technical groups, containing 45 people. Areas included: User Interface implementation, User Studies, Human Interface design, High Level Utilities, Compound Document, Data Management, Text and Internationalization. These teams provided the key, upper level capability of the system.
- Managed a \$6M+ development budget.
- Trained managers providing technical direction when needed.
- Established uniform document architecture over multiple subsystems.
- Brought the projects in on time using internally developed scheduling practices.

From: 1989      **Mass Microsystems**  
To: 1991      Sunnyvale, CA  
Position: *Vice President, Engineering*  
Start-up company of 70 people. Developed, manufactured, marketed and distributed storage and video peripheral products for the Apple Macintosh. Joined as the VP Engineering,

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Corporate Officer and was the senior technical person. Key contributor to road show for public offering in November 1989. Grew and managed the engineering staff of 12 people.

Accomplishments included:

- Developed & implemented formal milestone and tracking process for engineering that resulted in on-time high quality products ready for high volume production.
- Developed the “QuickImage” video capture product family that included 6 hardware products and 2 software products.
- Developed the “ColorSpace” video overlay product family that included 2 hardware products and 2 software products
- Prosecuted three patents to strengthen IP portfolio.
- Established major, in-house ASIC development capability for new products that achieved a huge technical advantage over competitors in the marketplace.
- Developed new technology, including:
  - Custom ASIC for video overlay products.
  - Video architecture for next generation overlay products.
  - Teleconferencing application.
  - Object-oriented titling overlay application.

From: 1984      **Intel Corporation**

To: 1989      Santa Clara, CA

Position: *Strategic Marketing, Computers and Coprocessors*

Joined Microprocessor Division of Intel to provide systems expertise to develop a new family of graphics chips. As Strategic Marketing for Computers and Coprocessors performed key corporate role to win new accounts for graphics chips and RISC coprocessors and to battle Texas Instruments and National Semiconductor in this market. Chaired Product Planning Committee for Graphics Business Unit. As Product Line Architect for Computer Graphics Components, defined the architecture for a family of computer graphics components and infused systems and software experience into a component-oriented business. Conducted primary and secondary market research to guide graphics chip specifications. Conducted interviews and presentations with strategic customers for strategic accounts. Developed 4 approved business/product proposals; three-business/product implementation plans and managed the technical applications group for the Graphics Business Unit.

From: 1981      **IT&T**

To: 1984      Stratford, CT

Position: *Director, Advanced Programming Technology Group*

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Directed a group of 15 professionals, with a \$2M operating budget. Developed the architecture, technology and prototypes of programming environments. Served as Chairman of the Programming Key Technology Steering Group. Major achievements included:

- Promoted to Director after one year.
- Evaluated and approved budgets for a \$60M, five year, world-wide technology program
- Planned, coordinated and reviewed IT&T's long range R&D in programming technology, world-wide.

From: 1971      **Tektronix, Inc.**

To: 1981      Beaverton, OR

Position: *Engineering Manager, Graphic Computing Systems Division*

- Technical leader of a major programming project. Received increasing management responsibility ending as Engineering Manager for the Graphic Computing Systems Division. Directed a group of 35 professionals, responsible for moving a graphics workstation from concept to market. The key to success was balancing innovation with schedule risk and potential product volume.

*System Development Manager, Information Display Systems*

- Directed 15 people for market and application development in mechanical engineering drafting and design and analysis segments.
- Directed final implementation of a finite element modeling application system, the FEM181, on a Tektronix graphics workstation.

*Development Manager, Division, Information Display Systems*

- Responsible for concept development of high level language machines.
- Defined language issues and CPU architecture.
- Developed technology forecasts.

*Software Manager, 4051 Desktop Computer*

- Staffed and managed a group of six people.
- Defined and planned implementation of operating system and BASIC language translator for this forerunner of the personal computer.

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From: 1974      **Oregon State University**  
To: 1980      Corvallis, OR  
Position: *Assistant Professor, Computer Science*  
Initiated Computer Science Master's Degree program at Tektronix.  
Developed and taught graduate courses in computer systems.

From: 1965      **Iowa State University**  
To: 1971      Ames, Iowa  
Position: *Instructor (1965-70), Electrical Engineering*  
*Assistant Professor, Electrical Engineering (1970-71)*  
Taught undergraduate & graduate courses in EE and CS.

### **Litigation Support Experience**

Date: 2013-14      Goodwin Proctor, NYC and WDC  
Case      SecureBuy, LLC, Plaintiff and Counterclaim Defendant, v.  
CardinalCommerce Corp, Defendant and Counterclaim Plaintiff,  
US Dist. Court, Dist. of Delaware, C.A. No. 13-1792-LPS  
(On behalf of CardinalCommerce) 3 Patents owned by  
CardinalCommerce, Infringement and Validity  
Project:      Expert Report, Infringement, Rebuttal Expert Report, Validity  
Status:      Settled in favor of CardinalCommerce, June 2014

Date: 2014      Jones Day, Dallas, TX and Palo Alto, CA, et al  
Case      IPR proceedings at USPTO – Schneck, et al, '409 patent  
(On behalf of Compass Bank, Commerce Bancshares, Inc., and  
First National Bank of Omaha)  
Project:      USPTO declaration; access and distribution of digital property  
Status:      PTAB review pending

Date: 2013-14      Multiple Defendants' Law Firms  
Case      EON Corp. IP Holdings, LLC v. Landis+Gyr, et al,  
US District Court for the Eastern District of Texas, Tyler Division,  
Civil Action No. 6:11-cv-00317 (On behalf of multiple  
defendants)  
Project:      Patent invalidity; 3 patents, cell sites subdivided into zones,  
Expert Report on Invalidity  
Status:      Trial, June 2014, verdict in favor of Plaintiff.

Date: 2012-14      Duane Morris LLP, Philadelphia, PA, and Houston, TX  
Case      EON Corp. IP Holdings, LLC v. AT&T Mobility LLC, et al,  
US District Court for the District of Puerto Rico, Civil Action No.  
3:2011-cv-01555-FAB. (On behalf of AT&T Mobility)  
Project:      Patent invalidity; 3 patents, cell sites subdivided into zones  
Status:      Declaration

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- Date: 2013-14 Baker Botts LLP, Palo Alto, CA, and New York, NY  
Case John D'Agostino v. MasterCard, et al  
US District Court for the District of Delaware, Filed April 2013  
USPTO PTAB proceeding  
Project: 2 patents, secure credit card transactions  
Status: Declarations (2)
- Date: 2012-13 McDermott Will & Emery, Menlo Park  
Case MobileMedia Ideas, LLC v. HTC  
US District Court for the Eastern District of Texas, Marshall  
Division, Civil Action No. 2:10-cv-112-JRG  
(On behalf of HTC, three patents out of many asserted)  
Project: Patent Non-Infringement & Invalidity; portable communication and  
data collection device (2), voice controlled terminal (1), Expert  
Report on Invalidity, Expert Deposition  
Status: Post Markman, settled May 2013
- Date: 2012-14 Jones Day, Palo Alto, CA  
Case SmartMetric, Inc. v. MasterCard, International Incorporated, Visa,  
Inc. US District Court for the Central District of California,  
Western Division, Case No. CV 11-7126 MWF (FMOx)  
(On behalf of Visa)  
Project: Patent Non-Infringement; System for automatic connection to a  
network for payments, (1), Expert Report on Non-Infringement.  
Status: Expert Report, Declaration, MSJ
- Date: 2013-14 Multiple Defendants' Law Firms  
Case EON Corp. IP Holdings, LLC vs Cisco Systems, Inc., et al  
US District Court for the Northern District of California, Case No.  
12-cv-01011-JST (On behalf of multiple defendants)  
Project: Patent invalidity; 1 patent, wireless telecommunications modem,  
Expert Reports (2)  
Status: MSJ on Non-infringement granted, April 2014.
- Date: 2013-14 Multiple Defendants' Law Firms  
Case EON Corp. IP Holdings, LLC vs FLO TV Incorporated, et al  
US District Court for the District of Delaware, Civil Action No. 10-  
812-RGA (On behalf of multiple defendants)  
Project: Patent invalidity; 1 patent, wireless telecommunications modem,  
Expert Report, Testified at Evidentiary Hearing on special  
programming needed for 112§6 claims, Feb 2014.  
Status: MSJ on Invalidity granted, March 2014.
- Date: 2012 Multiple Defendants' Law Firms  
Case EON Corp. IP Holdings, LLC vs. t-Mobile, USA, Inc., et al

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- Eastern District, Tyler, TX, Civil Action No. 6:10-cv-0379-LED  
(On behalf of multiple defendants (12))
- Project:** Patent invalidity; wireless telecommunications modem  
Expert Report
- Status:** Post Markman, settled October 2012
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- Date:** 2011-14 Gibson Dunn & Crutcher LLP, San Francisco, CA  
**Case** Softview LLC v. Apple, Inc. and AT&T Mobility LLC  
District of Delaware, No. 10-389-LPS  
(On behalf of Apple Computer, and AT&T, 2 patents)
- Project:** Re-exam, Patent Infringement & Invalidity  
USPTO declarations (2); scalable display of browser content
- Status:** USPTO IPR proceedings, stayed
- 
- Date:** 2011-14 Katten Muchin Rosenman LLP, Chicago, IL  
**Case** IPR proceedings at USPTO – SoftView patents (2)  
(On behalf of Kyocera, and Motorola, 2 patents)
- Project:** USPTO declarations (2); scalable display of browser content
- Status:** USPTO IPR, PTAB rendered all challenged claims invalid, March 2014
- 
- Date:** 2011-12 O'Melvany & Myers, LA  
**Case** MobileMedia Ideas, LLC v. Apple  
US District Court for the District of Delaware, Civil Action No.  
Civil Action No. 10-258-SLR  
(On behalf of Apple, three patents)
- Project:** Patent Non-Infringement & Invalidity; portable communication and  
data collection device (2), voice controlled terminal (1), Expert  
Report on Invalidity, Non-Infringement, Expert Deposition
- Status:** Trial December 2013
- 
- Date:** 2009-11 Quinn Emanuel (New York, NY)  
**Case** Soverain v. JC Penney, et al.  
Eastern District, Tyler, TX, No. 6:09-CV-274  
(On behalf of Soverain, three patents, two asserted at trial)
- Project:** Patent Infringement, electronic commerce;  
Expert Reports and Declaration, Expert Depositions, Trial  
Testimony
- Status:** Jury trial Nov 2011, all defendants except for Avon and Victoria's  
Secret settled. Jury found direct infringement, patents valid, and  
damages of about \$18M.
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- Date:** 2010-11 Alston Bird (Atlanta, GA)  
**Case** Alexsam v. InComm – Arbitration, Austin, TX (on behalf of  
InComm)



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- Project: Contract Arbitration - Patent Infringement, debit gift cards  
Expert Report, testimony at hearing
- Status: Ruling from Arbitrator, Oct 2011, no liability to InComm under license agreement, Alexsam pays Arbitrator costs
- Date: 2010-11 Thompson & Knight, Dallas, TX  
Case Touchcom v. Bereskin & Parr and H. Samuel Frost, Case No. 1:07-cv-00114-JCC-TCB (Eastern Dist, VA, Alexandria Div.)  
(on behalf of B&P and Frost)
- Project: Malpractice, including Patent infringement, Computer controlled gas pumps. Expert Reports on invalidity, Rebuttal Expert Reports on non-infringement, Expert Deposition, Ensnarement Hearing Testimony
- Status: Post Markman – settled Sept 2011
- Date: 2009-10 Covington & Burling (SF, CA)  
Case AMD v. Samsung, Case No. CV-08-0986-SI (No. Dist CA)  
(on behalf of Samsung)
- Project: Patent Infringement, background video on computer display  
Two Declarations, Expert Report on invalidity, Rebuttal Expert Report on non-infringement
- Status: Post Markman – settled Sept 2010
- Date: 2009-11 Hunton & Williams, Atlanta, GA and Richmond, VA  
Case Travel Tags v. UV Color and InComm, Case No. 0:09-cv-1619-JRT-AJB (MN) and InComm/UV Color v. Travel Tags, Case No. 1:09-CV-1720 TWT (GA), (on behalf of InComm/UV Color)
- Project: Patent Infringement, debit gift cards  
Three Declarations, Expert deposition on declarations
- Status: Post Markman – settled Aug 2011
- Date: 2009-12 Hogan and Hartson (LA, CA)  
Case St. Clair v. Panasonic Corporation, Nokia Corp., Fujifilm Corporation, HTC Corp., et al; Case Nos. C.A. No. 04-1436, 06-403, 06-404, 08-371, and 08-373-JJF-LPS, (on behalf of several Defendants)
- Project: Patent Infringement, digital cameras  
Expert Report on Invalidity, Expert Deposition
- Status: Post Markman, case stayed & then terminated, Oct 2012
- Date: 2009 Quinn Emanuel, NYC and Redwood Shores, CA  
Case Sony Corporation v. Vizio, Inc., Case No. SACV 08-01135-RGK (FMOx), US District Court, Central District, Western Division (LA), (on behalf of Sony)
- Project: Patent Infringement
- Status: Post Markman, Settled Oct 2009

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- Date: 2009 Standley Law, Dublin, OH  
Case Alessam v. Evolution Benefits, and Humana, Inc., US District Court, Eastern District of TX, Marshall, Case No. 2-07CV-288-DF (on behalf of Humana)  
Project: Patent Infringement, Multi-function debit payment cards, Rebuttal Expert Report  
Status: Post Markman – settled Nov, 2009
- Date: 2009 Ropes & Gray, NYC and WDC  
Case Motorola, Inc v. VTech Communications, Inc. VTech, Ltd. Eastern District, Texarkana, TX, No. 5:07-CV-00171 - DF - CMC (On behalf of Motorola, four patents)  
Project: Patent Infringement, Telephone Devices, Infringement Expert Report, Expert deposition  
Status: Post-Markman - settled November, 2009
- Date: 2008-09 Jones Day, Los Angeles, CA  
Case Technology Development & Licensing v. DirecTV Group, District of Nevada, Case No. 2:06-cv-00912-RLH-LRL (on behalf of DirecTV)  
Project: Patent Infringement, TV programming system, Expert Testimony at Markman Hearing  
Status: Expert declaration, pre-Markman Order, settled Jan 2009
- Date: 2008 McKool Smith, Dallas, TX  
Case i2 Technologies v. SAP, ED Texas, Marshall Division, Civil Action No. 2-06CV-352 (on behalf of i2)  
Project: Patent infringement  
Status: Post Markman, case settled June 2008, SAP paid i2 \$83.3 million
- Date: 2008 Hunton & Williams – Richmond, Virginia  
Case Verve, LLC v. Hunton & Williams LLP  
Project: Arbitration - patent representation, Invalidity Expert Report  
Status: Settled, August 2008
- Date: 2008 DLA Piper US LLP (East Palo Alto)  
Case Zoran v. ArcSoft, Superior Court of California, County of Alameda, case No. RG07311855; (On behalf of Zoran)  
Project: Breach of Contract - ArcSoft owed note repayment to Zoran  
Status: Pre-trial, case settled May 2008
- Date: 2007-8 Kecker and Van Nest, San Francisco  
Case Finisar v. Comcast, No. Dist of CA, Case No. C06-04206 WHA; (On behalf of Comcast)  
Project: Patent Infringement, Rebuttal Expert Report, Expert Deposition  
Status: Pre-trial, Expert Report submitted, scheduled vacated pending

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appeal in previous Finisar case, heard Jan 2008.  
Case ended after Comcast won a MSJ on invalidity – July, 2008

- Date: 2007-10 Jones Day (New York, NY)  
Case Soverain v. CDW Corporation, et al. including Newegg, Inc.  
Eastern District, Tyler, TX, No. 6:07-CV-511 - LED  
(On behalf of Soverain, three patents)  
Project: Patent Infringement, electronic commerce;  
Claim Construction Tutorial, Expert Reports and Declaration,  
Expert Deposition, testimony at trial  
Status: Soverain won at jury trial, April 2010,  
Reversed on Obviousness Appeal, CAFC, January 22, 2013
- Date: 2007-11 Orum & Roth, Chicago, IL; Stinson Morrison Hecker, Omaha and  
Kansas City, MO  
Cases: Card Activation Technology v. (several matters, including SVS v.  
Card Activation Technology)  
(On behalf of Card Activation Technology)  
Project: Patent Infringement, debit payment card transactions  
Several Declarations in the several matters, PTO re-exam analysis,  
Rebuttal Expert Reports (SVS matter)  
Status: Most defendants settled, case ended after MSJ during Hearing.
- Date: 2007-8 DLA Piper US LLP (East Palo Alto)  
Case Acer v. HP, and cross complaint, US Dist Court, Western Dist of  
Wisconsin, 07-CV-620-BBC  
Project: Patent Infringement  
Status: All pending cases settled on terms favorable to HP, June 2008
- Date: 2007-8 DLA Piper US LLP (East Palo Alto)  
Case HP v. Acer, ITC Inv. No. 337-TA-606; (On behalf of HP)  
Project: Patent Infringement, 2 patents, Rebuttal Expert Report ('119 patent)  
Status: Patent withdrawn, defense withdrawn, ITC Hearing Feb. 2008  
Case settled prior to ID being issued, June 2008
- Date: 2006-7 Heller Ehrman, San Francisco, CA  
Case Systems America, Inc. v. Rockwell Software, Inc., and Rockwell  
Automation, Inc., Case No.: 03-CV-02232 JF (RS), Northern  
District of California, (on behalf of Systems America).  
Project: Trade Secret & Copyright matter  
Status: Pre-trial, Expert Report submitted, case inactive/abandoned
- Date: 2006-7 Jones Day, Los Angeles, CA  
Case Forgent Networks, Inc v. Echostar Communications Corp, et al,  
Civil Action No. 6:06-CV-208 (LED), Eastern District of Texas,

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- Project: Tyler Division, (on behalf of DirecTV).  
 Status: Patent Infringement, Video teleconferencing system  
 Status: Expert Report, Cable Group & DirecTV settled.  
 Echostar went to trial, won on invalidity
- Date: 2006-7 Case Howrey Simon Arnold & White, LLP (Chicago, IL)  
 Rasterex Holdings, LLC. v. Research in Motion Limited, et al,  
 Civil Action No. 2003 CV76785; Superior Court of Fulton County,  
 State of Georgia; (On behalf of RIM, et al).
- Project: Trade Secret matter  
 Status: Pre-trial, Expert Reports submitted by both sides, deposition  
 Case settled, May 2008
- Date: 2005-11 Case Blank Rome (Washington, DC)  
 Centillion Data Systems, LLC v. Convergys Corp.,  
 Qwest Communications International, Inc. and QWEST Corp.; So.  
 Dist. Indiana, Indianapolis Div., Case No. 1:04-CV-00073-LJM-  
 WTL; (On behalf of Centillion/CTIG)
- Project: Patent infringement, Telecom billing system  
 Claim Construction Expert Declarations (2), Expert Reports (2),  
 Expert depositions (2)
- Status: Case concluded via MSJ, Oct 2009, overturned on appeal by CAFC  
 in Jan 2011, remanded for trial, settled January 2014.
- Date: 2005-7 Case Blank Rome (Washington, DC)  
 CTI Group (Holdings) Inc. v. BT Group PLC; UK, Claim No.  
 PAT04041; (On behalf of Centillion/CTIG).
- Project: Patent infringement, Telecom billing system  
 Infringement Case, Expert Declaration
- Status: Trial scheduled for Oct 2007, case settled
- Date: 2009 Case Kilpatrick Stockton (Atlanta, GA)  
 Data Treasury v. First Data Corporation, Civil Action No. 2:06 CV  
 72 (E.D. Marshall, TX) (on behalf of M&T, BB&T, Comerica, co-  
 defendants)
- Project: Patent Infringement. Remote image capture, Expert Reports (2),  
 Expert deposition
- Status: Comerica, M&T and BB&T settled, early 2010
- Date: 2006-8 Case Sidley Austin (Los Angeles, CA)  
 Data Treasury v. First Data Corporation, Civil Action No. 5:03 CV  
 39 (E.D. Tx.) (on behalf of First Data Corp., co-defendant)
- Project: Patent Infringement. Remote image capture
- Status: Pre-Trial, case was consolidated with another, schedule vacated

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- Date: 2006      Hunton & Williams (Washington, DC)  
Case      Ingenio v. GameLogic and Scientific Games Corp.; Civil Action No. 04-1532 (KAJ), Delaware. (On behalf of Ingenio)  
Project:      Patent infringement, Lottery game. Infringement Expert Report. Rebuttal Validity Expert Report, Expert Depositions.  
Status:      Case settled
- Date: 2005-6      Hunton & Williams (Washington, DC)  
Case      MercExchange v. eBay and Half.com; Civil Action No. 2:01cv736, ED VA, Norfolk. (On behalf of MercExchange)  
Project:      Payment systems related. Expert declarations to PTO (2)  
Status:      Post-trial, post-appeal. Patent Office Re-examination
- Date: 2004-5      Hunton & Williams (Washington, DC)  
Case      Alexsam, Inc. v. FSV Payment Systems, et al.  
Case No. 2-03CV-337, Eastern Dist. Court, Marshall, TX  
(On behalf of Interactive Communications International–InComm)  
Project:      Patent Infringement, payment systems related.  
Status:      Markman Order, case settled on terms favorable to InComm, 7/05.
- Date: 2004-6      DLA Piper Rudnick Gray Cary (Palo Alto & San Diego, CA)  
Case      Gateway v. HP and HP v. Gateway, 2 matters.  
ITC Inv. No. 337-TA-519; (On behalf of HP, one patent)  
Dist. Court, San Diego, CA (04-CV00613-B); (On behalf of HP, four patents)  
Project:      Patent Infringement, computer systems related; Declaration on Claim Construction, Expert Reports, Expert Depositions, Expert Testimony at ITC Hearing, May, 2005.  
Status:      ITC 519 matter: ID issued, HP prevailed (claims invalid, claims not enabled, patent unenforceable due to inequitable conduct) 10/2005  
San Diego: Post Markman.  
Settlement of all litigation. Gateway paid HP \$47 Million 3/2006
- Date: 2005      Jones Day (New York, NY)  
Case      Soverain v. Amazon.com and The Gap  
Eastern District, Tyler, TX, No. 6:04-CV-528  
(On behalf of Soverain, two patents)  
Project:      Patent Infringement, electronic commerce; Declaration on Claim Construction  
Status:      Post-Markman, settled on terms very favorable to Soverain, 8/2005.
- Date: 2004-5      Jones Day (New York, NY)  
Case      Soverain v. Amazon.com and The Gap  
Eastern District, Tyler, TX, No. 6:04-CV-14  
(On behalf of Soverain, three patents)  
Project:      Patent Infringement, electronic commerce; Declaration on Claim

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- Construction, Expert Report on Infringement, Rebuttal ER, Expert Depositions
- Status: The Gap settled prior to Markman, amount undisclosed.  
Trial was scheduled for August 2005, settled on terms very favorable to Soverain, 8/2005  
Amazon paid Soverain \$40 Million to settle all litigation.
- Date: 2004  
Case: McAndrews, Held, & Malloy (Chicago, IL)  
Guidant v. Medtronic.  
Minneapolis, MN, Civil File No. 00-1473  
(On behalf of Guidant, three patents)
- Project: Patent Infringement, atrial defibrillators
- Status: Post-Markman, case settled on terms very favorable to Guidant
- Date: 2004-5  
Case: DykemaGossett (Bloomfield Hills, MI)  
Ditzik v. Samsung, et al.,  
Eastern Dist of Michigan, Civil Action No. 03-74043 (GER)  
(On behalf of Samsung, '373 & '955 patents)
- Project: Patent Infringement, computer displays, Expert Declaration, Expert Reports
- Status: Pre-Markman, case settled on terms favorable to Samsung, 7/05.
- Date: 2003-6  
Case: Hunton & Williams (Charlotte, NC and WDC)  
TradeCard v. S1 Corp and Bank of America, N.A., Civil Action No. 03-CIV-1468 (AKH), So. Dist of NY  
(On behalf of BofA & S1, '588 patent)
- Project: Patent Infringement, automated trading system. Declaration on claim construction, Expert Reports on Invalidity and Non-infringement, Expert Depositions, Testified at trial.
- Status: Trial 3/06, Jury verdict: non-infringement and patent invalid.
- Date: 2003-4  
Case: Jenkins & Gilchrist (Chicago)  
STMicroelectronics, Inc., v. Broadcom Corporation, Civil Action No. 4:02 CV 362 (E.D. TX, Sherman) (on behalf of STM, counter defendant)
- Project: Patent Infringement, '712 patent, Expert Report on Claim Construction, deposition on Claim Construction; Expert testimony at Markman Hearing, Sept. 2003; Expert Report on Invalidity; Rebuttal Expert Report on Non-infringement, Expert Depositions.
- Status: Post Markman, Case settled on terms very favorable to STM, 2/04.
- Date: 2003-4  
Case: Fish and Richardson (WDC)  
Genesis v. MRT, MStar & Trumpon, ITC Inv. No. 337-TA-491  
(on behalf of Genesis, '867 patent)
- Project: Patent Infringement, LCD panel controller

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- Expert Reports, Expert depositions, Expert testimony at ITC Hearing, January – February, 2004.
- Status: FD issued in favor of Genesis re: '867 patent, April, 2004.
- Date: 2003 Fish and Richardson (WDC)  
Case Data Treasury v. J. P. Morgan Chase, et al., Civil Action No. 5:02 CV 124 (E.D. Tx.) (on behalf of ACS, co-defendant)  
Project: Patent Infringement. Remote image capture, 112(6) Expert Report.  
Status: Case settled June, 2003 (Pre Markman)
- Date 2003 Jones Day (NY)  
Case Research In Motion v. Good Technology, Inc., Civil Action No. 02-556-JJF (Delaware) (on behalf of RIM)  
Project: Patent infringement of 4 patents. Wireless data. 25 term, claim construction chart  
Status: Settled, June 2003 – Final May 2004
- Date: 2002-3 Fish and Richardson (San Diego)  
Case Broadcom v. Intel Corporation, Civil Action No. 501cv302 (E.D. Tx.) (on behalf of Intel) – Judge Folsom  
Project: Patent Infringement. 3D graphics. Expert Depositions on claim construction & non-infringement and prior art, Expert testimony at Markman Hearing, 12/02, prepared Expert & Rebuttal Expert Reports  
Status: SJ motion on '210 patent in favor of Intel, granted July, 2003
- Date: 2002-4 Fish and Richardson (WDC)  
Case Genesis v. MRT, SmartASIC & Trumpion, ITC Inv. No. 337-TA-481 (on behalf of Genesis, '867 patent)  
Project: Patent Infringement, LCD panel controller, Expert & Rebuttal Expert Reports; Expert deposition; Testified at ITC Hearing, July 2003  
Status: ITC Hearing, July 2003. ID issued, Oct 2003. Reversed, in part, and remanded, January 2004. Remand ID issued May, 2004 in favor of Genesis against both MRT and Trumpion.
- Date: 2002 Hunton & Williams (WDC)  
Case First USA Bank v. PayPal, in Delaware (on behalf of First USA)  
Project: Patent infringement, Expert Report on Infringement  
Status: Settled on terms very favorable to FUSA, October 2003

## Round Table Group Consultant Curriculum Vitae

- Date: 2002 Burns Doane Swecker & Mathis (VA)  
Case: Elonex v. AOC International (on behalf of AOC)  
Project: Patent infringement, CRT monitor, power savings circuit analysis  
Status: Settled
- Date: 2002, 4 Howrey Simon Arnold & White  
Case: MicroStrategy v. Business Objects (on behalf of MicroStrategy)  
Eastern District of Virginia, Civil Action No. 2:01cc826  
Project: Patent Validity, wrote three rebuttal expert reports on validity.  
May, 2004, Additional rebuttal expert report, Expert deposition.  
Status: Patents re-examined by PTO, 2003, All Claims held valid, 2/2004.  
Trial scheduled for June, 2004  
SJ issued in favor of Business Objects on non-infringement, no  
ruling on validity portion of case.
- Date: 2001-2 Morrison & Forester (San Francisco)  
Case: Gemstar v. EchoStar, et al (on behalf of EchoStar) – Judge Luckern  
Project: Patent Infringement (ITC venue)  
Expert Depositions, wrote expert reports (Claim Construction, Non-  
infringement, Invalidity, & Domestic Industry Opinions), Expert  
testimony at ITC Hearing December 2001  
Status: ID issued favor of EchoStar, et al., on non-infringement, lack of  
domestic industry and patent misuse in June 2002.
- Date: 2000-02 McDonnell Boehnen Hulbert & Berghoff (Chicago)  
Case: E-Pass v. Palm (on behalf of Palm)  
Project: Patent Infringement, prior art research  
Status: Court ruled in favor of Palm, Summary Judgment – August 2002  
An appeal overturned SJ (based on erroneous Markman ruling),  
Sept. 2003
- Date: 1999 Sheppard, Mullin, Richter & Hampton (LA)  
Case: Hyundai v. Princeton Graphics Systems (on behalf of Hyundai)  
Project: Product quality contract dispute, analysis of returned computer  
monitors. Quality analysis report.  
Status: Closed. Arbitration never completed
- Date: 1999-2001 Keker & Van Nest (San Francisco) & Fulbright & Jaworski (TX)  
Case number 3:98CV2712 – Judge Lynn (Dallas, TX)  
Case: Harris Corporation v. Sanyo, et al (on behalf of Harris)  
Project: Patent infringement, created expert reports, Expert testimony at trial  
Status: Harris won at jury trial
- Date: 2000 Weil, Gotshal & Manges  
Case: SmartPipes, Inc. v. Kovert Soft Tech. (on behalf of SmartPipes)



## **Round Table Group Consultant Curriculum Vitae**

Project: Contract dispute, created declaration  
Status: Settled

Date: 2000 Morrison & Foerster, LLP  
Case OnCommand v. magiNet (on behalf of OnCommand)  
Project: Contract dispute, royalties based on patent infringement, Expert deposition  
Status: Settled in favor of OnCommand

Date: 2000 Electronic Processing Inc. (re: PHiTECH, Inc.)  
Case Due Diligence on behalf of EPI  
Project: Assessed JAVA software product for eCommerce Application, created evaluation report for EPI  
Status: Closed

Date: 1996 Thelen, Marrin, Johnson & Bridges  
Case Standard Transport v. Hyundai (on behalf of Hyundai)  
Project: Provide expert opinion on Video Display Terminal products, deposition, (continuation of 1993 matter)  
Status: Settled in favor of Hyundai

Date: 1994  
Case George Ellis v. A-Squared Systems (on behalf of A-Squared Systems) Partnership Dispute  
Project: Evaluation of software for A-Squared Systems  
Status: Settled

Date: 1993 Cooley Godward  
Case Air Gage v. Acer America (on behalf of Acer)  
Project: Product Liability Video Terminals. Assessment of product specifications for manufacturing environment  
Status: Closed

Date: 1993 Thelen, Marrin, Johnson & Bridges  
Case Standard Transport v. Hyundai (on behalf of Hyundai)  
Project: Provide expert opinion on Video Display Terminal products, testimony at arbitration hearing  
See 1996: Continuation:  
Status: Arbitration Ruling in favor of Hyundai

Date: 1992 Fish & Neave and Finnegan, Henderson, Farabow, Garrett & Dunner  
Case Cadtrack v. Commodore (on behalf of Commodore)  
Project: Patent Infringement. Assisted research team in preparation of patent validity and infringement arguments  
Status: Closed

## Round Table Group Consultant Curriculum Vitae

Date: 1992 Hoge, Fenton, Jones & Appel  
Case: Azuray v. Tom Collins  
Project: Legal Malpractice. Assess viability of high resolution graphics product  
Status: Closed

Date: 1991 Fish & Neave  
Case: Ampex v. Abekas (on behalf of Ampex)  
Project: Patent Infringement. Provide expert consulting for infringement analysis  
Status: Settled in favor of Ampex

Date: 1991 Wilson Sonsini Goodrich & Rosati  
Case: Brewer v. RasterOps (on behalf of RasterOps)  
Project: Contract Dispute. Studied depositions and gave opinion on value of Brewer contribution to product

### Education

<u>Year</u>	<u>University</u>	<u>Degree</u>
1970	Iowa State University	Ph.D., Electrical Engineering with a minor in Computer Science
1981	University of Oregon	MS, Experimental Psychology
1968	Iowa State University	MS, Electrical Engineering
1965	Iowa State University	BS, Electrical Engineering

### Professional Associations and Achievements

- Member, ACM
- Life Senior Member, IEEE
- Member, Sigma Xi
- Member, Human Factors & Ergonomics Society
- Initiated and taught human factors tutorials for 6 years at SIGGRAPH
- Organization and program committees for IEEE CompCon
- Served on three professional society editorial boards
  - IEEE Computer Graphics & Applications
  - IEEE Software
  - ACM Computer Surveys
- Past Technical editor of *Computer*
- Past member of IEEE Computer Society Governing Board

## **Round Table Group Consultant Curriculum Vitae**

### **Invention**

- Named inventor on U.S. Patent No. 4,106,011 for a Keyboard Circuit

### **Publications (1986 to Present)**

Grimes, Jack, "Internet Based Dispatching Application—Case Studies," W@P Developers' Symposium Proceedings, June 29, 1999, San Francisco, CA, p. 18.

Grimes, Jack and Potel, Mike, "Software is Headed Toward Object-Oriented Components," invited contribution in "Where is Software Headed?" edited by Ted Lewis, *IEEE Computer*, 1995, pp. 24-25.

Davis, Mark, and Grimes, Jack D., "International Support in Applications and Systems Software," *Objects in Europe*, Volume 2, No. 3, May-June 1995, pp. 10-14, SIGS Publications.

Davis, Mark, Grimes, Jack D., and Knoles, Debbie, "International Support in Taligent's CommonPoint Application System," *Objects in Europe*, Volume 2, No. 4, July-August 1995, SIGS Publications.

Davis, Mark, Grimes, Jack, and Knoles, Debbie, "Unicode and International Support in Taligent's CommonPoint Application System," *IBM Journal of Research and Development*, Circa 1995.

Grimes, Jack D., and Potel, Michael J., "The Taligent Application Environment: An Approach to Object-Oriented Systems Development," *American Programmer*, special issue on Operating System Technology, August, 1994, Volume 7, No. 8, pp. 7-13.

Grimes, Jack D., "Objects 101—An Implementation View," CompCon Spring94 Conference Proceedings, March 1-4, 1994, San Francisco, CA, pp. 106-111.

Grimes, Jack, and Carrie Heeter, "Selective Update: Virtual reality goes commercial with a blast," *IEEE Computer Graphics & Applications*, Volume 12, No. 2, March 1992, pp. 16-17

Grimes, Jack, "Selective Update: Virtual reality '91 anticipates future reality," *IEEE Computer Graphics & Applications*, Volume 11, No. 6, November 1991, pp. 81-83.

Grimes, Jack, & Potel, Mike, "Guest Editors' Introduction: Multimedia-It's Actually Useful!" Special Issue of *IEEE Computer Graphics & Applications on Multimedia*, Volume 11, No. 4, July 1991, pp. 24-25.

Grimes, Jack, & Potel, Mike, "What is Multimedia?" *IEEE Computer Graphics & Applications*, Invited Paper for Special 10th Anniversary Issue: Retrospective & Prospect, Volume 11, No. 1, January 1991, pp. 49-52.

## **Round Table Group Consultant Curriculum Vitae**

Grimes, Jack, "Video on the Macintosh," *Video Systems*, Volume 16, No. 2, February 1990, pp. 32-44.

Salzman, David, & Grimes, Jack D., "Guest Editors' Introduction: Graphics Superworkstations and the Last Hurrah," Special Issue of *IEEE Computer Graphics & Applications on Superworkstations*, Volume 9, No. 4, July 1989, pp. 27-29.

Grimes, Jack D., Kohn, Les, and Bharadhwaj, Rajeev, "The Intel i860 64-bit Processor: A General-Purpose CPU with 3-D Graphics Capabilities," *IEEE Computer Graphics & Applications on Superworkstations*, Volume 9, No. 4, July 1989, pp. 85-94.

Kohn, Les, and Grimes, Jack D., "A New Microprocessor with Vector Processing Capabilities," *Professional Program Session Record Electro'89*, Session No. 16, IEEE, New York, April 1989, pp. 4/1-4/8.

Grimes, Jack D., and Kohn, Les, "A New Processor with 3-D Graphics Capabilities," NCGA '89, *National Computer Graphics Association conference proceedings*, April 17-20, 1989, Philadelphia, PA, pp. 275-284.

Grimes, Jack D., and Hootman, Joe, "Guest Editors' Introduction: Another Cost-Effective Design Tool," Special Issue of *IEEE Micro on Embedded Processors*, Volume 8, No. 3, June 1988, pp. 8-9.

Grimes, Jack D., and Shankman, Richard, "Design a graphics board for an IBM personal computer," *Electronic Design*, Volume 36, No.6, March 17, 1988, pp. 87-94.

Grimes, Jack D., "Graphics Coprocessors in PC's and Workstations," NCGA '88, *National Computer Graphics Association conference proceedings*, March 20-24, 1988, Anaheim, CA.

Grimes, Jack D., "Position Paper on the Importance and Application of Video Mixing Display Architectures." in course notes for *Siggraph'87 Tutorial #23* titled: Introduction to Window Management, July 1987.

Grimes, Jack D., "Two Architectural Features of the 82786 Graphics Coprocessor," 1987 Conference Proceedings Volume 1, *Systems Design & Integration Conference*, Santa Clara, CA. February 10-12, 1987, pp. 1-7, Session 3/4.

Grimes, Jack D., & Dill, John C., "Guest Editors' Introduction: VLSI for Graphics," Special Issue of *IEEE Computer Graphics & Applications on VLSI for Graphics*, Volume 6, No. 10, October 1986, pp. 22-23.

## Round Table Group Consultant Curriculum Vitae

### Formal Conference & Panel Presentations, (1987 – Present)

Grimes, Jack D., “Taligent: What went Wrong?” *HOTChips 15*, August 18, 2003, Stanford, CA.

Grimes, Jack D., “Unicode and International Support in Taligent’s CommonPoint Application System,” *Seventh International Unicode Conference*, September 15, 1995, San Jose, CA.

Grimes, Jack D., and Potel, Mike, “Software is Headed Toward Object-Oriented Components,” invited presentation at OOPSLA’95 *Workshop on Design and Construction of Large-Scale Components*, ACM, October 1995.

Grimes, Jack D., “Frameworks for Component Construction,” Software Development ’95 East Conference, October 6, 1995.

Grimes, Jack D., “Application Frameworks: Maximizing Code and Design Reuse,” Keynote Address, OOP, March 1995, Munich, Germany.

Grimes, Jack D., “Taligent Object Services,” Chairman of paper session, *CompCon Spring95 Conference Proceedings*, March 5-9, 1995, San Francisco, CA, pp. 350-371.

Grimes, Jack D., “Programming the Colossal,” Nineteenth Annual Asilomar Microcomputer Workshop, April 28-30, 1993.

Grimes, Jack D., “Future Technology to Support Workflow,” invited presentation at Groupware Outlook Exchange, sponsored by The Institute for the Future, Menlo Park, CA, workshop held in Cambridge, MA, June 30-July 2, 1993.

Grimes, Jack D., “Video Architectures for Multimedia,” *MacWorld Technology and Issues Conference*, Multimedia Session, June 27-29, 1990, received a presentation award.

Grimes, Jack D., “Computer Graphics Futures,” presentation as part of a *Computer Graphics Tutorial* given by Carl Machover, Machover Associates Corporation at Electronic Imaging West ’89, The Pasadena Center, Pasadena, CA April 10-13, 1989.

Grimes, Jack D., “Tutorial: Shrink Wrapped Unix Software,” NCGA’89, *National Computer Graphics Association conference*, April 17-20, 1989, Philadelphia, PA, three hours in length, received a presentation award.

Grimes, Jack D., “Graphic Coprocessors,” Dataquest 1987 Electronic Printer Industry Conference titled: *Electronic Printers: Expanding Horizons*, Napa, CA, March 25th, 1987.

Grimes, Jack D., “What Next After EGA?,” Panel session DP-1 titled: *What Next After EGA?*, 12th ComputerFaire, Moscone Center, San Francisco, CA, March 26th, 1987.

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Grimes, Jack D., "Silicon Support for Windowing Software," Panel session titled: *Windows and Standards*, CHI+GI'87, Conference on Computer-Human Interaction, Toronto, Canada, April 7, 1987.

Grimes, Jack D., "The Intel 82786 Video Architecture," Panel session titled: *A Comparison of VLSI Graphic Solutions*, Siggraph'87 Conference on Computer Graphics, Anaheim, CA July 31, 1987.

Quoted in "Picking the right computer graphics chip," edited by Rodney Myrvaagnes, in an *Electronics Products* forum, published in *Electronics Products*, November 15, 1987, pp. 25-33.

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