Ian Jestice
1108 Augusta Falls Way
Naples, FL 34119
510-304-2999
ian@ianjestice.com

Expertise

- Embedded systems
- IBM 370 architecture
- File systems, RAID Systems
- Game Programming
- Networking (Ethernet, TCP/IP, DLNA)
- iPhone, iPad Android Programming

- Device Drivers
- Storage Devices & Software
- Telecommunications Software
- Bootrom/Bios/Assembler
- Computer Languages: Java, Python, C, C++, VBAssembler, PERL, SQL, Labview
- Zigbee, Xbee.

Professional Summary

Mr. Jestice has over 40 years of experience with storage devices, embedded software systems for industry and consumer products, systems, including Flash Memory (Solid State Disks, memory cards, flash drives), Optical Storage (CD, DVD, WORM, Magneto-Optical) , Magnetic Storage (Hard Disk, Floppy Disk, Tape), RAID/Disk Arrays and jukeboxes; USB, SCSI, iSCSI, IDE/ATA/ATAPI/SATA, Fibre Channel, PCMCIA, IBM 370 architecture, game programming, home appliances and telecommunications.   He has written and designed device drivers, software and firmware for Windows, Linux, VxWorks, QNX and other embedded real-time operating systems (RTOSs). He has been a software developer, project lead, seminar presenter and technical writer. He is experienced with various programming languages, including Java, Python, PHP, Labview, C, C++, Delphi, C# and assembly. He has been an expert witness and expert consultant in over 40 engagements involving patent, trade secret, copyright, class action and contractual disputes, patent portfolio reviews including file systems, game programming, home appliance, telecommunications and television control software. These have drawn on over 30 years of experience in the software storage industry and over 40 years of experience as a computer engineer, and have involved technology in the consumer products, telecommunications and storage industries. He has written expert reports, been deposed, and has provided courtroom testimony at trial. His engagements have involved source code analysis and comparisons, object code disassembly, benchmarking, and computer media duplication, as well as forensic analysis on data storage devices and file systems using tools including EnCase, FTK and DiskJocky.

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Employment & Consulting History

From: 2001   **Jestico**
To: Present
Position: *Consultant*
Software consultant on diagnostics, file systems, databases, optical transport and manufacturing test.

Provided bring-up, bootrom and diagnostic support for PPC and X86 embedded systems. Familiar with bringup tools, such as ICE, logic analyzers and BDM's.

Ported Opensource bootrom (ppcBoot/uBoot) to several different systems/boards.

Wrote manufacturing test system for an Optical transport system including diagnostics, GUI and backend database support.

From: 2002   **Infinera**
To: 2008
Position: *Member of Technical Staff (Team Leader)*
Managed, specified, designed and built bootrom/BIOS, diagnostics, journaling file systems, databases, IP networks, optical transport and manufacturing test for a large scale DWDM telecommunications transport system. Programmed in "C", C#, "C++", assembler and all versions of VB. The development tasks were split and managed between California, Maryland and Bangalore in India.

Hired and managed the diagnostic team in both the USA and India.

From: 1998   **Ciena Corporation**
To: 2002
Position: *Member of Technical Staff (Team Leader)*
Specified, and lead the team that produced the hardware diagnostics for Ciena's CoreDirectory product. The diagnostics were used for design verification (DVT), hardware bring up, manufacturing test, and in at the customer site. They consisted of Power On Self Tests (POST), written in "C++", "C++" and PPC assembler, run time tests written in "C++" and Manufacturing tests written in VB.Net.

Also wrote simulation tests for ASICS in Perl and a FAT32 file system written in "C". Ported a CrossStore journaling files system to the system.

These programs were written to support Ciena's Coredirector, telecommunications switch technology.

Hired and managed the diagnostic teams.

From:	1996	**Xyratex International Limited, Digital Power Corp., CableCo and Theorem**
To:	1998	Fremont, CA
	Position:	*Vice President Engineering (Independent Consultant)*

Consulted on automated testing, database design, internet and intranet websites, email servers, internet commerce engines and network design, network security and software applications.

Performed confidential investigations concerning the abuse of company EMAIL systems, and to detect the electronic transmission of stolen intellectual property. Designed, developed and sold software applications to provide Internet access for LAN users, network monitoring and for the prevention of computer hardware theft.

Developed and sold an email gateway program, a network security package and a commercial website for selling power supplies. Managed Microsoft and Novell servers for Xyratex, including configuration, installation, backup and operations.

From:	1994	**ZADIAN Technologies**
To:	1996	San Jose, CA
	Position:	*Director, Quality Assurance and Information Systems*

Recruited and managed the QA and IT departments. Set up a companywide ISO9000 system. Designed and wrote automated tests for the verification of software libraries and hardware equipment including disk drive, tapes and RAID devices. Designed and built relational databases in Paradox and Access and Delphi. Implemented company network, Novell and Microsoft servers. Presented training seminars on SCSI and IDE interfaces.

Attended the ISO 9000 lead assessors training given by ASQC.

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From: 1984   **Amdahl Corporation**
To: 1994   Sunnyvale, CA
            Position: *Principal Engineer*

Mainframe division – Developed diagnostics and automated tests to verify the compatibility, functionality and performance of 370 processor hardware. Worked extensively with Fujitsu in Japan on joint development of IBM 370 compatible processors, Worked as an expert on diagnostics and deterministic hardware. Managed a design verification department responsible for assuring that the Amdahl processors were functionally equivalent to the competing IBM processors. Worked extensively with instruction level simulation of the processors to manage and develop design verification diagnostics called Bring-Up Programs (BUPS)

Data Storage Division – Managed and implemented the design verification of storage arrays produced by OEM suppliers. Work with the design team on the architecture of a RAID controller. Evaluated RAID implementation from various system vendors. Developed failure analysis and call home programs for field failure prediction. Wrote test applications to analyze the performance and reliability of disk subsystems. Worked on storage virtualization and backup software.

From: 1982   **Dialogic Systems Corporation**
To: 1984   Sunnyvale, CA
            Position: *Quality Assurance Manager*
Designed, developed and executed software programs to test the function and performance of a high speed, multiprocessor system, used for the rapid development of software for IBM mainframe computers. The system consisted of 32 independent Motorola 68000 processors running a distributed operating system. Tests were writing in "C", Assembler, COBOL and a proprietary testing language. The DS2000 was attached to the IBM I/O interfaces to interact directly with the IBM operating systems.

From: 1980   **ITEL Corporation**
To: 1982   Los Angeles, CA and Canada
            Position: *Technical Specialist*
Country level systems support specialist, diagnosing software, hardware and compatibility problems on ITEL computers and peripherals in Canada, USA, Japan and South America. ITEL

computers operated the same architecture as IBM 370 computers. As a specialist, I was responsible for the compatibility with the IBM instruction set.

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From:	1971	**IBM Corporation**
To:	1980	London, England
	Position:	*Senior Systems Engineer*

Responsible for system support of large IBM mainframes, operating systems, disk drives, tape drives and telecommunications products. Wrote customer applications in COBOL and Assembler. Responsible for some of IBM's larger mainframe accounts, including Carter Hawley Hale, Barclays Bank, and Sun Life Insurance. Worked for IBM in England, California and Canada. Attended over 23 months of in house training at IBM locations in Europe and USA. Fundamental to the support of IBM systems was the ability to write, understand and debug at a machine code level.

From:	1968	**British Telecom**
To:	1971	London, England
	Position:	*Technical Officer*

Responsible for the testing and installation of high-speed data and voice communications circuits. Installed the first commercial FAX system in England and early modem circuits. Received award for a design using digital logic to monitor the availability and reliability of groups of voice and data circuits. Trained in transmission line theory.

Patents

- US 10,732,068 – Method and system for detecting leakage in fluid distribution networks.

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Litigation Support Experience

Date	2022	**Ogletree, Deakins, Nash, Smoak & Stewart PLC**
	Case	**Hix v, RealPage**
	Status	On going

Date	2022	**Bragalone Olejko Saad PLC**
	Case	**Stingray* v Amazon**
		Write claim construction, evaluate patents
	Status	Ended

Date	2021	**Allen and Overy LLP**
	Case	**Unified Patents* v MCOMIP**
		Evaluate patents for IPR, write declaration, assist with Markman
	Status	Ended

Date	2021	**Bragalone Olejko SAAD PLC**
	Case	**Stingray* vs Signify**
		Write claim construction declaration
	Status	Ended

Date	2020	**Susman Godfrey L.L.P**
	Case	**Ancora* vs LG**
		Evaluate patents, consult, write expert report.
	Status	Ended

Date	2020	**Covington**
	Case	Knowles [ITC]
	Status	Ended

Date	2019	**Brooks Kushman**
	Case	**Ancora* vs HTC**
		Evaluate patents, consult, write expert report and testify by deposition
	Status	Ended

Date	2019	**Farella, Braun and Martel**
	Case	**Huawei v CNEX***

Status		Evaluate trade secrets and documents. Write Expert reports and testify at trial. **Won at trial**
Date	2018	**Wolf, Greenfield & Sacks**
Case		**EMC* v Zerto**
		Evaluate architecture and documentation. Write Expert reports and testify by deposition and trial
Status		**Won at trial**
Date	2016	**Ogletree, Deakins, Nash, Smoak & Stewart, P.C**
Case		**Vadim Kulikov v. Outlook Amusements***
		Testified at deposition regarding functions and duties of a Database Administrator on a labour law
Status		**Settled before trial**
Date	2016	**Grunsky Law**
Case		**Reynolds**
		Forensic analysis of I-Phone
Status		**On going**
Date	2016	**K & L Gates**
Case		**Intellectual Ventures v Netapp***
		Review prior art for IPR. Write Expert Report and Declaration.
Status		**Completed**
Date	2015	**Kilpatrich Townsend**
Case		**Stategyn, LLC vs James M. Haynes***
		Examine source code, write Expert Report for trade secrets theft
Status		**Settled**
Date	2015	**Orrick**
Case		**EMC* vs PureStorage**
		Examine source code, write Expert Report for storage dedupe technologies
Status		**Won at trial**
Date	2014	**BOARDMAN & CLARK LLP**
Case		**ServiTech* v. WSG**
		Compare bank ATM software for trades secrets theft and copyright infringement.

	Status	**Settled**
Date	2014	**Liner Law**
	Case	**MyMedical* Records vs Walgreen**
		Evaluate patent, write Export Report.
		Deposed
	Status	**Settled**
Date	2014	**Morgan Lewis & Bockius LLP**
	Case	**Dunnhumby vs Emnos***
		Evaluate code, write Expert report assist with Markman
	Status	**Ended**
Date	2014	**O'Melveny Myers**
	Case	**Concinnitas v Samsung***
		Evaluate code, write expert reports and assist with Markman
	Status	**Settled**
Date	2014	**Wolf, Greenfield & Sacks**
	Case	**EMC* v Zerto**
		Evaluate architecture and documentation. Write Expert reports and testify by deposition and trial
	Status	**Won at trial**
Date	2014	**Latham & Watkins**
	Case	**Ultramercial vs WildTangent***
	Project	Evaluate code for patent infringement. Evaluate patent for invalidity. Write Expert report
	Status	**Settled**
Date	2014	**O'Melveny Myers**
	Case	**Fauc vs TPV & Assus***
	Project	Test LCD & LED monitors, measure refresh and lag time. Write reports
	Status	**Settled**
Date	2013	**John Perkins Law**
	Case	**CS1000* vs Bishop**
	Project	Evaluate source code written in Python and compare defendant to plaintiff code. Write Expert Report
	Status	**Settled before trial**

Date	2013	**Grunsky Law**
	Case	**Hesse* v Alcatraz Flowers**
	Project	Forensic evaluation of accounting records
	Status	**Settled before trial**

Date	2013	**Brock S. Weber | Perkins Coie** LLP
	Case	**Parallel Iron v Amazon, EMC, NetApp, Facebook, Linkedin, Morgan Stanley, Motorola, Obitz, BofA, NetFlix and Google**
	Project	Write reports and declarations. Evaluate storage architecture
	Status	**Settled before trial**

Date	2013	**Murchinson Law**
	Case	**Kinda v. Carpenter***
	Project	Slander and interference with business case involving network and internet access issues. Wrote Expert report and advised attorney on questions for plaintiffs Expert Witness
	Status	**Settled before trial**

Date	2013	**Fish & Richardson**
	Case	**Synchrome vs Samsung et al***
	Project	Patent case involving CDROM/DVD and Tape drive technologies. Write report for Markman hearing
	Status	**Settled before trial**

Date	2012	**Heim, Payne & Chorush**
	Case	**Microunity* vs Apple et Al**
	Project	Evaluate the use of the NEON instruction set in ARM processing.
	Status	Completed

Date	2013	**O'Melveny Myers**
	Case	**E-Contact vs Apple, Samsung Electronics et Al***
	Project	Analyzed source code for features of the Android Operating system in particular the email app code for phones and tablets.
	Status	**Settled before trial**

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Date	2012	**Ropes and Gray**
Case		**Summit Data vs EMC***
Project		Evaluate products and patents, write reports
Status		**Settled before trial**

Date	2012	**Latham Watkins**
Case		**Guzik vs Western Digital***
Project		Evaluate patents and disk tester technologies. Write reports
Status		**Settled before trial**

Date	2012	**DLA Piper**
Case		**Overland Technologies* vs Quantum et Al**
Project		Evaluate tape library technologies, write reports
Status		**Settled before trial**

Date:	2012	**Blakely Sokoloff Taylor and Zafman**
Case		**Datcard vs Pacsgear***
Project:		Review source code for CDWrite and library system, write reports. Deposed
Status		**Settled before trial**

Date:	2012	**McCathern, Mooty and Grinke LLP**
Case		**CTI* v BSG**
Project:		Review mySQL and Filemaker databases, C++, PHP code associated with Telecoms billing
Status		**Settled before trial**

Date:	2011/12	**Alston & Bird LLP**
Case		**RichTek* v UPI**
Project:		Forensic Expert examining file systems and design files for trade secrets theft. Deposed and testifying expert at ITC.
Status		**Won at trial**.

Date:	2012	**Brooks Kushman, P.C**
Case		**Ancora* v Apple**
Project:		Analyze patents associated with BIOS and authentication
Status		**Settled before trial**

| Date: | 2011 | **Irell and Manella** |

Case	**Convolve v. Western Digital, Dell and Hitachi***	
Project:	Patent infringement. Analyze patents, write expert reports, deposed, testified at Jury trial on infringement. Disk drive technologies. Federal trial in Marshal Texas.	
Status:	**Settled favorably**.	

Date:	2011	**DLA Piper**
	Case	**Overland* v. BDT, Dell and IBM**
	Project:	Patent infringement. Analyze patents, write expert reports, deposed, testified at Jury trial on infringement and invalidity. Tape storage and library technologies. ITC case.
	Status:	**Won at trial**.

Date:	2011	**Morgan Lewis**
	Case	**Class v. Lockheed***
	Project:	Analyze Expert reports, wrote Expert reports regarding employment law as it applies to network and systems engineers.
	Status:	**Settled before trial**

Date:	2011	**Quinn Emanuel Urquhart and Sullivan**
	Case	**Xpoint v Symantec***
	Project	Examine source code for backup, restore and check pointing of data from disk drives on PC's and servers. Write Expert reports and rebuttal reports.
	Status	**Settled before trial**

Date:	2011	**Quinn Emanuel Urquhart and Sullivan**
	Case	**Value Home Auctions v X-Wire Technology***
	Project:	Compare code for home auction site using PHP and Java Code. Write Expert report.
	Status:	**Settled before trial**

Date:	2010	**Skadden, Arps, Slate, Meagher & Flom LLP**
	Case	Undisclosed
	Project:	Review IBM-H assembler code against requirements for code development project and assess architecture and label structures
	Status:	**Settled before trial**

Date:	2010	**Latham Watkins LLP**
	Case	Adobe

Project:		Review "C" & "C++" against claimed patent and trade secrets involved in video media server technologies.
Status:		**Settled before trial**

Date:	2010	**Latham Watkins LLP**
	Case	AOC
	Project:	Patent Infringement. Review patent of software/hardware interface for video displays involving I2C and EDID data.
	Status:	**Settled before trial**

Date:	2009	**O'Melveny & Meyers LLP**
	Case	Activision v. Viacom
	Project:	Copyright: Review "C++" and video code against license. Deposition support.
	Status:	**Settled before trial**

Date:	2008	**McDonnell Boehnen Hulbert & Berghoff LLP**
	Case	**Whirlpool* v. LG**
	Project:	Patent infringement. Evaluated source code for spin dryers, motor controllers and washing machines. Wrote Expert reports and deposed.
	Status:	**Settled before trial**

Date	2008	**Anthony Caselli, Esq**.
	Case	**KMP v Anthony Caselli***
	Project:	Malpractice case. Clone and search disk drives. Write expert report on findings. Searched company wide network of computers, including backups and for erased files. Examined email records.
	Status:	**Settled before trial**

Date:	2008	**O'Melveny & Meyers LLP**
	Case	**Funai v. TPV***
	Project:	Patent Infringement: Review "C" & "C++" code against claimed patent. Deposition support. International Trade commission patent infringement case involving the software and hardware used in the scaling and enhancement of digital Television systems.
	Status:	**Settled before trial**

Date:	2007	**LaMarca & Landry P.C.**
	Case	**LC Technology Int'l v. MediaRecover, LLC***

Project:	Copyright/License Infringement: Review "C" & Delphi code against claim. Wrote expert report. Testified in Tampa, Florida Federal Court in front of Judge.	
Status:	**Won at trial**	

Date:	2004-05	**Shuttleworth & Ingersoll, PLC**
	Case	**LC Technology v. MediaRecover***
	Project:	Review software design and computer code.
	Status:	**Settled before trial**

Date:	2003-04	**Cuneo Waldman & Gilbert, LLP**
	Case	**HP v Class***
	Project:	Review diagnostics, hardware failure analysis and analyzed opposing expert report and was deposed.
	Status	**Settled before trial**

Date:	2001-02	**Gordon & Rees (San Francisco, CA)**
	Case	**Nancy Hammel & Anna McCowan & Jolinda Rangel v. Betts Spring Company***
	Project:	Sexual Harassment matter. Captured and examine the contents of company PC's located at Betts Spring Company. Created mirror images of each disk on CDROM and hard disk. Performed a forensic examination of the data, searching for sexually explicit images, text and emails. These included erased files. Created a report identifying which systems had which images and classified them by subject.
	Status:	**Settled before trial**

Date:	2003-04	**Gray Cary Ware & Freidenrich LLP (Palo Alto, CA)**
	Case	**Jupiter Media Metrix, Inc. v. Netratings, Inc. & Netvalue USA, Inc**.
	Project:	Patent Infringement involving internet communications: Background Consultant, expert report and deposition support. Hired to identify prior art regarding the tracking and monitoring of users internet surfing activities. Worked on claim construction, code analysis, and testing competing technologies. Wrote an expert report.
	Status	**Settled before trial**

Date:	2003	**Krieg, Keller & Stone**
	Case	**Allisa Flemoid v. Law Offices of Michael Johnson***

Project:		Legal Mal-Practice, Wrongful Termination. Hired to capture data stored on company disk drives. Mirrored the drives and searched the captured data including emails, and files and erased files regarding the case in question. Supervised the searching of the drive by the opposing expert and wrote an expert report using Encase.
Status:		**Settled before trial**

Date:	2002	**Skjerven, Morrill, MacPhearson, Franklin & Friel**
Case		**Windows Presentation Corporation v. Henry Lu**
Project:		Theft of Trade Secrets, recover and opine on data erased from hard disk drive
Status:		**Settled before trial**

From:	08/1973	**Coroners Court**
To:	10/1973	London, England
		Fact witness--Testimony regarding the accidental/suicide death of family that jumped in front of the train in London, UK.

Education

Year	University/College	Degree
1971	City and Guilds Institute of London	Telecommunications and Computer Science

Patents

US 10,732,068 B2 – Method and System for detecting leakage in fluid distribution networks.

Publications

Jestice, Ian, "Designs For Automatic Software Testing Of Mainframe Software," *Automator Magazine*, 1990

Jestice, Ian, "Marketing power conversion products on the Internet", IEEE 1999, presented paper at the APEC conference in Dallas, TX.

Professional Associations and Achievements

- Amdahl Design/Outstanding Contribution Awards, 1989, 1990, 1992

- IBM Service Awards, 1974-1976
- British Telecom Innovation Award, 1971

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Case	Expert Report	Deposed	Trial
Hix vs RealPage	X		
Stingray vs Signify	X		
Stingray vs Amazon	X		
Commvault v Rubrik	X		
Unified Patents* v MCOMIP	X		
Knowles [ITC]	X		
Ancora* v HTC	X	1	Western District Washington
Ancora* vs LG	X		
Huawei v. CNEX*	X		Eastern District Texas
Reynolds (Grunsky Law)			
Vadim Kulikov v. Outlook Amusements*		1	
Intellectual Ventures v Netapp*	X	1	
ServiTech* v. WSG	X	1	
Stategyn v James M. Haynes	X		
MyMedical* Records v Walgreen	X	1	
Ultramercial vs WildTangent			
Concinnitas v. Samsung	X		
Hesse v Alcatraz Flowers			
Dunnhumby vs Emnos*	X	1	
EMC v Zerto	X	2	District of Delaware
EMC v PureStorage	X	3	District of Delaware
TPV v Fauc			
CS1000* vs Bishop	X		
Parallel Iron v Amazon, EMC, NetApp, Facebook, Linkedin, Morgan Stanley, Motorola, Obitz, BofA, NetFlix and Google	X		
Kinda v. Carpenter	X		
Synchrome v Samsung et al	X		
Microunity v Apple et Al			
E-Contact v Apple, Samsung Electronics et Al	X		
Summit Data v EMC	X		
Guzik v Western Digital	X		

LzLabs GmbH. Ex. 1002-16

Overland Technologies v Quantum et Al	X		
Datcard vs Pacsgear	X	1	
CTI v BSG			
RichTek v UPI	X	1	ITC
Ancora v Apple	X	1	
Convolve v. Western Digital, Dell and Hitachi	X	1	Eastern District Texas
Overland v. BDT, Dell and IBM	X	1	ITC
Lockheed v. Class	X		
Xpoint v Symantec	X		
Value Home Auctions v X-Wire Technology	X		
Activision v. Viacom			
Whirlpool v. LG	X	1	
KMP v Anthony Caselli			
Funai v. TPV			
LC Technology Int'l v. MediaRecover, LLC	X	1	Middle District Florida
HP v Class			
Nancy Hammel & Anna McCowan & Jolinda Rangel v. Betts Spring Company			
Jupiter Media Metrix, Inc. v. Netratings, Inc. & Netvalue USA, Inc	X		
Allisa Flemoid v. Law Offices of Michael Johnson	X		
Windows Presentation Corporation v. Henry Lu	X		
Coroners Court UK			London Crown Court
	Total 50	Total 18	Total 8