Robert J. Sherwood
12015 Wenonga Ln, Leawood, Kansas 66209 - 913-269-6589 -
webtalkwithbob@gmail.com

Technology Experience

Mr. Sherwood is a consultant and expert witness to the legal community on matters relating to computing devices, software applications and Internet advertising.

Mr. Sherwood has testified, and is qualified by education, training, experience or occupation, as an expert, on the following matters: IP address server analysis and extraction, search engine ranking methods, HTML and XML code analysis, robot analysis, subscription based user and affiliate systems, subscription based systems for social networking, CPM advertising, venture capital portfolio analysis, click thru rates, key word selection techniques, co-branding, merchant selection and analysis for mobile and desktop devices, database development and population, Google Local or Places, SEM campaigns, exclusivity content sharing agreements, mobile device applications, click thru conversion rates, affiliate agreements, revenue sharing and tracking analytics, application software with any text to speech or speech to text software, unauthorized use of names, false advertising, unfair competition, business valuation, intellectual property, term sheets and patent value, trade secret misappropriation, breach of employment contracts, Internet advertising, lead generation, affiliate tracking, Website development and deployment, software developer kit license interpretation, software development best practices, software deployment methods, runtime analysis, derivative product issues, intellectual property valuation based on patents, Website analysis, valuation of custom designed software, custom and practice issues associated with intellectual property licensing fees, source code and object code license agreements, investment letters of intent, secondary considerations for establishing patent validity, software best practices for enterprise software development, methods of measuring license use, measurement data, verification of software use, functionality and conformance with contract development specifications, derivative product rights, best practices with respect to derivative products, conformance to license agreement specifications for software development, use and distribution.

Experience

Consultant to business and expert witness to the legal community on matters relating to computing devices, business startups, licenses, software development and Internet advertising.

Employment History

2016 to Now: President of Identimap, Inc.

The company develops human resource management software.

Home Depot
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July 1996 to March 2015: SmartText Corporation, President.
The company developed and licensed specialized software applications under the title LegalPoint. The company has no current licenses.

October 1991 to July 1997: The Center for Business Innovation (CBI), President.
CBI was a minority shareholder in 53 emerging growth companies including computer, communications and software businesses. President of a CBI subsidiary, Capital for Entrepreneurs, Inc. a venture capital fund financed by the Ewing Marion Kauffman Foundation.

September 1994 to 2000: Professor University of Kansas and University of Missouri.
Taught multi-campus courses in Entrepreneurship & Strategic Management of Technology.

December 1986 to October 1989: RasterOps, Inc. Vice President.
Company was engaged in the development, manufacture and sales of software for personal computer display devices.

January 1983 to December 1986:
Personal sabbatical and as a sole proprietor provided consulting services to technology firms.

February 1975 to December 1982: EDC, Inc. President.
Co-Founder of a Kleiner & Perkins venture capital backed company engaged in combining computer software technology with environmental improvement devices.

February 1967 to May 1974: Envirotech, Inc. Director Europe.
A start-up company that grew to $500 million in sales and 5,000 employees in 6 years. Managed patent portfolio and computer engineering design modeling.

February 1966 to February 1967: Dorr Oliver, Inc.
A product development position.

Education and Awards

University of Kansas BS Civil Engineering 1960-1964
University of Kansas MS Environmental Engineering 1964-1966
California State College Hayward MBA 1968-1972
Honorary Doctorate DeVry University 1995
Entrepreneur of the Year Award- sponsored by NASDAQ, Ernst &Young, Kauffman Foundation and INC magazine
Graduate Fellowship Research Award Grant
University of Connecticut Business School graduate courses

Berlitz French Immersion School Graduate
Babson College 10th Symposium for Entrepreneurship Educators
Center for Creative Leadership Graduate University of North Carolina
Web Developers Boot Camp-Java Scripting and HTML
Association of Information Technology Professionals

Special Appointment

I was selected by Dr. Ken Canfield, during his campaign for Kansas Governor, to join his campaign executive team. My role involved crafting a comprehensive technology master plan for Kansas, which encompassed the strategic amalgamation of crucial components from the private sector, public sector, and academic institutions. Notably, this plan leveraged the strengths of the four prestigious universities within Kansas. Its primary objectives were to stimulate job creation and establish incentives aimed at retaining scientists, technology graduates, and engineers in the state following their collegiate education.

Despite Dr. Canfield's eventual defeat by Kathleen Sebelius, my expertise in the field did not go unnoticed. Governor Sebelius subsequently enlisted my services to lead a specialized team of four individuals. Our mission was to conduct a thorough assessment of the policies governing technology commercialization, intellectual property ownership, patents, and licensing within all four of Kansas's universities. Our findings and insights were then meticulously compiled into a comprehensive report, which included specific recommendations for enhancing the seamless transition of technology from these academic institutions into the private sector. The culmination of our efforts involved presenting these recommendations to a joint session of the Kansas Congress.

Engagements

Canton Fields, P.A.

Engaged to provide consulting services in a litigation matter for Lux Vending LLC. d/b/a Bitcoin Depot.

Goldstein & McClintock LLLP

Engaged to provide consulting services for the defendant in the matter of Adaptive Avenue Associates, Inc. v. OpticsPlanet, Inc.

Goodwin Procter LLC

Engaged to provide expert services to X1 Discovery, Inc. with respect to patent enforcement actions at the U.S. International Trade Commission, U.S. District Court for the Central District of California, and U.S. District Court for the Western District of Texas.

Global IP Law Group, LLC

Engaged to provide expert services to Rich Media Club, LLC in connection with litigation in an Inter Partes Review.

Park Lawless & Tremonti LLP

Engaged to provide expert services for Case 2:21-cv-2056-MWF-(JEM) In the United States District Court Central District of California Western Division – Springs Street.

Lewis Brisbois Bisgaard & Smith LLP

Engaged as a consultant to perform trial preparation work for Counsel in the The Epoch Times Association class action litigation.

Levi & Korsinsky, LLP

Engaged as a consultant to provide expert services on a technology litigation matter.

Winston & Strawn LLP

Engaged to provide expert services for Case No. 2:21-CV-0290-JRG In The United States District Court For The Eastern District Of Texas Marshall Division

Russ, August & Kabat

Engaged to provide expert services in connection with patent litigation involving the patent portfolio of AlmondNet LLC.

Husch Blackwell LLP

Engaged on behalf of Defendants in the matter of Samantha Cherry v. CoxHealth, In the Circuit Court of Greene County, Missouri Case No.: 2031-CC01024.

Davis, Zipperman, Kirschenbaum & Lotito, LLP and Vivid, IP

Engaged on behalf of the Plaintiff in the matter of SwissWatchExpo, Inc., a Georgia corporation, Plaintiff, Counterclaim Defendant v. Buyer's Best Bet, Inc. d/b/a eBestMedia, a Georgia corporation, Defendant, Counterclaim Plaintiff, and Lenny Estrin, Defendant v. Eugene Tutunikov, Counterclaim Plaintiff, United States District Court for Northern District of Georgia, Atlanta Division, Case No. 1:20-cv-03930-SCJ.

The Rosen Law Firm, P.A.

Engaged on behalf of Plaintiffs in the matter of Zillow Group, Inc. Securities Litigation in the United States District Court for the Western District of Washington at Seattle, No. 2:-cv-01387-JCC.

Devlin Law Firm, LLC

Engaged on behalf of Plaintiff on litigation matters pertaining to patents owned or asserted by Caddo Systems, Inc. and 511 Technologies, Inc. in the matter of Caddo Systems,

Inc., et al v. Microchip Tech, Inc., 6:20-cv-00245-ADA, Caddo Systems, Inc., et al v. NXP USA, Inc. 6:20-cv-0244-ADA.

Holland & Knight LLP

Engaged on behalf of Defendant Web.com Group, Inc. in the matter of Express Mobile, Inc. v. Web.com Group, Inc. 3:20-cv-00839. (M.D. Fla., filed Oct. 11, 2010)

Smith, Gambrell & Russell, LLP

Engaged on behalf of Plaintiff Jared Barnett in connection with Plaintiff Jared Barnett v Defendant(s) Seth Berkowitz el al., Supreme Court of The State of New York County of New York**,** Index No. 654313/2018. Prepare a rebuttal report and testify at deposition.

Gibson Dunn & Crutcher LLP

Engaged on behalf of AOL Inc., Oath Inc., and Verizon Media Inc. (collectively, "AOL" or "Defendants") in connection with *Evox Productions LLC v. AOL Inc.*, No. 2:20-cv-02907-JWH-JEM (C.D. Cal.). Provided expert report and testified at deposition.

Kendall Brill & Kelly, LLP

Engaged on behalf of Plaintiff Villa Real Estate et al v. Pacific Sotheby's Int'l Realty et al, Case No. 02-08-21G – 5727. Provided an expert report and testified at a Disciplinary Hearing on behalf of Plaintiff Villa Real Estate.

Cozen O'Connor

Engaged on behalf of Plaintiff and Defendant Advanced Engineering Solutions Company, LLC versus Personal Corner, LLC. United States District Court Central District Of California. Case No.: 2:20-CV-5955-JFW-PLA.

Husch Blackwell

Engaged on behalf of BrandTotal LTD versus Facebook, Inc. United States District Court Northern District Of California. Case No. 3:20-CV-07182-JCS

Liebler, Gonzalez & Portuondo

Engaged on behalf of Defendant to prepare an affirmative expert report, rebuttal report and testify at trial. Harte Hanks, Inc., Plaintiff V. Juan Castaneda, Lima Tech Group, LLC, and Primus Intellectual Solutions, LLC, In The United States District Court for The Southern District Of Florida, Ft. Lauderdale Division Case No. 0:19-CV-62134-RAR/Strauss.

Reinhart Boemer Van Deuren, S.C.

Engaged on behalf of Defendant Rise Interactive Media and Analytics, LLC to provide expert services in litigation between Sears Hometown and Outlet Stores, Inc. versus Rise Interactive Media and Analytics, LLC. Circuit Court Cook County Illinois.

Wang IP Law Group, P.C.

Engaged on behalf of Plaintiff to provide expert services and testify at trial. Dr. Peng Holding, Inc. v. Pei-Jun Kuo Case No. BC703529 February 2020.

Blegen & Garvey

Engaged on behalf of Defendant, Jeffrey Batio. to provide a rebuttal report. Testified at trial May 2019. United States District Court For The Northern District Of Illinois United States V. Jeffrey Batio 16 Cr 425

Scott D. Owens, P.A. and The Law Offices of Jibrael S. Hindi

Engaged on behalf of Plaintiff to provide expert services in conjunction with the matter of a class action litigation brought by Plaintiff-Bilal Saleh against Defendant-Crunch, LLC and Crunch Franchising, LLC and Deliu, LLC collectively ("Defendant") regarding violation of the Telephone Consumer Protection Act, 47 U.S.C § 227, et seq. ("TCPA").

Kaplan Fox & Kilsheimer LLP

Engaged on behalf of Plaintiffs on a class action matter.

Burns and Levinson LLP

Engaged on behalf of Defendant Internet Brands, Inc., VetNetwork, LLC v. Internet Brands, Inc., 15-00044 (D.N.H)

Mayer Brown LLP

Engaged as consultant to Google, Inc. on a Covered Business Method Patent Declaration.

Williams & Connolly LLP

Rockstar Consortium US LP and Netstar Technologies LLC v. Google, Inc. A patent infringement matter regarding U.S. Patent Nos. 6,098,065; 7,236,969; 7,469,245; 7,672,970; 7,895,178; 7,895,183; 7,933,883 relating to search engines. Engaged on behalf of Google, Inc.

Cooley Godward Kronish LLP

Christina Egner and Rickey Glasco v. Sony Electronics, Inc. A class action lawsuit brought against Sony in the United States District Court Southern District of California, Case No. AJB 09cv2109 AJB (MDD). Engaged on behalf of Sony to prepare an expert report on

computer laptop failure rates.

Kilpatrick Townsend & Stockton

Branch Banking and Trust Company - EMG Technologies, LLC - Invalidity Analysis and Covered Business Method Review No. 2. The patent at issue is U.S. Patent No. 7,441,196 relating to e-commerce, using the World Wide Web to display advertisements and accepting user inputs to navigate commercial Websites. The subject matter includes well-known components such as hyperlinks, mark-up languages, navigation interfaces, and selectable inputs. Provided expert declaration on behalf of Branch Banking and Trust Company in support of CBM.

Fitch, Even, Tabin & Flannery LLP

A patent infringement action for plaintiff's United States Patent No. 7,054,830 entitled "System and Method for Incentive Programs and Award Fulfillment" Kroy IP Holdings, LLC v. Safeway, Inc., Case No. 2:12-cv-00800 (E.D. Tex.), and Kroy IP Holdings, LLC v. The Kroger Co., Case No. 2:13-cv-00141 (E.D. Tex.). Provided two infringement reports, declarations, deposition and a validity report on behalf of plaintiff Kroy IP Holdings, LLC.

Kilpatrick Townsend & Stockton

Branch Banking and Trust Company - EMG Technologies, LLC - Invalidity Analysis and Covered Business Method Review. The patent at issue is U.S. Patent No. 7,441,196 relating to e-commerce, using the World Wide Web to display advertisements and accepting user inputs to navigate commercial Websites. The subject matter includes well-known components such as hyperlinks, mark-up languages, navigation interfaces, and selectable inputs. Provided expert declaration on behalf of Branch Banking and Trust Company in support of CBM.

Arent Fox

Tre Milano, LLC vs. Amazon.com, Inc., Case No.: BC 460511, Superior Court of the State of California County of Los Angeles, Central District. Engaged by Amazon to opine on issues surrounding the impact of customer reviews on retail and on-line sales of a consumer product.

Girard Gibbs LLP & Kaplan Fox & Kilsheimer LLP

Engaged as a consultant on behalf of Plaintiffs on a class action matter. Yahoo!, Inc. is the defendant. Examined terms of service, wiretapping issues, user profiling related patents, targeted advertising methods, user interest mathematical modeling techniques and email delivery technologies.

Cooley LLP

B.E.Technology, LLC v. Facebook, Inc U.S. Patent No. 6,628,314 Computer Interface Method and Apparatus with Targeted Advertising. Engaged to provide declaration in support of Facebook, Inc. Petition for IPR, invalidity report and non-infringement report.

Sterne, Kessler, Goldstein and Fox P.L.L.C.

A Google Petition for a Covered Business Method proceeding before the United States Patent and Trademark Office involving U.S. Patent No. 7,441,196 owned by EMG Technologies. Engaged to provide a declaration and deposition in support of Google's Petition.

Foley & Lardner LLP

Robocast, Inc. v. Apple, Inc. (1:11-cv-00235; USDC DE); Robocast, Inc. v. Microsoft, Corporation (1:10-cv-01055; USDC - DE). Engaged by Robocast to provide expert report on advertising methods and measurement analytics, deposition and trial testimony.

Keker & Van Nest, LLP

Suffolk Technologies, Inc. v. AOL Inc. and Google, Inc. U.S. Patent No. 6,081,835, An Internet Server and a Method of Controlling an Internet Server, issued June 27, 2000. Case No. 1:12-CV-625-TSE-IDD, in the United States District Court for the Eastern District of Virginia Alexandria Division. Engaged to provide infringement rebuttal report, deposition and trial on behalf of Google.

Wilson Sonsini Goodrich & Rosati, P.C.

General Electric Company vs. Kontera Technologies, Inc. Case No. 1:12-cv-00525-LPS. U.S. Patent No. 6,902,074 and U.S. Patent No. 6,581,065, Dynamic Insertion and Updating of Hypertext Links for Internet Servers. Engaged to provide declaration in support of Kontera Technologies, Inc. Petition for IPR, invalidity report and non-infringement report.

Heller Ehrman White & McAuliffe

Overture Services, Inc. (Yahoo!) v. FindWhat.com. Case No. SACV 03-00685 (CJC) (EX). The lawsuit charged FindWhat.com with infringement of Yahoo! U.S. Patent No. 6,269,361, System and Method for Influencing a Position on a Search Result List Generated by a Computer Network Search Engine (the '361 Patent). The '361 Patent covers various advertising methods relating to bid-for-placement product and pay-per-click performance technologies. Engaged by Yahoo!, Inc. to provide expert report on Secondary Considerations, deposition and trial testimony.

Vinson & Elkins, McDermott Will & Emery, Fulbright and Jaworski

Orion IP, LLC v. Staples et al. (Harley Davidson, Toyota, and Home Depot) Civil Action No. 2:04-CV-297 (LED). Orion IP asserted U.S. Patent No. 5,367,627 Computer

Assisted Parts Sales Method and U.S. Patent No. 5,615,342, Electronic Proposal Preparation System.

Engaged to examine intellectual property valuation based on two patents, alternative cost issues surrounding the implementation of non-infringing substitute computer-based methods for the '342 and '627 patent, estimating non-infringing substitutes, estimate hypothetical negotiation licensee fees, examine patent invalidity based on prior art, Website analysis, valuation of custom designed software and custom and practice issues associated with intellectual property licensing fees. Engaged by Defendants to provide expert report and deposition.

Shughart Thomson & Kilroy

Emergis Technologies, Inc., f/k/a BCE Emergis Technologies, Inc. v. Kansas City Power & Light Co., in the United States District Court for the Western District of Missouri Kansas City Division, Civil Action No. 06-0201-CV-W-REL.

Emergis filed suit against KCP&L alleging infringement of a patent, entitled "Electronic Invoicing and Payment System" U.S. Patent No. 6,044,362 ("the '362 Patent") and seeking unspecified monetary damages and injunctive relief. This patent relates to automated electronic bill presentment and payment systems, particularly those involving Internet billing and collection. Engaged to estimate a non-infringing substitute, establish a license fee based on hypothetical negotiation, examine license agreement for conformance to specifications and software distribution rights. Engaged by defendant. Prepared expert report.

Allen Dell, P.A.

Accusoft Corporation f/k/a Pegasus Imaging Corporation v. John P. Reinhart, Jeffrey D. Amrein, Allscripts-Misys Healthcare Solutions, Inc. f/k/a Allscripts Healthcare Solutions, Inc. and AllscriptsMisys, LLC f/k/a Misys Healthcare Systems, LLC and successor by merger to Allscripts, LLC. In the Circuit Court of the Thirteenth Judicial Circuit in and for Hillsborough County, Florida Complex Business Litigation Division, Case No. 10-CA-018238 Division L. Engaged to provide expert report, deposition and trial on behalf of Pegasus Imaging Corporation.

Farella Braun + Martel LLP

Brandgenuity LLC Plaintiff v. Zynga Inc., f/k/a Zynga Game Network, Inc. In the Superior Court of the State of California in and for the County of San Francisco, Case No. CGC-12-520738 Engaged on behalf of Zynga. Plaintiff claims they supplied services to Zynga, for which Zynga refused to pay Plaintiff a $18 million commission for a licensing agreement for the use of Zynga brand names, such as Farmville. Provided analysis and examination on custom and practices in the brand licensing industry including agency fee schedules, royalty rates, license agreements, integration clauses and agency agreements. Engaged to provide expert report, deposition and trial.

Law Office of Mick Lerner, PA and Stinson, Mag & Fizzell

4th Trimester v. Reed Publishing, et al. Determine the value of a technology business. Expert report, deposition and testify at Arbitration for defendant.

Thelen Reid & Priest LLP

DJ&J Software Corporation dba Egghead Software and Elecom Corporation v. Casahl Technology, Inc. Examine sales of software from a reseller, but for developer's refusal to supply current versions, ability of distributor to manage software through normal sales channels, value of software and quantity that would have been sold, but for software developer's actions. Expert report and deposition for plaintiff.

Ascano & Campo LLP

Silicon Valley IPO Network et al. v. Kevin Von Poppen et al. Determine business value of video compression software had venture capital firm invested in startup and provided initial funding. Expert report for plaintiff.

Morrison & Hecker LLP

Universal Business Computing Company, Inc. and Ken Garen v. Global Enterprise Solutions, Inc. and Brian Unger. Determine value of founders equity share in the business had the founders had an agreement in writing for equity ownership, determine share price and actual total share ownership under premature departure of one of the cofounders. Expert report, deposition and testify at Arbitration for defendant.

Steefel Levitt & Weiss

Examine license agreement and software for conformance to contract specifications for functionality and use. Expert report and deposition.

Grey Cary Friedenrich

Examine license agreement for computer hardware and software for conformance to contract specifications for functionality and use. Consultant for plaintiff.

Cooley Godward LLP

Examine license agreement and software for conformance to contract specifications for functionality and use. Consultant.

Michael Best & Friedrich

Examine Websites for duplication of code and ownership of various software Website commerce and affiliate development components. Expert report for defendant.

Cotton & Gundzik LLP

Digital Insight v. HNC Software. Examine co-branding, OEM relationship, software customization, licensing of Website and business loss due to inappropriate distribution of

Website software. Examine license agreement for conformance to specifications and software distribution rights. Expert report for plaintiff.

Crosby Heafey Roach & Smith

Raytheon Company vs. Webgear, Inc. & Ted Cooper, Case No. V-020232-9 Superior Court of California County of Alameda. Examine license agreement for conformance to specifications, verification of computer hardware and software documentation instructions, verification of software and wireless computer product use and determine value of software. Expert report for plaintiff.

Mannatt Phelps & Phillips LLC

Verity, Inc. v. Broadvision, Inc. Case No. C01-20501 RMW (PVT) ADR United States District Court for the Northern District of California San Jose Division. Examine license agreement and software for conformance to specifications, analyze customer software purchase levels for various levels of product upgrades, determine the number of customers that would have upgraded, but for the licensee's inappropriate software distribution. Expert report, deposition and testified at Arbitration for plaintiff.

Schlagel Damore & Gordon

Determine value of enterprise software to licensor where licensee had developed a derivative product, examine business history, development and reproduction costs. Expert report and deposition for plaintiff. Examine license agreement for conformance to specifications and software distribution rights.

Crosby Heafey Roach & Smith

Examine license agreement for conformance to specifications and software distribution rights. Expert report for defendant.

America On-Line Corporate Counsel

Investigate the methods that might be used to establish comparative market values for email addresses and to indicate possible economic benchmarks. Civil suit regarding stolen email addresses and damages resulting from spamming. Consultant to AOL.

Boies, Schiller & Flexner LLP

The SCO Group Inc. vs. International Business Machines Corporation United States District Court, District of Utah, Case No. 03-CV-0294. Examine license agreements for derivative product rights, best practices with respect to derivative products, conformance to license agreement specifications for software development, use and distribution. Expert report for plaintiff.

Law Offices of Jeffery P. Widman

SunLan Corporation vs. Zenith Infotech, Inc. Case No. 04CC02648 Superior Court of California, County of Orange. Examine issues relating to sale of goods, distributor revenue sharing and pricing with respect to industry practices for computer hardware and software, OEM licensing and distribution agreements. Examine license agreement for conformance to specifications and software copy distribution rights. Expert report and deposition for defendant.

Chan Law Group

Perfumebay.Com, Inc. vs. EBAY, Inc., Case No.: CV04-1358 WDK (SSx) United States District Court for the Central District of California. Examine issue surrounding the use of trade names in a domain name including search return listings. Expert report for plaintiff.

Latham & Watkins LLP

Itech Group, Inc. v. National Semiconductor Corporation. Case No. CV 810872 Superior Court of the State of California County of Santa Clara. Examine source code and object code license agreements and investment letters of intent surrounding a software licensing dispute. Expert report, deposition and testified at jury trial for defendant.

Latham & Watkins LLP

GR Match LLC v. Market Range LLC, et al. AAA Case Number 75-181-Y-00067-06. Examine issues relating to Website tracking methodologies for sponsored ads, natural search returns, advertising, customer life time value and affiliate tracking. Expert report and deposition for plaintiff.

Capobianco and Bram, LLP

Dovebid, Inc. v. eBay Inc., United States District Court for the Central District of California. Consultant for plaintiff.

Orrick, Herrington & Sutcliffe LLP

Viewsonic Corporation vs. AmTran Technology Co., Ltd. United States District Court, Central District of California Case No. CV 05-5864 GAF (RZx). Expert report for defendant.

Mayer, Brown, Rowe & Maw LLP

Positive Ions, Inc. v. ION Media Networks, Inc. United States District Court Central District of California Case No. CV 06-4296 ABC (FFMx). Expert reports for defendant and counter claimant.

Needham, Davis, Kepner & Young, LLP

Ecompare v. Priceline.com. Engaged as a consultant for plaintiff in trade secret matter.

Farella Braun + Martel LLP

Securities and Exchange Commission v. Mark Leslie, United States District Court Northern District of California San Jose Division, Civil Action No. C 07-3444 JF. Engaged as expert witness for defendant. Expert report and deposition.

Allen Dell, P.A.

Pegasus Imaging Corporation v. Northrop Grumman Corporation et al., In the United States District Court, Middle District of Florida, Tampa Division Case No. 8:07-cv-01937. Engaged by Plaintiff. Examine license agreement for conformance to specifications and software copy distribution rights. Provided Expert report, deposition, trial assistance. The matter concerned a software developer kit license interpretation, software development best practices, software deployment methods, runtime analysis, and derivative product issues.

Nelson& Weinkauf

Trancos, Inc. dba Coregmedia vs. Brian Harley, Tallac Ventures, Inc., dba Tallacmedia.com and dba Leadshot, Superior Court of California, County of San Mateo-Case No. CIV-492361. Engaged by Plaintiff. Provided expert analysis and deposition assistance. The matter concerned trade secret misappropriation, breach of employment contract, Internet advertising, lead generation, affiliate tracking, and Website development and deployment.

Nixon Peabody LLP

Serena Software, Inc. v. Con-Way Inc. Case No. CIV 491585. Engaged by Defendant. Expert report. Examine license agreement for conformance to specifications and software copy distribution rights. Plaintiff contends that defendant breeched a license agreement. Further that because of this breech, Plaintiff also contends that Defendant should be compelled to pay additional license fees for the total capacity of all the CPUs in the network.

The Law Office of Ilona Antonyan, APC.

Avalon RF, Inc. vs. WIFI, Pacifitek Systems, Inc. et al. Case No. 868507 Superior Court of the State of California for the County of San Diego.

Evolution Software, Inc.

Evolution vs. SunTrust Bank, Case No. 01-2409-JWL, United States District Court for the District of Kansas. Provided an expert report on the valuation of Data Base Management Software programs used in the Premium Finance Industry.

Dempsey & Johnson P.C.

Connie Chein M.D. v. Michele Hakakha et al., Case No. SC112820, Superior Court for the State of California for the County of Los Angeles. Complaint for unauthorized use of Plaintiff's name, false advertising, unfair competition. Engaged as consultant to examine

Google Places, mobile device merchant selection, Website development techniques, traffic redirect from competitive Websites.

Equal Employment Opportunity Commission

EEOC v. Dolgencorp, LLC, Case No. 1:11-CV-0755-SEB-DKL, in the United States District Court for the Southern District of Indiana Indianapolis Division. Engaged by EEOC to determine the compatibility of Defendant's hardware, operating systems and application software with any text to speech or speech to text software including providing an expert report, deposition and trial testimony.

Shaub & Williams LLP

Pricegrabber.com, Inc. v. Unister GMBH, United States District Court Central District of California Case No. CV 10-09580 SJO(MANx). Engaged by Unister to provide expert report, deposition and trial testimony. Dispute involves items such as CPM for advertising, merchant analysis, click thru rates, key word selection techniques, co-branding, SEM campaigns, exclusivity content agreements, click thru conversion rates, affiliate agreements with Amazon, Overture and ShopZilla, Google AdWords, revenue sharing and tracking analytics.

Howrey Simon Arnold & White LLP

Business Management Systems Corporation v. Cable & Wireless USA, Inc. Civil Action No. 00-B-1069 United States District Court. Examine software best practices of enterprise software developer and methods of measuring license requirements, measurement data, and verification of software use, functionality and conformance with contract purchase development specifications. Examine license agreement for conformance to specifications and software distribution rights. Expert report, deposition and testified at trial for defendant.

Arnold & Porter LLP and Norris Keplinger & Logan LLP

CSU, Inc. v. Xerox, Inc. In 1994, CSU filed suit against Xerox, alleging that Xerox violated the Sherman Antitrust Act by monopolizing the market for high-speed copiers. The central issue was whether a unilateral refusal to license or sell intellectual property protected by patent or copyright is immune from a claim of monopolization and attempted monopolization under Section 2 of the Sherman Antitrust Act. Xerox counter claimed for patent and copyright infringement.

Engaged to analyze the CSU $20 million business and determine if CSU would have grown to $100 million, but for Xerox's refusal to sell CSU a patented product. Examined all documents such as financials, bank loans, management, business plans, capital formation documents and board decisions. Expert report, trial preparation and deposition on behalf of Xerox, Inc.

Robert J. Sherwood
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webtalkwithbob@gmail.com

Testimony

The following is a list of my expert witness engagements in the last six years for which I have testified at trial or by deposition:

2019. May 2019 Engaged on behalf of Defendant. Testified at trial. United States District Court For The Northern District of Illinois United States V. Jeffrey Batio 16 Cr 425.

2020. September 10 Harte Hanks, Inc., Plaintiff V. Juan Castaneda, Lima Tech Group, LLC, and Primus Intellectual Solutions, LLC, In The United States District Court for The Southern District Of Florida, Ft. Lauderdale Division Case No. 0:19-CV-62134-RAR/Strauss. Deposition on behalf of Defendant Primus Intellectual Solutions, LLC.

2020. October 13 Harte Hanks, Inc., Plaintiff V. Juan Castaneda, Lima Tech Group, LLC, and Primus Intellectual Solutions, LLC, In The United States District Court for The Southern District Of Florida, Ft. Lauderdale Division, Case No. 0:19-CV-62134-RAR/Strauss. Deposition on behalf of Defendant Primus Intellectual Solutions, LLC.

2021, April 23 Villa Real Estate et al v. Pacific Sotheby's Int'l Realty et al, Case No. 02-08-21G – 5727. Testified at a Disciplinary Hearing on behalf of Plaintiff Villa Real Estate.

2021, June 10 Deposition on behalf of AOL Inc., Oath Inc., and Verizon Media Inc. (collectively, "AOL" or "Defendants") in connection with *Evox Productions LLC v. AOL Inc.*, Case No. 2:20-cv-02907-JWH-JEM (C.D. Cal.).

2022, January 26 Deposition on behalf of Jared Barnett (Plaintiff) in connection with Jared Barnett against Seth Berkowitz et al., Supreme Court of The State of New York, County of New York, Index No. 654313/2018.

2022, February 9 Deposition on behalf of Caddo Systems, Inc. and 511 Technologies, Inc. (Plaintiff) v. Microchip Technology, Incorporated, United State District Court for the Western District of Texas, Waco Division, Case No. 6:20-cv-245-ADA.

2022, February 14 Deposition on behalf of Caddo Systems, Inc. and 511 Technologies, Inc. (Plaintiff) v. Microchip Technology, Incorporated, United State District Court for the Western District of Texas, Waco Division, Case No. 6:20-cv-245-ADA.

2022, February 15 Testified at trial on behalf of CoxHealth, Steve Edwards, CEO of CoxHealth (Defendant) v. Samantha Cherry, Minor Child C.L. (Plaintiff), in the Circuit Court of Greene County, State of Missouri, Case No. 2031-CC01024.

2022, February 17 Deposition on behalf of BrandTotal Ltd., an Israeli corporation, and Unimania, Inc., a Delaware corporation (Defendants) v. Facebook, Inc., a Delaware corporation (Plaintiff), in the United States District Court, Northern District of California, Oakland/San Francisco Division, Case No. 3:20-CV-07182.

2022, June 7 and 8 Testified at trial on behalf of Caddo Systems, Inc. and 511 Technologies, Inc. (Plaintiff) v. Microchip Technology, Incorporated, United State District Court for the Western District of Texas, Waco Division, Case No. 6:20-cv-245-ADA.

2023, May 18 Deposition on declaration, dated May 3, 2023, of Robert Sherwood in support of patent owner, AlmondNet, Inc. and Intent IQ, LLC, response to Petitioner Meta Platforms, Inc. IPR2022-01064 Patent 9,830,615 B2.

2023, August 18 Deposition on declaration dated June 2, 2023, of Robert Sherwood in support of patent owner, AlmondNet, Inc., response to Petitioner Samsung Electronics CO. LTD IPR2022-01259, Patent 8,200,822.

2023, September 26 Deposition on declaration dated July 14, 2023, of Robert Sherwood in support of patent owner, AlmondNet, Inc., response to Petitioner Meta Plartforms, Inc. IPR 2022-01436, Patent 8,244,582.

2024, February 6 Deposition on declaration dated December 6, 2023, of Robert Sherwood in support of patent owner, Rich Media Club LLC , response to Petitioner Duration Media LLC, IPR IPR2023-0095, Patent 11,443,329.

2024, July 31 Deposition on behalf of X1 Discovery, Inc. with respect to patent enforcement actions at the United States International Trade Commission Washington, D.C. Inv. No. 337-TA-1389

Publications
None in last 10 years.