

James Bennett Babcock

Background

- President of MechEx, LLC, an engineering and expert witness consulting practice
- Mechanical engineer with over 38 years of experience developing industrial machinery and complex consumer products
- Has not designed a wallet specifically
- Has designed a diaper bag with an integral wallet, metal document holders for trade show literature, etc., and folding beach chairs
- BS in Mechanical Engineering from Lehigh University and Masters of Engineering Management from George Washington University

Litigation

- Has been an expert witness in over 30 cases including IPRs, District Court, and ITC cases. Most of these were patent cases
- Some of the cases have involved consumer products such as the PopSockets, Inc. and the National Products, Inc. cases
- Has been deposed 14 times, most of which were in patent cases, including in 3 IPRs
- Has testified 5 times, including 3 times in District Court and once at the ITC

James Bennett Babcock
President, MechEx, LLC

HIGHLIGHTS

- Degreed mechanical engineer with more than 38 years of experience developing intricate, high-speed industrial machinery, precision automation equipment, accurate custom testing systems, and complex consumer products. Fully versed in all aspects of machine and product design.
- Expert witness since 2013 with casework in patent litigation, ITC, PTAB, contract law and personal injury cases, including trial testimony in Federal court, technical tutorials, expert reports and depositions.
- Accomplished department and project manager responsible for multidisciplinary staff and complex projects requiring 1000s of hours. Responsible for project budgets, schedules, system performance specifications, and machine build and commissioning. Full ownership of department personnel issues including performance reviews, hiring, and dismissals.

UNIVERSITY EDUCATION, PATENTS AND PUBLICATIONS

- Masters of Engineering Management, George Washington University, 1993
- Bachelor of Science in Mechanical Engineering, Lehigh University, 1985
- US 7,047,890: Integrated Flat Panel Workstation
- US 9,126,381: Box-Making Machines
- US 9,539,785: Box-Making Machines
- US 9,569,858: Cloud-Based System for Water Analysis
- US Application 17/358,192: Flip-Top Vial
- US Application 63/279,726: Multiple-Strip Reader
- Babcock, James, *Getting the most out of your FDM 3D printer*, Machine Design, October 2015
- Babcock, James, *3D Printing Tips and Techniques - Part 4*, Machine Design, December 2015
- Babcock, James, *Getting the most out of your FDM 3D printer, Part 2*, Machine Design, January 2016
- Babcock, James, *Overconstraint – The Hidden Killer*, Machine Design, May 2016

CONTINUING EDUCATION

- Patent Design Arounds: Minimizing Risk of Infringement or Reducing Likelihood of Design Arounds
- 3D Printing: Implications for Patents, Trademarks, Trade Secrets and Copyrights
- Obviousness Standard After the AIA: Leveraging Latest PTO and Court Guidance
- Section 102 and Prior Art: Navigating the Expanded Scope of Prior Art and AIA Exceptions
- Simplifying Scientific Evidence for Jurors
- ISO14119: The New Machine Safety Standard for Guard Door Interlocks
- TRIZ: Systematic Innovation Methods for Product Development
- LEAN Facilities Design
- FCC Part 15 Compliance
- Patent Claims: After Williamson
- Trademarks: Basics, Filing, and Enforcement

WORK HISTORY

12/2021—Present: President, MechEx, LLC, Phoenix, MD
Engineering and expert witness consulting practice.

8/2015—Present: Contributing Technical Expert, *Machine Design* Magazine

- Write articles on various topics pertaining to the field of machine design.

10/2017—1/2022: VP of R&D Engineering, Taylor Technologies, Inc., Sparks, MD
New position reporting to the CEO of this specialty chemical company. Responsible for overseeing all aspects of product development and engineering operations.

11/2011—10/2017: Director of Engineering, Taylor Technologies, Inc., Sparks, MD
New position reporting to the CEO of this specialty chemical company. Responsible for overseeing product development, automation, and engineering operations.

- Invented an in-store water-testing kiosk for the mass-merchant market that tests a customer's swimming pool water automatically and provides them with complete pool treatment requirements: chemicals needed, dosing, and instructions. A completely new packaging system was created for the water test strips used in the kiosk in order to enhance the user experience and further differentiate the product from the competition. First-year beta test sales exceed \$1M, and full-scale implementation will exceed 4000 units.
- Created a line of in-store testing stations for swimming pool stores that replaces all manual operations using micropumps and automation to reduce testing time and

eliminate operator errors. To date, \$2M in sales on the equipment; back-end consumables are just coming up to speed.

- Oversaw \$3M project to bring in-house the manufacture of all aspects of test strips. This included the coating, floatation drying, slitting, rewinding, and lamination operations. Also oversaw manufacture of the equipment at selected vendors and expansive facility build project to house the new process. Included management of state and local regulatory compliance with safety, environmental, and fire codes.

9/2010—10/2011 Engineering Manager, McCormick & Company, Atlanta, GA

- Created and implemented all capital projects. Oversaw with 11 direct employees, the IT and Maintenance functions for plant and a budget of \$850,000 (maintenance) and \$6M (projects).

6/2008—9/2010: Director of Engineering, SUN Automation Group, Sparks, MD

Selected for newly created position in the corrugated box machinery company to invigorate product development and oversee engineering and technical operations within the \$62M international machinery company. Reporting directly to the president. Drove new product development, process improvements, and market expansion. Extensive daily interaction with sales and manufacturing groups. Presented regularly to Board of Directors on status of department and projects. Managed staff of 22 in Engineering Department.

- Developed/executed a revolutionary, patented machinery product; results include \$10M in incremental annual sales plus revitalization of spare parts business. This is now the flagship product of the company.
- Created unique visual scheduling system that enabled team to stay on target and deliver between 10 and 20 production engineering jobs per week, including retrofits and ETO (Engineer to Order) items.

6/1994—9/2005 and 9/2006—6/2008: President, Integer Design and Engineering, Inc., Sparks, MD

Founder and Principal Engineer. Directed all technical activities within the 12-person company, as well as finance, marketing and sales.

- Selected by Black and Decker to design and build multiple automated test cells for various power tools and consumables.
- Created mechanical design and working prototypes for Avery Dennison that resulted in the first automated handheld, battery-operated cable tie gun.
- Retained by NxStage Medical to design and build 1st and 2nd round prototypes for the disposable tube and filter sets used in their patented home hemodialysis equipment, as well as the pumping and valve systems.

- Contracted by Northrop-Grumman for design and build of high-speed automated flats sortation system for use by the US Postal Service.
- Sought by multiple clients to design from scratch a total of 5 complete corrugated box-finishing machine systems comprising on the order of 1200 parts each.
- Designed the injection-molded packaging and engineered and built the high-speed automated assembly line for a local client's high-volume consumer product that accounts for 1/3 of their sales.
- Other clients included Becton Dickinson, McCormick & Company, Locke Insulator, EPI Labelers, AMBEC, J.L. Wickham, Ward Machinery, KBA North America, JLS Automation, Hershey Foods, Vasca, Georgia Pacific, Harley Davidson, Sylvania.

9/2005—9/2006: Manager - Product Development, KBA North America, Inc., York, PA

- Drove all new product development activities within the \$35M division of the German ISO 9000 certified printing press company.
- Selected to oversee strategic project that created a system to automatically change the anilox rolls on the printing press. Resulted in a leading edge product in direct print corrugated packaging.

11/1992—6/1994: Senior R&D Engineer, AMBEC, Inc., Owings Mills, MD

- Developed, tested, and launched new products in a wide range of food, beverage, and consumer products industries. Provided field support for prototypes and newly developed machinery across the country.

11/1991—11/1992: Senior Engineer, J.L. Wickham Co., Inc., Baltimore, MD

- Designed workholding fixtures and machining stations for high-volume machine tool systems used in the automotive industry.

7/1985—11/1991: Senior Project Engineer, Prime Technology, Inc., Hunt Valley, MD

- Designed and engineered machinery for the corrugated box industry that enhanced the performance of existing capital equipment. This included high-speed feeding systems, machine vision registration systems, and counting/stacking systems.

CURRENT AFFILIATIONS

- ASME (The American Society of Mechanical Engineers)
- SME (The Society of Manufacturing Engineers)
- SAE (The Society of Automotive Engineers)

OTHER SKILLS

- Languages: English (native), Spanish (proficient+), German (intermediate), Mandarin Chinese (basic).
- Industrial: Welding, fabrication, milling, turning, 3D printing, machine rebuilding and restoration.

VOLUNTEER WORK

- 1/2016 –Present: Consulting Engineer, Project oversight committee member, V-LINC.org
 - V-LINC is a non-profit organization that serves people with disabilities of any kind in central Maryland. They bring volunteer engineers together with people who can't find a commercial solution to their unique needs.
 - Oversight committee member, project engineer, working one-on-one with clients, then designing and building a solution that meets their unique needs.

EXAMPLES OF MACHINERY AND PRODUCTS DESIGNED AND ENGINEERED

- Sheet feeders
- Flexographic printers
- Linear actuators
- Pick and place mechanisms
- Labelling machines
- Product inserters
- Vacuum sheet transfers
- Servo counter ejectors
- Anvil trimmers
- Sheet-fed digital printers
- Medical waste sterilizers
- Conveyor systems
- Bottle washers
- Soldering systems
- Die-cutting machines
- Angle grinder test cells
- Corrugated box machines
- Sortation systems
- Postal machinery
- Linear actuators
- Dialysis machines
- Cable tie guns
- Machine tools
- Tooling fixtures
- Optical instruments
- Retail kiosks
- Dispensing machines
- Gear reducers
- Cleaning systems
- Agricultural tillers
- Bottling lines
- Concrete reinforcing systems
- Rolling beach chairs
- 3D imaging systems
- Injection-molding tools
- Test strip retail dispenser cases
- Stacking machines
- Dredge and barge cranes
- Welding systems
- CNC cutoff saws
- Brush-making machines
- Foundry brick automation machines
- Vibratory parts feeders
- Workholding fixtures
- Bottling machines
- Sheet feeding systems
- Parts feeding mechanisms
- Part orienting systems
- Inserting machines
- Color recognition devices
- Molded bottles
- Optical scanning systems
- Filling machinery
- Folding beach chairs
- Soft sewn products

Depositions and Case Log - James B. Babcock

Updated 4 January 2024

LIVE TESTIMONY I have given:

Stengel v. Korber (SmartDesks) - ca. 2004

Changzhou Kaidi Electrical Co., Ltd., et al. v. Okin America, Inc., et al.
Case No.: 1:13-cv-1798 IN THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(BALTIMORE DIVISION) – April 2015

National Products Inc. v. Arkon Resources, Inc.
Case No.: 2:15-cv-01553-RSL IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE – December 2017

GCI Outdoor, Inc. v. Denovo Brands, LLC., et al.
Investigation No. 337-TA-1178
UNITED STATES INTERNATIONAL TRADE COMMISSION, WASHINGTON, DC- December 2020

Buddy's Plants Plus Corporation v. Viking Masek Global Packaging Technologies, et al.
Case No.: 20-CV-000145
STATE OF WISCONSIN CIRCUIT COURT, SHEBOYGAN COUNTY - May 2023

Shibumi Shade, Inc. v. Beach Shade, LLC
Civil Action No.: 5:23-cv-00297-FL
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION – November 2023

DEPOSITIONS I have given:

Stengel v. Korber (SmartDesks) - ca. 2004

Changzhou Kaidi Electrical Co., Ltd., et al. v. Okin America, Inc., et al.
Case No.: 1:13-cv-1798 IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(BALTIMORE DIVISION) - 6 March 2015

Gary Jones v. United Abrasives, Inc. et al.
Cause No.: CV15-1304 IN THE
DISTRICT COURT, 43RD JUDICIAL DISTRICT
PARKER COUNTY, TEXAS – 20 September 2017

National Products, Inc. v. Bracketron, Inc.,
Case No. 2:15-cv-2024-JLR (W.D. Wash.).
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE - 19 April 2018

National Products, Inc. v. Arkon Resources, Inc., et al.
Case No. 2:18-cv-02936-AG-SS
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
(WESTERN DIVISION) – 20 July 2018

Quest, Inc. v. PopSockets, Inc.
Case No. IPR2018-0497
UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT TRIAL AND APPEAL BOARD, WASHINGTON, DC – 24 January 2019

Varidesk LLC v. Albeit, LLC et al.
Investigation No. 337-TA-1125
UNITED STATES INTERNATIONAL TRADE COMMISSION, WASHINGTON, DC – 2 April 2019

Quest, Inc. v. PopSockets, Inc.
Case No. IPR2018-1294
UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT TRIAL AND APPEAL BOARD, WASHINGTON, DC – 2 July 2019

Michael Keshock et al. v. Metabowerke GMBH et al.
Case No.: CV-15-901370 IN THE
CIRCUIT COURT OF MOBILE COUNTY, ALABAMA
MOBILE, AL – 16 January 2020
GCI Outdoor, Inc. v. Denovo Brands, LLC., et al.
Investigation No. 337-TA-1178
UNITED STATES INTERNATIONAL TRADE COMMISSION, WASHINGTON, DC
WASHINGTON, DC – 4 March 2020

Kaidi LLC and Changzhou Kaidi Electrical Co., LTD., v. Limoss US, LLC
Case No. IPR2019-01184
UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT TRIAL AND APPEAL BOARD, WASHINGTON, DC – 13 May 2020

Jacorrien Martin v. Greif., et al.
Civil Action: 2020-900353 IN THE
CIRCUIT COURT OF MOBILE COUNTY, ALABAMA
MOBILE, AL – 16 November 2021

National Products Inc. v. Proclip USA, Inc., et al.
Case No.: 3:20-cv-00439-WMC IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN – 4 January 2022

National Products Inc. v. Gamber-Johnson LLC
Case No.: 3:20-cv-11108-WMC IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN – 2 September 2022

National Products Inc. v. Innovative Intelligent Products, LLC.
Case No.: 2:20-cv-00428-RAJ IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE – 15 November 2023

CASES I have provided/am providing litigation support for:

Changzhou Kaidi Electrical Co., Ltd., et al. v. Okin America, Inc., et al.
Case No.: 1:13-cv-1798 IN THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(BALTIMORE DIVISION)

National Products Inc. v. Arkon Resources, Inc.
Case No.: 2:15-cv-01553-RSL IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

National Products Inc v. Belkin, Inc.
Case No.: 2:16-cv-00402-TSZ IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Rio Brands, LLC v. GCI Outdoor
Case No.: 3:17-cv-00786 IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF CONNECTICUT
And ITC Investigation No. 337-TA-1062

Bolson Materials, Inc. v. 3D Systems Corporation
Case No.: 5:14-cv-01441-JRA IN THE
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

R.A. Allen Company v. Bell Sports, Inc.
Case No.: 1:16-cv-12087-WGY IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

Gary Jones v. United Abrasives, Inc. et al.
Cause No.: CV15-1304 IN THE
DISTRICT COURT, 43RD JUDICIAL DISTRICT
PARKER COUNTY, TEXAS

National Products Inc. v. Bracketron, Inc.
Case No.: 2:16-cv-00109 IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

National Products Inc. v. Arkon Resources, Inc.
Case No.: 2:18-cv-02936 IN THE
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

National Products Inc. v. Wireless Accessory Solutions, LLC
Case No.: 2:15-cv-03505 IN THE
UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

National Products Inc. v. High Gear Specialties, Inc.
Case No.: 6:18-cv-543-Orl-37DCI IN THE
UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
ORLANDO DIVISION

Varidesk LLC v. Ningbo Loctek Visual Technology Corporation et al.
Case 3:15 cv-00907 IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

Varidesk LLC v. Ningbo Loctek Visual Technology Corporation et al.
UNITED STATES INTERNATIONAL TRADE COMMISSION, WASHINGTON, DC
Investigation No. 337-TA-1054

Michael Keshock et al. v. Metabowerke GMBH et al.
Case No.: CV-15-901370 IN THE
CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

Richard Klein v. Burlington County, New Jersey
BURLINGTON COUNTY SUPERIOR COURT, NEW JERSEY

Varidesk LLC v. Albeit, LLC et al.
Investigation No. 337-TA-1125
UNITED STATES INTERNATIONAL TRADE COMMISSION, WASHINGTON, DC

Quest, Inc. v. PopSockets, Inc.
Case No. IPR2018-0497
UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT TRIAL AND APPEAL BOARD, WASHINGTON, DC

Quest, Inc. v. PopSockets, Inc.
Case No. IPR2018-1294
UNITED STATES PATENT AND TRADEMARK OFFICE
PATENT TRIAL AND APPEAL BOARD, WASHINGTON, DC

National Products, Inc. v. Shenzhen Chengshuo Technology Co., Ltd. et al.
Investigation No. 337-TA-1086
UNITED STATES INTERNATIONAL TRADE COMMISSION, WASHINGTON, DC

PopSockets, Inc. v. Agomax Group Ltd. et al.
Investigation No. 337-TA-1056
UNITED STATES INTERNATIONAL TRADE COMMISSION, WASHINGTON, DC

Limoss US, LLC v. Changzhou Kaidi Electrical Co., Ltd. et al.
Case No.: 1:18-cv-00166 IN THE
UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF MISSISSIPPI
(ABERDEEN DIVISION)

Smarte Carte, Inc. v. Innovative Vending Solutions, LLC
Case No.: 1:19-cv-08681-NLH-AMD IN THE
UNITED STATES DISTRICT COURT
DISTRICT OF NEW JERSEY

Michael Pieczynski v. John Boos Co. et al.
Case No.: 02-CV-2019-900008 IN THE
CIRCUIT COURT OF MOBILE COUNTY, ALABAMA

GCI Outdoor, Inc. v. Denovo Brands, LLC., et al.
Investigation No. 337-TA-1178
UNITED STATES INTERNATIONAL TRADE COMMISSION, WASHINGTON, DC

National Products Inc. v. Innovative Intelligent Products, LLC.
Case No.: 2:20-cv-00428-RAJ IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

National Products Inc. v. Proclip USA, Inc., et al.
Case No.: 3:20-cv-00439-WMC IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

Buddy's Plants Plus Corporation v. Viking Masek Global Packaging Technologies, et al.
Case No.: 20-CV-000145
STATE OF WISCONSIN CIRCUIT COURT, SHEBOYGAN COUNTY

National Products Inc. v. Scanstrut, Inc.
Case No.: 3:19-cv-01322-VLB IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

Jacorrien Martin v. Greif., et al.
Civil Action: 2020-900353 IN THE
CIRCUIT COURT OF MOBILE COUNTY, ALABAMA
MOBILE, AL

iFetch LLC v. Shenzhen Coolmate Ltd.
Case No.: 20-CV-1281-DDD-NRN IN THE
UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF COLORADO

National Products Inc. v. Gamber-Johnson LLC
Case No.: 3:20-cv-11108-WMC IN THE
UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WISCONSIN

Zane Curtis v. B & N Clearing & Environmental, LLC, et al.
Civil Action No.: CV-2019-901739
CIRCUIT COURT OF MONTGOMERY COUNTY, ALABAMA

Shibumi Shade, Inc. v. Beach Shade, LLC
Civil Action No.: 5:21-cv-00256-FL
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

Shibumi Shade, Inc. v. Beach Shade, LLC
Civil Action No.: 5:23-cv-00297-FL
UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION