

JERRY A. KLEIN

The Chatham Group

101 First Street, Suite 477, Los Altos, CA 94022

Phone (650) 948-1243 Fax (650) 949-0534

Email: jaklein@chathamlaw.com

Website: www.chathamlaw.com

RESUME

THE CHATHAM GROUP

President, Founder

1986-Present

Consulting company specializing in complex problems of technology related business and litigation issues. Participated in issues of intellectual property litigation, patent litigation, trade secrets, copyright, insurance claims, antitrust actions, breach of contract, legal malpractice, damage evaluation, market assessment, and mergers and acquisitions, among others. Issues have included semiconductors, computer hardware and software, telecommunications, office-automation, and regulatory matters.

In addition to managing the firm's activities Mr. Klein has personally acted as technical consultant and/or expert witness in a broad range of issues which include:

- Patent infringement in semiconductor manufacturing equipment
- Performance dispute regarding a mini-computer based MRP II software product
- Development and introduction of an UNIX based software product
- Trade secrets in a chip-set product
- Copyright infringement regarding "Look and Feel"
- Copyright infringement regarding an IBM BIOS
- Performance dispute regarding an IBM AS/400
- Derivative work claim on an IBM Mainframe software system
- Patent infringement regarding CCD devices
- Patent infringement regarding DRAMs, SRAMs, and Microprocessors
- Breach of Contract regarding development of an advanced telecommunication system

- Allegations regarding damages due to a Computer Virus
- Damage allegations due to a Computer "Hacker"
- Insurance claims due to fire in a semiconductor fabrication area
- Product damages resulting from a defective semiconductor device
- Breach of contract in a disk-drive development
- Patent infringement regarding disk-drives and storage sub-systems
- Patent and copyright infringement in a cellular telephone product
- Copyright infringement on PC based software products
- Misrepresentation in the acquisition of technology
- Custom and practices in the computer and high-technology industry relating to management, engineering and marketing
- Clean Room investigations for infringement and feasibility analysis
- Theft of trade secrets in a telecommunications software product
- Patent infringement analysis for interactive video apparatus
- Patent infringement in a telecommunications voice-processing apparatus
- Trademark infringement in semiconductor products
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and more..

Additional consulting activities include: advising a San Jose based telecommunications company in the negotiations with a major Japanese company for the joint development of a new voice-processing computer; due diligence for venture capital firms; advising an Eastern venture capital firm and MIT on the development of a large-scale flat-panel display technology; advising a Regional Bell Operating Company on strategic plans and tariffs; advising a San Jose based semiconductor company on product/market and business strategies for a group of newly developed technologies; advising a major venture capital firm on the business strategy for a start-up in advanced computer/communication products, advising a company in the development of advanced telecommunications software products, advising a major semiconductor company on strategy for new technology, advising a company engaged in the development of client/server design tools.

CYGNET TECHNOLOGIES, INC.**Sunnyvale, CA.****Vice-President, Marketing - Cofounder****May 1982 - March 1986**

Cofounded company to develop the first integrated voice-data work station for IBM PC's. Responsible for product development of the user interface and defining user requirements for hardware and software. Software development included a unique operating system for a coprocessor architecture and the development of over 10 application packages. Directed the development of all user documentation, service and support activities. Directed successful market entry and creation of a national sales organization through computer retailers, major interconnect distributors, telephone companies and direct to major accounts and government. Product was leader in the industry for creating electronic mail and file transfer networks for geographically dispersed organizations. Product received numerous awards for innovation in the field. Five U.S. Patents were issued on company products. Co-patentee on 2 issued patents. Company was acquired in 1986 by Everex Corporation.

EXXON ENTERPRISES, INC.**Division of Exxon Corporation****Dec. 1976 - Jan. 1982****QYX INTELLIGENT TYPEWRITER DIVISION****Lionville, PA.****Vice-President, Marketing****Dec. 1976-Dec.1979**

Member of development team to create the first electronic typewriter/desktop word processor. Directed product development and marketing strategy. Product was the first microprocessor based software system of its kind. System included a multiprocessor architecture requiring unique hardware and software developments. Product received international recognition as a breakthrough in technology and received numerous awards. Built marketing organization for HQ support. This included planning, pricing, advertising, training, technical support, product planning and field engineering. Directed creation of a national direct sales coverage organization in 36 major markets reaching 1000 personnel. Member of Executive Committee responsible for planning and building a 200,000 sq. foot modern manufacturing facility. Achieved \$100mm sales rate by end 1979, before QYX division was merged into Exxon Office Systems.

DANBURY SYSTEMS DIVISION**Danbury, CT.**

C.E.O.**Jan. 1980-Nov.-1980**

Took over as CEO of troubled venture responsible for ink jet printer development. Turned venture from out-of-control to successful product. Implemented strategic direction and put new management in place. Company launched successful product for the computer market and had applied for 17 patents. Acquired by Dataproducts Corp. in 1987.

VERBEX CORPORATION (Exxon Controlled)**Boston, MA.****Member of the Board of Directors****1980 -1981**

Represented Exxon Enterprises as major stockholder on company board of directors. Company was leader in development of voice-recognition hardware and software technology. Was actively involved in advising the company.

EXXON OFFICE SYSTEMS**Stamford, CT.****Special Adviser to the President, Exxon Office Systems****Feb. 1981 - Dec.1981**

Responsible for directing the negotiation of major facsimile product agreement between Exxon and Sharp Corporation (Japan). Personally directed business plan developments; and did all major negotiating in Japan for Exxon Office Systems.

TECHNOLOGY & COMPONENTS GROUP**Group Executive****New York, NY.****Jan. 1980 - Jan. 1982**

Responsible for overseeing companies in Flat Panel Displays, requiring closing of one division and selling the technology and directing and focusing another division to a successful technology development. Also responsible for advising companies in optical disks, semiconductor laser diodes, advanced PABX, Voice-Response systems, large scale voice-mail/hi-speed datacom, advanced workstation hardware and software systems.

DICTAPHONE CORPORATION**Vice-President****Rye, NY.****Jan. 1970 - Dec. 1976****Vice-President, General Manager****Telecommunications Division****1970-1976**

Responsible for creating and building division to over \$15mm in revenue; total responsibility for product engineering, manufacturing and dealer and direct marketing. Broad line of products ranging from telephone answering machines, announcers, central dictation equipment. Also included logging recorders, studio recording equipment, and other ancillary telephone equipment. Division consistently a market leader and was fastest growing and most profitable.

Vice-President, International**1974 -1976**

Responsible for world distribution of system products, dealer networks in Mexico, Latin America, South America, Japan, Australia. Special responsibility for Far East (Japan) manufacturing partners. Special responsibility for telecommunication products in Europe.

Key member of FCC (Federal Communications Commission) subcommittee. Developed telecommunications industry and interconnect regulations. Was industry expert witness in regulatory proceedings which lead to the deregulation of the telecommunications industry.

ANSONICS INTERNATIONAL CORP. (ANSAFONE)**El Segundo, CA.****Founder, President, CEO****1966 -1970**

Created one of the first commercial telephone answering systems. Developed product, raised venture capital, arranged manufacturing in Japan with major company; developed a direct and dealer sales organization in USA and Canada. Company acquired by Dictaphone Corporation.

JACKSON-EDWARDS COMPANY/COMPAR CORPORATION**North Hollywood, California.****Applications Engineer and Sales Operations Manager****1963-1966**

Applications engineer and later managed field organization for manufacturers representative company. Company was a pioneer in high-technology, military and commercial, components and sub-systems for the computer, aerospace and defense industry. Worked with military and defense contractors in California, Arizona and Nevada.

ROCKETDYNE DIVISION OF NORTH AMERICAN ROCKWELL
Canoga Park , California
Engineer, Advanced Design Projects Group
1961-1963

Design engineer on advanced projects, deep space missions and the LEM (Lunar Excursion Module) propulsion system. Performed design analysis, cryogenic and thermodynamic analysis, computer modeling and computer simulation.

EDUCATION

B.S.M.E., University of Southern California

- Honor Graduate (Cum Laude).
- Elected to Tau Beta Pi, Pi Tau Sigma Honor Societies
- Awarded General Alumni Scholarship
- Garrett Corporation Scholarship
- Machinery Handbook Award
- Dean's List
- Elected to University Honor Societies
- Graduated at top of Class.

Graduate School, University of Southern California

Graduate studies in engineering and business, grade 4.0

Rocketdyne Division of North American Rockwell

Computer Modeling and Simulation, Programming Courses

Management Training School

Hamilton Institute

Certificate Degree in Business Administration

Sponsored by North American Rockwell

Law School, La Salle University

Completed 1 1/2 years. Passed California Jr. Bar Exam

American Management Association Courses

Computer Systems Technology and Systems Analysis

Bayesian Decision Analysis
Macroeconomics and Company Planning

Exxon Corporation

Selected for Exxon Management School Program
Computer Analysis and Computer Aided Management School
Consulting Skills Program

Professional Society Seminar Programs

Attended numerous professional programs in computer hardware and software, semiconductor technology and management subjects

Admitted to Practice before The United States Patent and Trademark Office as a Patent Agent, Registration No. 35,222

PRESENTATIONS AND PUBLICATIONS

"NEW PRODUCTS IN HIGH-TECHNOLOGY MARKETS"

4th Technology Seminar Presentation

Office Products Analysts

New York City

May 8, 1979

"MARKETING HIGH-TECHNOLOGY PRODUCTS"

Datamation Magazine

"INTEGRATED VOICE-DATA PRODUCTS"

INFO '85 Presentation

New York City

October, 1985

"INTEGRATED VOICE AND DATA WORKSTATIONS"

Society of Photographic Scientists and Engineers

Conference Proceedings/Paper & Presentation

Boston

October, 1985

"PLANNING AND MARKETING NEW PRODUCTS IN HIGH TECHNOLOGY"

Guest Lecturer

University of Tulsa

Graduate School of Business

Tulsa, OK

1978

"PERSONALIZING OFFICE AUTOMATION"

Office Automation Conference/Presentation

New York City

September 1984

"WORKSTATIONS OF THE FUTURE"

Federal Office Automation Conference/Presentation

Washington, D.C.

October 1985

"THE INTEGRATED VOICE AND DATA WORKSTATION"

International Electronic Imaging Exposition and Conference/Paper & Presentation

Boston

September 1984

"INTEGRATED PBX'S AND VOICE/DATA TERMINALS"

Probe Research Seminar Presentation

San Francisco

October 30, 1984

"NEW COMPUTER PRODUCT OPPORTUNITIES"

Fortune Computing Presentation

Third Annual Computer Retail Forum

San Diego

Sept 1983

"TRENDS IN TELECOMMUNICATION/COMPUTER TECHNOLOGY"

PBX Strategy Conference/Presentation

San Francisco

October 1984

"ADVANCED TECHNOLOGY PRODUCTS"

SPSE Society Proceeding/Paper & Presentation

Washington, D.C.

Nov 1979

"MARKETING NEW HIGH TECHNOLOGY PRODUCTS"

Probe Research Presentation

New York City

March 1984

"NEW HIGH TECHNOLOGY PRODUCTS"

COMTEL Conference Presentation

Dallas

March 1985

"ADVANCES IN NETWORKING"

Special Invited Guest Speaker

Naval Research & Development Conference/Presentation

(NARDAC)

Virginia Beach

May 1985

"THE FUTURE OF INFORMATION SYSTEMS"

Invited Guest Speaker

Bell South: Bell South Annual Shareholders Meeting

Birmingham, Alabama

May 1985

"MARKETING NEW TECHNOLOGY"

MPSG Conference Presentation

Washington, D.C.

June 1985

"ADVANCED NETWORKS AND SYSTEMS"

Guest Speaker

FORSCOM Conference

Department of the Army

Ft. Meade, MD

October 1985

INVITED GUEST SPEAKER

National Office Machine Dealer Association

"Managing the Dealership"

"New Product Marketing"

1971-75 Various Dates and Multiple Sessions

GUEST LECTURER Dictaphone Corporation, Rye, New York

Strategic Planning Lectures and Training Sessions

Dictaphone Management Seminars and Annual Meetings

1971-76

GUEST LECTURER EXXON Corporation, New York City

"Strategic Planning"

"New Product Planning in High Technology Markets"

"High Technology Product Evaluation"

Exxon Management Seminars

1977-1981

GUEST SPEAKER/PANELIST

PC FAIRE/Personal Computer Conference

Multiple Panels and Topics

San Francisco

1983-84-85

GUEST SPEAKER

International Word Processing Association

Syntopicon Conference

Multiple Panels and Conference Sessions

Seattle, Chicago, Atlanta

1976 - 1979

GUEST SPEAKER/PANELIST

Office Automation Conference

Los Angeles

1984

"IMPACT OF NEW TECHNOLOGY"

Guest Speaker

Office Automation Conference

Los Angeles

1983

"MULTI-FUNCTION WORKSTATIONS"

Institute for Graphic Sciences Presentation

Monterey, CA

September 1983

"IMPACT OF INTELLECTUAL PROPERTY DEVELOPMENTS ON THE DESIGN ENGINEER"

Guest Lecturer

Stanford University,

Graduate School of Electrical Engineering/Computer Science

Palo Alto, CA

April 1992

"THE DARK SIDE OF THE VALLEY" (WHY THE INTELLECTUAL PROPERTY WARS MUST BE FOUGHT")

Guest Speaker

IEEE Asilomar Microcomputer Conference

Monterrey California

April 1992

"PATENTS, COPYRIGHTS AND WITCHCRAFT"

Guest Lecturer

Stanford University,

Graduate School of Electrical Engineering/Computer Science

Palo Alto, CA

May 1993

"PATENTS, COPYRIGHTS AND WITCHCRAFT: THE STATE OF THE LAW"

Chairman: Panel Discussion and Speaker

Asilomar Microcomputer Conference

Monterey California

April 1993

"LAW IN THE DIGITAL WORLD" A REVIEW OF THE TEXT BY M.E. KATSH

Journal of Technology, Law and Business Review Fall 1995

"INTELLECTUAL PROPERTY: THE STRATEGIC WEAPON OF THE INFORMATION AGE"

Guest Speaker

Northern California Human Resource Council

Regional Seminar and Workshop

Redwood City, California May 1996

PATENTS

-Discrimination Circuitry for Speech and Network Signaling,

US Patent No. Dictaphone Corporation, 1973

Co-Patentee

-Digital and Voice Telecommunication Apparatus

US Patent No. 4,524,244 1985

Cygnnet Technologies, Inc.

Co-Patentee - Faggini et al

-A telecommunication apparatus serving as a cosystem to a computer

US Patent No. 4,578,537 March 1986

Cygnnet Technologies, Inc.

Co-Patentee

PROFESSIONAL AFFILIATIONS

- IEEE (Institute of Electrical and Electronics Engineers)Computer Law Association
- ACM (Association for Computing Machinery)
- PATCA (Professional and Technical Consultants Association)
- Bar Association of San Francisco Forensic Register
- California State Bar Association Intellectual Property Section
- National Forensic Center Distinguished Experts Register
- Listed in Martindale-Hubbell Directory since 1990
- Listed in Prentice-Hall Directory of Intellectual Property Attorneys 1993-1994-1995
- The Internet Society of the IEEE