# EXHIBIT 2 Part 2

Case 2:13-cv-00900-JRG Document 52-16 Filed 03/21/14 Page 25 of 40 PageID #: 1970 Neive or bilingual profesency. Professional working professory How You're Connected Certifications REDACTED Chartered Professional Accountant (CPA) Candidate Institute of Chartered Accountants of Ontario Certified Management Accountant (CMA) Candidate CMA Ontario Certified Patent Valuation Analyst (CPVA) Business Development Academy Skills & Endorsements Derek D. Top Skills Financial Modeling Financial Analysis Corporate Finance Management Consulting Business Analysis Finance Mergers & Acquisitions Valuation Management Accounting Intellectual Property... Education Carleton University Masters. (MBA) Business Administration - Finance 2010 - 2012AACSB Accredited Rotterdam School of Management, Erasmus University Bachelor of Science (BSc), International Business Administration 2005 - 2008 Canadian Operational Research Society (CORS) Diploma, Operational Research 2010 - 2011 Additional Info

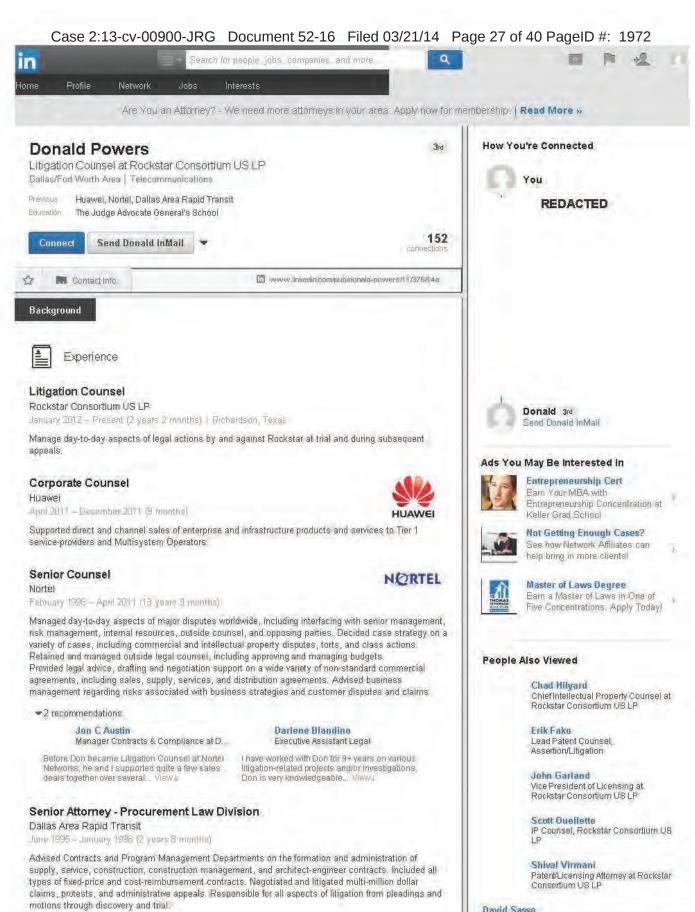
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Advice for Contacting Derek

derekdelaat@gmail.com

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Senior Licensing Counsel at Rockstar Consortium

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# Trial Attorney

Office of the Chief Trial Attorney, U.S. Army Contract Appeals Division

June 1991 - May 1995 (4 years)

Represented the Army against major defense contractors in all phases of government contract litigation before the Armed Services Board of Contract Appeals and the GSA Board of Contract Appeals.

#### Senior Prosecutor

# 197th Infantry Brigade, Fort Benning, Georgia

May 1988 - June 1990 (2 years 2 months)

Legal advisor to the Army's largest separate infantry brigade. Prosecuted cases against soldiers accused of felony and misdemeanor offenses, including murder, rape, sexual assault, drug distribution, larceny, and forgery

# Administrative Law Attorney

United States Army Infantry Center, Fort Benning, Georgia

July 1986 - April 1988 (1 year 19 months)

Advised on matters concerning government contract, fiscal, personnel, environmental and administrative law. Reviewed contract solicitations and awards, provided advice on issues relating to contract formation and administration, acted as local counsel on protests before the General Accounting Office and disputes before the Armed Services Board of Contract Appeals. Represented the Army on labor matters in hearings before the Equal Employment Opportunity Commission.



Volunteer Experience & Causes

#### Team Member

Team Rubicon, Inc.

November 2012 | Disester and Humanitanan Relief



# Skills & Endorsements

Contract Manage	ment	Intellectual	Property	Telecomn	nunications	
Contract Negotial	ion I	Litigation	Commercial	Litigation	Patent Litiga	ation
Drafting Agreeme	nts I	Legal Advice	Trade Se	ecrets	Class Actions	Civil Litigation
Due Diligence	Program	m Manageme	ent RFP	See 2	2+ 3	



# The Judge Advocate General's School

LLM, Law

1990 - 1991

# The University of Texas School of Law

JD (with honors), Law

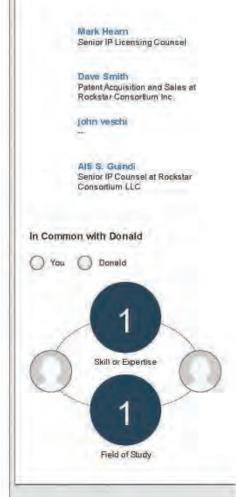
1983 - 1986

Activities and Societies: Texas Law Review, Order of the Colf

# The University of Texas at Arlington

BA (with high honors), Political Science

1975 - 1979



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Additional Info

Personal Details

Birthday March 15

Honors & Awards

Additional Honors & Awards

Texas Law Review, Order of the Coit, Legion of Ment

Organizations

Additional Organizations

Supreme Court of the State of Texas United States District Court - Northern District of Texas United States Court of Appeals for the Federal Circuit United States Court of Appeals for the Armed Forces

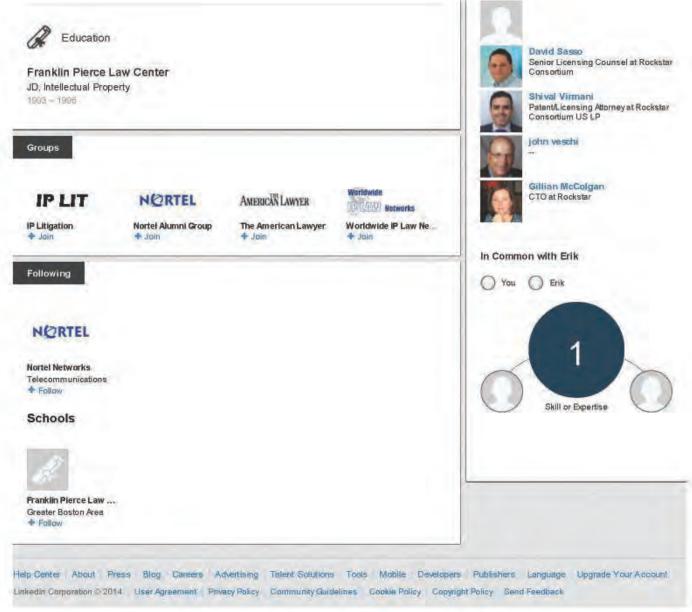
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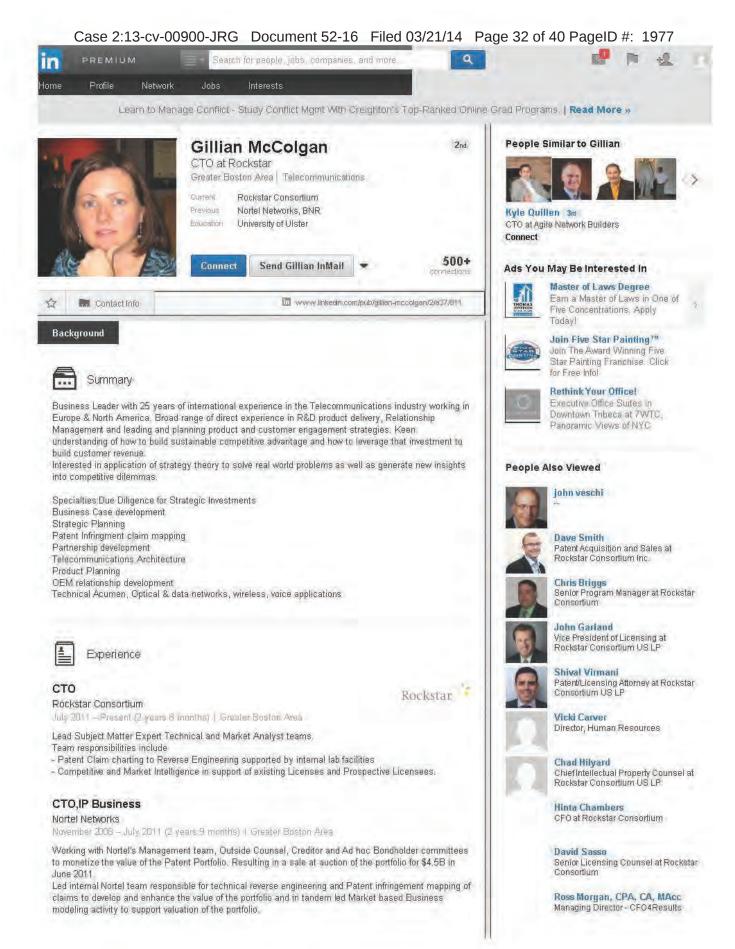
Case 2:13-cv-00900-JRG Document 52-16 Filed 03/21/14 Page 30 of 40 PageID #: 1975 +2 Search for people, jobs, companies, and more in Home Profile Network Are You an Attorney? - We need more attorneys in your area. Apply now for membership. | Read More » How You're Connected Erik Fako 3rd Lead Patent Counsel, Assertion/Litigation Raleigh-Durham, North Carolina Area | Telecommunications You Rockstar Consortium US LP REDACTED Previous Nortel Networks Franklin Pierce Law Center Education 194 Connect Send Erik InMail m www.linkedin.com/pub/erik-fako/13/3a9/746 Background Experience Lead Patent Counsel, Litigation Erik 3rd Rockstar Consortium US LP Send Erik InMail August 2011 - Present (2 years 7 months) | Raleigh-Durham, North Carolina Area Ads You May Be Interested In Lead Patent Counsel, IP Defense/Litigation NORTEL Nortel Networks Entrepreneurship Cert Earn Your MBA with January 2000 - August 2011 (11 years 8 months) Entrepreneurship Concentration at Keller Grad School Master of Laws Degree Earn a Master of Laws in One of Skills & Endorsements Five Concentrations. Apply Today! Not Getting Enough Cases? Top Skills See how Network Affiliates can help bring in more clients! Intellectual Property Patents People Also Viewed Chad Hilyard Licensing Chief Intellectual Property Counsel at Rockstar Consortium US LP Litigation **Donald Powers** Telecommunications Litigation Counsel at Rockstar Consortium US LP Patent Litigation John Garland Mergers & Acquisitions Vice President of Licensing at Rockstar Consortium US LP Patent Prosecution Mark Hearn Senior IP Licensing Counsel Corporate Governance Erik also knows about... Scott Ouellette IP Counsel, Rockstar Consortium US Software Licensing Patentability Corporate Law Trademarks Commercial Litigation

Senior Intellectual Property Counsel at Tyco

Legal Advice

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# Portfolio Management Board, Office of CTO

Nortel Networks

November 2005 - November 2008 (3 years 1 month)

Internally focused on "clean sheeting" business analysis for troubled internal businesses. Activities involved recommendations and restructuring planning offering alternative business plans and opinions to maximise earnings and future potential for the businesses involved.

External focus on filling gaps in Nortel's emerging technology portfolio, included responsibilities for integration of technology partners and small CTO acquisitions is Diamondware

# Wireless Business portfolio group

Nortel Networks

January 2005 - November 2005 (11 months)

Focused on assessing business cases and divestment opportunities for the Wireless portfolio. Included Due Diligence activities for divestitures and M&A activities

# Product Line Management, Core Routers

Nortel Networks

January 2003 - January 2005 (2 years 1 month)

Drove the tactical justification and strategic business case framework for the Core Router product segment in Nortel Networks which resulted in the decision to form an OEM partnership to address this market segment. I led the due diligence efforts to assess the various candidate companies and participated in the contractual negotiations which led to the establishment of the OEM relationship. Post contract, I was responsible for day to day management of this relationship.

# **IPT Leader Router Networks**

Nortel Networks

2000 - 2002 (2 years)

Part of the transition team from Nortel Networks after Bay Networks acquisition, focused on Software and IP Platform Business management roles within the merged Data product Groups Led a group of engineering and business resources, responsible for business opportunity assessment to customer trial product delivery. Achieved multiple releases of product hardware with supporting software functionality.

# Strategic Marketing

Nortel Networks

1997 - 1999 (2 years)

Emerging Data Technology Marketing, Developing Business Models and Use cases for Customer to support early adoption of new products

#### Manager, Optical and Access Product Development

BNR

1993 - 1997 (4 years)

Managed several large R&D groups through multiple projects delivering a variety of Optical and Access Telecom products. Involved multi-site working globally with internal and external OEM partners and customers.



Volunteer Experience & Causes

# Opportunities Gillian is looking for:

· Joining a nonprofit board

# Causes Gillian cares about

- Children
- Education
- Science and Technology



Skills & Endorsements



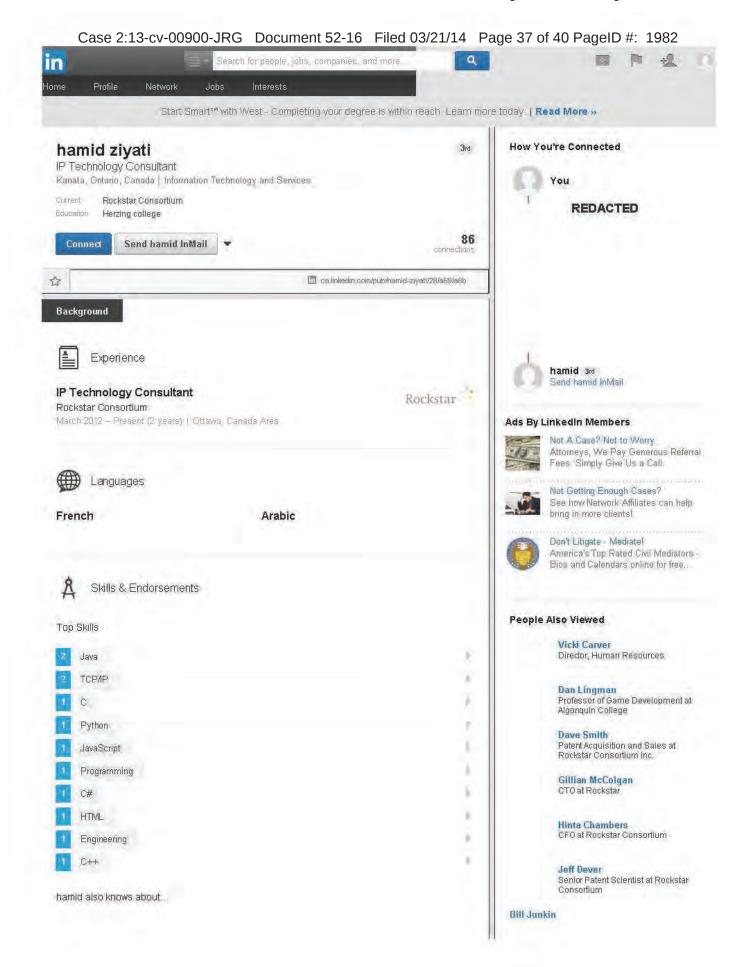
Case 2:13-cv-00900-JRG Document 52-16 Filed 03/21/14 Page 34 of 40 PageID #: 1979 Top Skills Wireless (k) Telecommunications Product Development Strategic Planning **Business Case** Strategy Networking Licensing Management Gillian also knows about... Leadership Mergers & Acquisitions Product Planning Strategic Partnerships Start-ups Partnerships Product Management Cross-functional Team.... Program Management Patent Licensing Data Networking Partnership Development Education University of Ulster PGD, Plastics Technology 1991 - 1993 University of Ulster B.Eng (hons), Engineering 1985 - 1989 Methodist College Belfast 1979 - 1985 Help Center About Press Blog Careers Advertising Talent Solutions Tools Mobile Developers Publishers Language Upgrade Your Account Linkedin Corporation © 2014 User Agreement Privacy Policy Community Guidelines Cookie Policy Copyright Policy Send Feedback

Case 2:13-cv-00900-JRG Document 52-16 Filed 03/21/14 Page 35 of 40 PageID #: 1980 Search for people, jobs, companies, and more in Profile Network Interests Jobs Are You an Attorney? - We need more attorneys in your area. Apply now for membership. | Read More » Ads You May Be Interested in Hamid Ould-Brahim Real Estate Dev. Masters Internet Technology Expert at Rockstar Consortium Inc. 2-Yr. MBA Program Focused on Ottawa, Canada Area | Telecommunications Sustainable Real Estate Development Practices Rockstar Consortium, Rockstar Consortium Inc. Nortel Networks Entrepreneurship Cert Earn Your MBA with Education University of Ottawa Entrepreneurship Concentration at Keller Grad School 81 Send Hamid InMail West Start Smart<sup>™</sup> Trial See how engaging our courses can be. Learn about our 2in ca.linkedin.com/bub/hamid-ould-brahim/7/736/737 course trial. Background People Also Viewed Gillian McColgan Summary CTO at Rockstar · 19 years professional experience in networking industry and recently in Intellectual Property business. Dave Smith Patent Acquisition and Sales at · Current role Internet networking technology Expert Rockstar Consortium Inc. (Distinguished Member of Technical Staff-DMTS) working for Rockstar Consortium Inc., a consortium consisting of Vicki Carver Apple, Microsoft, RIM, Ericsson, and Sony. Director, Human Resources . In 2011, a key contributor for achieving a historical sale of Nortel patents for an unprecedented amount of US\$4.5 Chris Briggs Senior Program Manager at Rockstar Consortium · Prior to that contributed closely in securing a Nortel patent **Terry Doggett** asset sale deal (Stalking horse agreement) with Google Senior IT Specialist at Rockstar Consortium Inc. · Nortel inducted Hamid as a "Distinguished Member of Bill Junkin Technical Staff" (aka "Distinguished Engineer") in 2008, one Portfolio Development & of the highest recognition for a significant record of Enhancement at Rockstar technical leadership, ability in pioneering new technological Consortium innovations that have resulted in successful new products **Hinta Chambers** or the evolution of established products, proven industry CFO at Rockstar Consortium accomplishments and business impact throughout a professional career. Dan Lingman Professor of Game Development at Algonquin College · Outstanding career within Nortel. Assumed several roles in different product lines and CTO organizations, which included Senior Software Designer, Team Leader, Product Line Manager, Individual Contributor, IP Protocol/System Mark Hearn Architect, Standard Advisor, and Prolific Technology Senior IP Licensing Counsel Jeff Dever · Considered a renowned industry expert in VPNs, and a Senior Patent Scientist at Rockstar prolific inventor with more than 60 patents filed worldwide with at least 30 granted patents, spanning a wide range of technologies. · Co-author and/or main editor of several Internet-based standards RFCs within IETF (Internet Engineering Task Force) organization. · Selected by the IETF Leadership based on industry. community input to lead and co-chair an IETF Routing

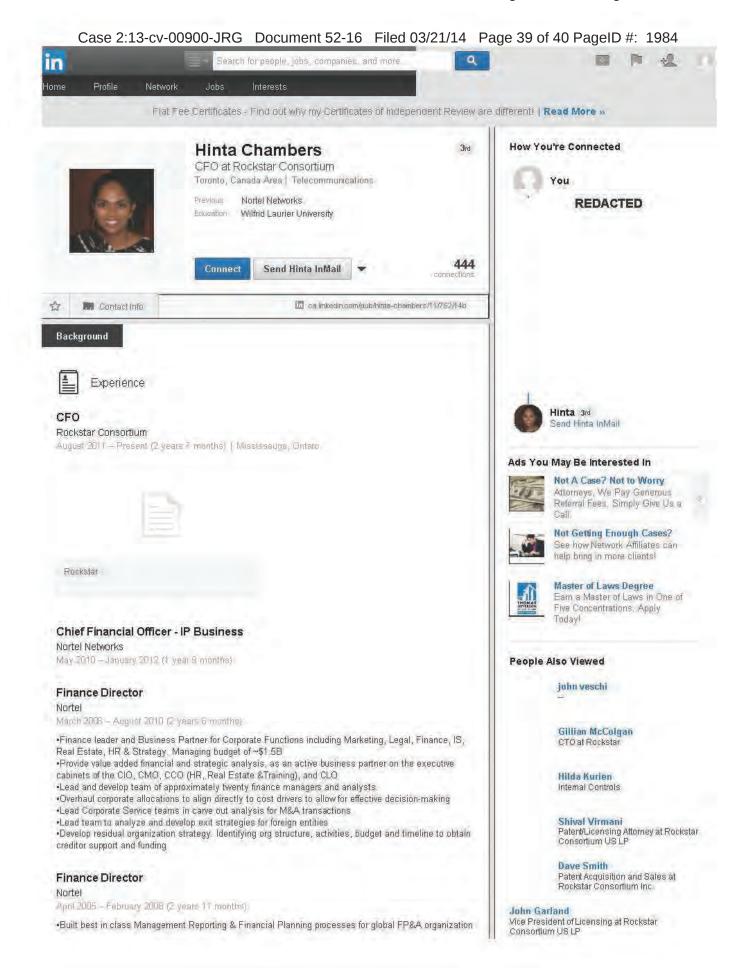
Area Working Group (IIvpn), which Hamid successfully co-

chaired to completion from 2005 to 2008.

Case 2:13-cv-00900-JRG Document 52-16 Filed 03/21/14 Page 36 of 40 PageID #: 1981 Specialties; VPNs, MPLS/GMPLS VPNs, IP Services, Optical VPNs (Layer-1 VPNs), Layer-2 Switching, Ethemet VPNs, etc. Experience Internet Technology Expert Rockstar Consortium July 2011 - Present (2 years & months) Distinguished Member of Technical Staff (DMTS) Rockstar Consortium Inc. July 2011 - Present (2 years 8 months) Senior Internet Technology and Standard Advisor, Distinguished Member of Technical Staff (DMTS) Nortel Networks June 1993 - July 2011 (18 years 2 months) Skills & Endorsements Education University of Ottawa Master of Science, Computer Science 1990 - 1993 Help Center About Press Blog Careers Advertising Talent Solutions Tools Mobile Developers Publishers Language Upgrade Your Account United in Corporation © 2014 User Agreement Privacy Policy Community Guidelines Cookie Policy Copyright Policy Send Feedback

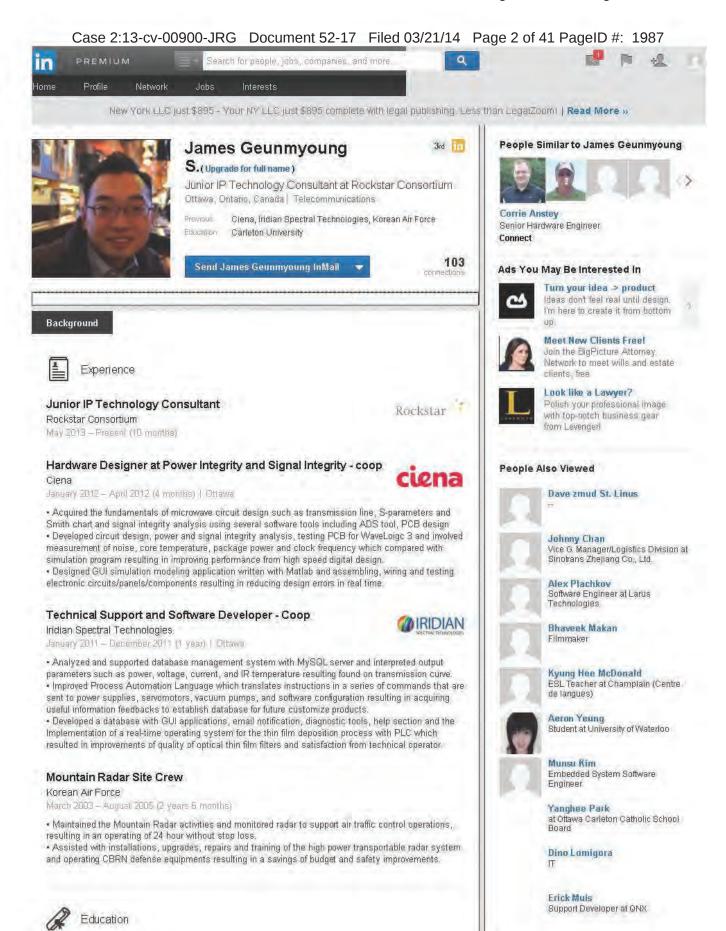


Case 2:13-cv-00900-JRG Document 52-16 Filed 03/21/14 Page 38 of 40 PageID #: 1983 MySQL PHP CSS **WILL** SIP Portfolio Development & Enhancement at Rockstar Consortium Education Ron Steeves Patent Licensing at Rockstar Consortium Inc. Herzing college Mark Heam Business Management Degeree Senior IP Licensing Counsel 2011 - 2012 **Donald Powers** Old Dominion University Litigation Counsel at Rockstar Bachelor's degree, Electrical and Electronics Engineering Consortium US LP 2006 - 2010 Additional Info Personal Details Birthday November 11 Advice for Contacting hamid Email Help Center About Press Blog Careers Advertising Talent Solutions Tools Mobile Developers Publishers Language Upgrade Your Account. Linkedin Corporation @ 2014 User Agraement Privacy Policy Community Guidelines Cookie Policy Copyright Policy Send Feedback



Case 2:13-cv-00900-JRG Document 52-16 Filed 03/21/14 Page 40 of 40 PageID #: 1985 (500+ employees) \*Responsible for the development of Planning design strategy to roll-out SAP in over thirty countries Managed Accenture Consulting relationship and employees to ensure timely design of project requirements for CO, CoPA, BW and BPS in SAP Afzai Dean \*Developed Cost Centre, Profit Centre and allocation strategies Vice President- Patent Licensing ·Built cross functional Senior Executive awareness and support for Finance transformation initiatives Senior Finance Manager - Sarbanes Oxley Compliance Chad Hilyard Chief Intellectual Property Counsel at Rockstar Consortium US LP August 2004 - April 2005 (9 months) Responsible for management of SOX 404 compliance for the Financial Close Cycle globally. Developed Chris Briggs Senior Program Manager at Rockstar management self assessment testing strategies and streamlined controls to build consistency and Consortium promote efficiency across regions. Identified Internal Control Objectives ·Built Senior Executive awareness and support for SQX compliance Dan Lingman ·Managed and provided support & direction to team of fifty Nortel managers and Ernst & Young Professor of Game Development at contractors Agonquin College Managed and aligned External Auditor, Deloitte & Touche, expectations and testing for SOX. compliance. \*Chairperson for 2004 Accumen Financial Accounting & Reporting for OSC/SEC Compliance conference Skills & Endorsements Top Skills Internal Controls Sarbanes-Oxley Act × Strategic Financial... Cross-functional Team... Budgets Financial Accounting Analysis **Business Strategy** Management Hinta also knows about ... Leadership SOX Financial Planning Budgeting Education Wilfrid Laurier University HBBA, Business Administration 1992 - 1996 central peel 1988 - 1992 Heip Center About Press Blog Careers Advertising Talent Solutions Tools Mobile Developers Publishers Language Upgrade Your Account

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- Performed in lab test equipment and software. Oscilloscope. Vector Network Analyzer. Specifum Analyzer. Logic analyzers, Wasedom pattern generator, and Wireshark. Protochop Developed in computer programming with C++ C, Delphi, Mattab, SOL, DOMS  Evaluated with basic knowdege of analog and digital circuit design in electronic system and analysis tool. UPD design viewer. Allegop PCB editor, Cadence OrCAD Capture CIS. Fusion Design. Ackanced Design System, Nikn Design Sutte ESE11 and ModSisn  - Knowledge of the following operating system, information systems technical environment and networking protocols. Unix, ViMere., MySCL server, VPIS, TCPIPP, VPIC, SPI, PTMIL Karban  - Familiarzed in R & D hardware lab and working on embedded systems, implementing hardware design, the cytic continuation, prototyping systems, and probing  - Able to learn new software tool and hardware equipment quickly without supervision  Skills & Endorsements  Top Skills  - C++  - Microcontrollers  - Mattibb  - Embedded Systems  Delphi  James Geummyoung also knows about  verting PCB design of MPLAB. Fiber Optics TCP/IP Python Linux  ViMvare DSP ASIC VoiP Wireshark SIP DDMS Ses +>  - Projects  - Wearable Wireless Bio-Signal Monitor  - Soptember 2012  - Designed a low-cost, integrated power mahagement solution and ECG data collection system, a	<ul> <li>Integrated in embedded software and hardware design for controlling systems, and medical devices</li> </ul>	
Developed in computer programming with C++ C, Delphi, Mattab, SGL, DDMS  Evaluated with basic knowledge of analog and digital circuit design in electronic system and analysis tool. UPD design Vewer, Allery Design State, Mirro Design State ISE11 and Model Sin  Knowledge of the following operating system, information systems technical environment and networking protocols. Unux, VMware, MySCL server, VPNs, TGP/P, VOIP, SIP, HTML Karinau  Familianced in R & D hardware tala and vorking on embedded systems. Implementing hardware design, tiber optic communication, prototyping systems, and probing  Able to learn new software fool and hardware equipment quickly without supervision  Skills & Endorsements  Top Skills  C++  Microcontrollers  Mattab.  Embedded Systems  Delphi  James Geunmyoung also knows about  verting PCB design c MPLAB Fiber Optics TCP/IP Python Linux  VMware DSP ASIC VoIP Wireshark SIP DDMS Ses 4+3  Wearable Wireless Bio-Signal Monitor  September 20 I2  - Designed a low-cost, Integrated power management solution and ECG data collection system, a	<ul> <li>Performed in lab test equipment and software: Oscilloscope, Vector Network Analyzer, Spectrum</li> </ul>	James Galimmyoling S.
tool: UPD design viewer. Allegare PCB editor, Cadence OrCAD Capture CIS, Fusion Design, Advanced Design System, Millar, Design System, Milar, Design System, Information systems rechnical environment and networking protocols: Lunx, Whivers. MySOL. seener, VPNs. TTPP, VoIP, SIP, FMIM. Kanban.  * Familiarzed at R & D hardware lab and working on embedded systems, implementing herdware design, liber optic communication, prototyping systems, and probing.  * Abla to learn new software lod and hardware equipment quickly without supervision.  * Skills & Endorsements  Top Skills  * C++  * Metrocontrollers  * Matisb.  * Embedded Systems  * Desphi  James Geunnyoung also knows about  * vertiog PCB design of MPLAB Fiber Optics TCP/IP Python Linux  * VMware DSP ASIC VoIP Wireshark ISIP DDMS See 4+ 3  ** Projects  * Wearable Wireless Bio-Signal Monitor  * September 20 12  * Designed a low-boost, integrated power management solution and ECG data collection system. a	Developed in computer programming with C++, C, Delphi, Matlab, SQL, DDMS	James Geaming St.
**Knowledge of the following operating system; information systems technical environment and networking protocols. Urux, Viewen, MySOL, sear, V.PNs. T.PPly, VoIP, SIP, PMIM. Kanban  **Familiarized in R & D herdware tab and working on embedded systems, implementing herdware design, tiber coptic communication, prototyping systems, and probing  **Able to learn new software tool and hardware equipment quickly without supervision  **Skills & Endorsements  Top Skills  **Orth**  **Indicators of the following systems and probing and the probing systems and probing systems are proposed as a second systems and probing systems are proposed systems. Top still systems are proposed systems. Top systems are proposed systems.	그 사람들이 얼마나 하는 것이 되었다면 하는데 얼마나 되었다면 얼마나 가장 하는데 하는데 얼마나	
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ther optic communication, prototyping systems, and probing  * Able to learn new software tool and hardware equipment quickly without supervision   Skills & Endorsements  Top Skills  C++  Microcontrollers  Mattieb  Enbedded Systems  Delphi  James Geunmyoung also knows about  vertiog PCB design c MPLAB Fiber Optics TCP/IP Python Linux  V/Mware DSP ASIC VoIP Wireshark SIP DDMS See 6+ >  Projects  Wearable Wireless Bio-Signal Monitor  Soptember 20 I2  Designed a low-cost, integrated power management solution and ECG data collection system, a	networking protocols. Linux, VMware, MySQL server, VPNs, TCP/IP, VOIP, SIP, HTML, Kanban	
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Wearable Wireless Bio-Signal Monitor September 2012  Designed a low-cost, integrated power management solution and ECG data collection system, a	Leo	
September 2012  Designed a low-cost, integrated power management solution and ECG data collection system, a	ulli Projects	
September 2012  Designed a low-cost, integrated power management solution and ECG data collection system, a	Wangaha Wigalaca Dia Signal Manifes	
Designed a low-cost, integrated power management solution and ECG data collection system, a	Control of the Contro	
functional prototype of a device that is capable of transmitting a signal to a Smart-phone application.		
Developed in embedded systems and digital hardware design that microcontroller received the ECG signal from ADS1298 and stored the data on board with a micro SD card or transmitted the data     wa, , more	functional prototype of a device that is capable of transmitting a signal to a Smart-phone application.  Developed in embedded systems and digital hardware design that microcontroller received the ECG signal from ADS1298 and stored the data on board with a micro SD card or transmitted the data.	

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3 team members

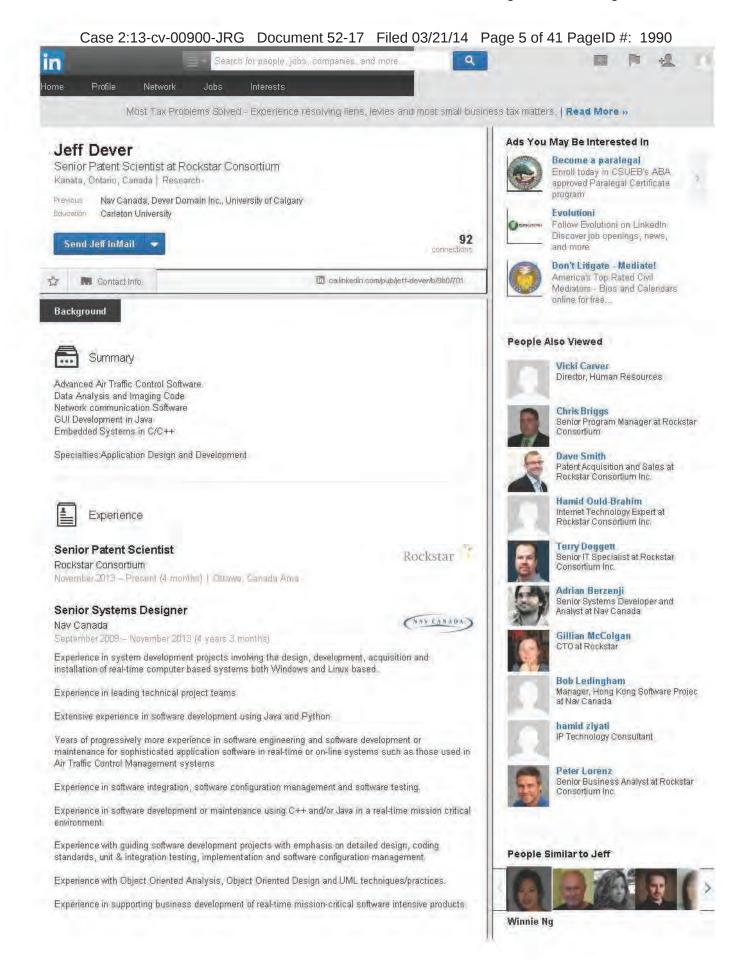
James Geunmyoung S.
Junior IP Technology Consultant at Roc.

All Elssa
Technical Support Engineer at Solana

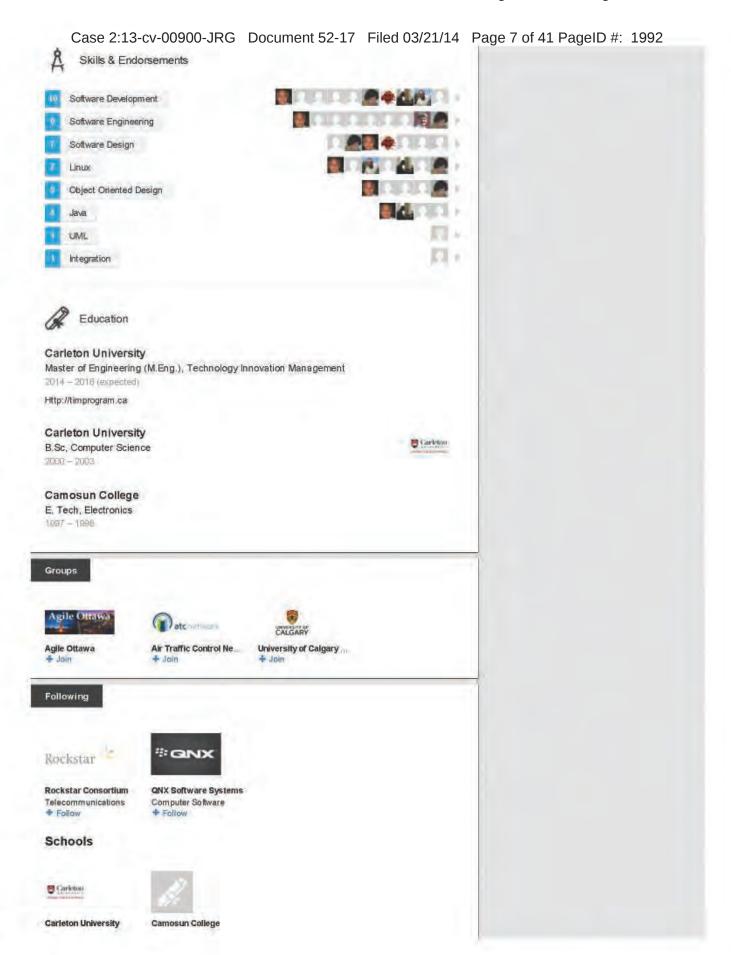
Hisham Barkat, EIT
Power Supply and Distribution Coordin.

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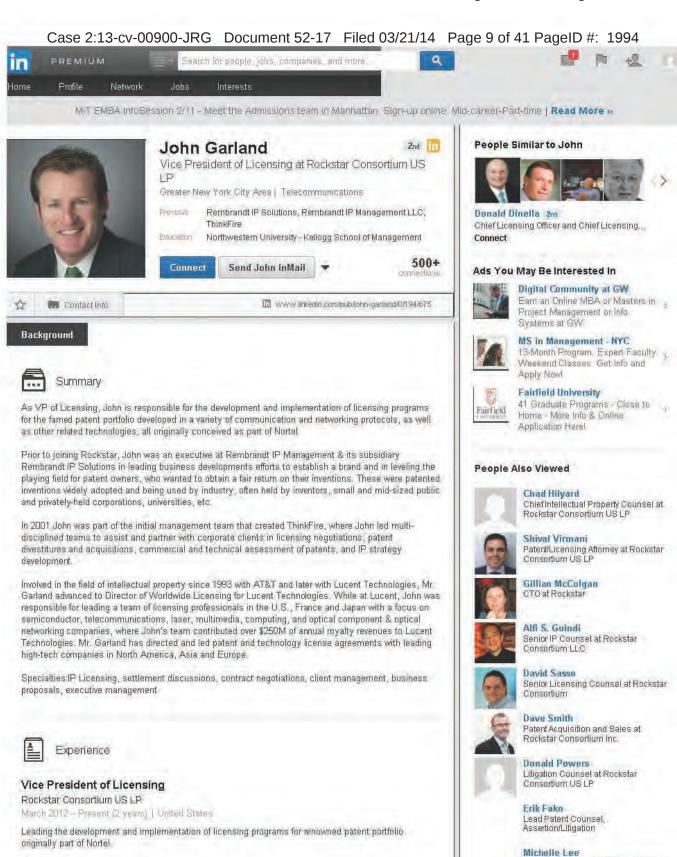


Case 2:13-cv-00900-JRG Document 52 Principal IT Contractor Dever Domain Inc.	-17 Filed 03/21/14	Page 6 of 41 PageID #: 1991 Senior System Analyst at Nav Canada +Connect
To provide professional computer systems consulting to various technolo Clients include Annidis Health Systems and NavCanada.	gy firms in the Ottawa area.	
Computer Scientist University of Calgary December 2004 — July 2008 (2 years 8 months)	UNIVERSITY OF CALGARY	
Software Designer Vault Technologies June 2003 - November 2004 (1 year 6 months)		
Embedded systems software design		
Testing and Tools Developer Nortel Networks May 2000 – August 2003 (3 years 4 months)   Ottawa, Canada Area	NORTEL	
Development of automated test tools for the Preside network management suite for the CORBA building blocks components using Ionix Oribiter for the CORBA building blocks components using Ionix Oribiter for the CORBA building blocks components using Ionix Oribiter for the CORBA building blocks components using Ionix Oribiter for the CORBA building blocks components using Ionix Oribiter for the Preside network management and Ionix Oribiter for the Ionix Orib		
Designed and build the Operator Simulation Tool using Java. Python and numbers of clients for the performance and scalability engineering group.		
Jakarta Project Committer The Apache Software Foundation November 2000 - May 2003 (2 years 7 months)	-	
Committer and Release Prime for the HttpClient 2.0 release. http://nc.apache.org/httpcomponents-client-ga/index.html		
Software Contractor Procom April 2002 - September 2002 (6 months)	Procom	
On contract to Nortel Networks,		
Junior Software Developer Natural Resources Canada January 2000 – April 2000 (4 months)	H	
Pacific Forestry Centre  Junior Database Developer  ITSD  Suptember 1999 – December 1999 (4 months)		
Volunteer Experience & Causes		
Coach Kanata Little League Baseball Association May 2009 — Present (4 years 10 months)   Children		
Trainer Kanata Minor Hockey Association September 2012   Children		



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Ottawa, Canada Area Canada + Follow + F



Technology & IP Commercial Lawyer

**Hinta Chambers** 

CFO at Rockstar Consortium

# Vice President of Business Development

Rembrandt IP Solutions

January 2010 - March 2012 (2 years 3 months) | Greater Philadelphia Area

Led Business Development effort to identify and acquire high-quality inventions

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# **Executive Vice-President**

Rembrandt IP Management LLC

February 2007 - Marsh 2012 (5 years ⊋months)

Senior executive focused on licensing and commercialization efforts associated with Rembrandt patent assets.

# **Executive Vice-President**

# **ThinkFire**

July 2001 - January 2007 (5 years 7 months)

Executive VP & General Manager responsible for ThinkFire's overall efforts in licensing and patent valuation and brokening services, as well as developing and delivering IP management and strategy consulting services to leading high-tech' clients around the globe. Broad experience in high-tech IP transactions such as patent licensing negotiations, patent/technology acquistions and divestitures, technology licensing, handling IP matters in establishing within Joint Ventures, and development and implementation of IP defense and commercialization strategies.

# Director of Worldwide Licensing

# Lucent Technologies IP Division

May 1993 - July 2001 (8 years 3 months)

Worldwide responsibility for managing and leading a team of licensing executives, including an office in Paris, in the licensing of Lucent's patents to leading semiconductor, multimedia, and optical networking companies. Leading and negotiating patent and technology license agreements with leading 'high tech' companies in North America, Asia, and Europe.

▼ 1 recommendation

#### Gene Potkay

SVP Intellectual Property, Nielsen.

John Garland was a substantial contributor at AT&T/Lucent and held positions of lead negotiator for major closures with particular emphasis on semiconductors that extended to multimedia and ultimately to much broader management oversight and,... WeW.L.

# Product Manager

# AT&T Microelectronics

July 1989 - May 1993 /3 years 11 months)

Marketing Manager with AT&T Microelectronics with worldwide responsibilities for a portfolio of high voltage analog/digital integrated circuits (ASIC, semi-custom, and standard products). Achieved greater than 200% revenue growth during the four-year period (1989-93) and in 1991 was awarded the Outstanding Marketing Support Award for Europe.

#### Engineer

# AT&T Microelectronics

July 1985 - July 1989 /4 years 1 month)

Test engineer and IC fabrication engineer participated in circuit development, yield enhancement, cost reduction, chip re-design, failure mode analysis and improving manufacturing processes for a family of integrated circuits used in AT&T's Digital Voice Communication System.



Skills & Endorsements

Top Skills

Use Licensing

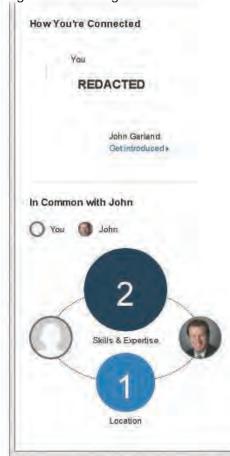
Patents

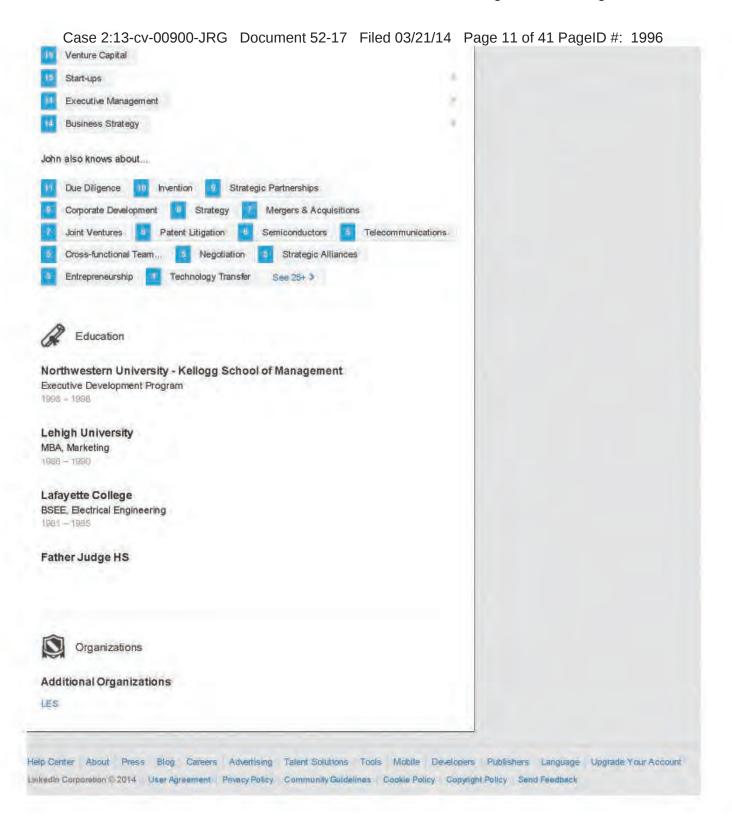
Intellectual Property

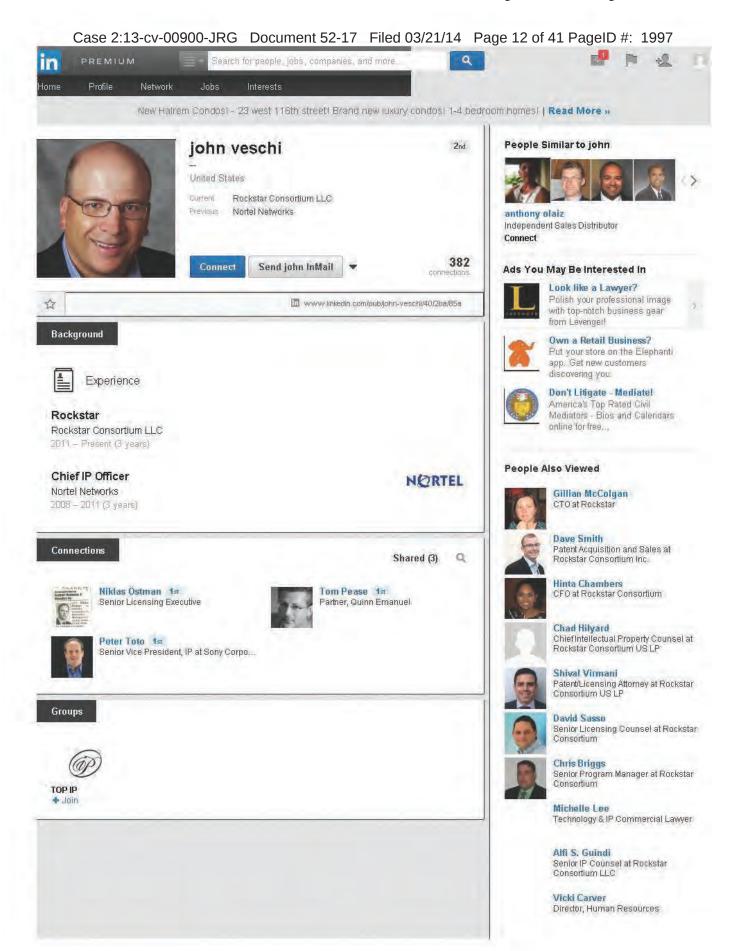
55 Commercialization

Business Development

Contract Negotiation







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Senior IT Specialist at Rockstar
Consortium Inc. Adrian Berzenji Senior Systems Developer and Analyst at Nav Canada Gillian McColgan CTO at Rockstar **Bob Ledingham** Manager, Hong Kong Software Projec at Nav Canada hamid ziyati IP Technology Consultant Peter Lorenz Senior Business Analyst at Rockstar Consortium Inc.

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Case 2:13-cv-00900-JRG Document 52-17 Filed 03/21/14 Page 18 of 41 PageID #: 2003 PREMIUM Search for people, jobs, companies, and more in Profile Network Varicose Vein Removal - Non-Surgical EVLT Procedure covered by Medicare & Insurance. Contact Now! | Read More w Ads You May Be Interested in 3rd LUGAY C. (Upgrade for full name) Need cash? Help families! Sr. Legal Assistant/Office Manager at Rockstar Consortium US LP Earn money by helping others got sperm , United States create families. Apply today for our program. Previous Nortel Networks **Need More Clients?** Education West Texas A&M University, Canyon, Texas AttorneyTribe.com 3 Months Free Special Offer Promo Code: 30 Send LUGAY InMail LinkedIn3 connection Get#1 Listing on Google We get our clients ranked within 1 month: Background People Also Viewed Experience Bernard Tiegerman Senior IP Counsel at Rockstar Consortium US LP Sr. Legal Assistant/Office Manager Rockstar Consortium US LP Frik Fako July 2011 - Present (2 years 8 months) Lead Patent Counsel, Assertion/Litigation Sr. Legal Assistant/Global Outsourcing Team Leader Bill Hawe Nortel Networks December 1997 - July 2011 (13 years 8 months) | Richardson, Texas Bill Fletcher technologist at Nortel Skills & Endorsements Hamid Ould-Brahim Internet Technology Expert at Rockstar Consortium Inc. Microsoft Office Arthur Fisher Microsoft Excel President at Arthur W. Fisher III P.A. Microsoft Word Craig Sluetz PowerPoint Manager of Trades&Acquistions at Texakoma Operating,LF English Sharon Jones-Harrison Windows Outlook Jennifer Riordan Hill Education Bill Hawe Independent Computer Networking Professional West Texas A&M University, Canyon, Texas How You're Connected You Additional Info REDACTED Interests

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Case 2:13-cv-00900-JRG Document 52-17 Filed 03/21/14 Page 20 of 41 PageID #: 2005 Search for people, jobs, companies, and more in Profile Network Are You an Attorney? - We need more attorneys in your area. Apply now for membership. | Read More » How You're Connected Lynn Wilson Office Manager and Executive Assistant to CEO at Rockstar Consortium You Ashton, Ontario, Canada | Telecommunications REDACTED Nortel Networks 101 Connect Send Lynn InMail in ca.linkedin.com/pub/lynn-vvilson/62/b5a/b27 公 Background Lynn 3rd Send Lynn InMail Experience Rockstar 🍍 Office Manager and Executive Assistant to CEO Ads You May Be Interested In Rockstar Consortium Pay Negotiation Script July 2011 - Present (2 years 8 months) 86% of managers expect you to. negotiate pay and benefits. Learn how. Office Manager and Executive Assistant NORTEL Real Estate Dev. Masters Nortel Networks 2-Yr. MBA Program Focused on June 2008 - July 2011 (3 years 2 months) Sustainable Real Estate Development Practices **Executive Assistant** NORTEL LiveAnswer® Receptionist Nortel Networks Answer every call with a live person and never miss another January 2000 - June 2008 (8 years 6 months) call. \$49.95/mo. People Also Viewed Skills & Endorsements Vicki Carver Director, Human Resources Top Skills **Dave Smith** Administrative... Patent Acquisition and Sales at Rockstar Consortium Inc. Event Planning Gillian McColgan Time Management CTO at Rockstar Office Management john veschi Microsoft Office System Administration Ross Morgan, CPA, CA, MAcc Managing Director - CFO4Results Microsoft Excel PowerPoint-David Sasso Adobe Acrobat Senior Licensing Counsel at Rockstar Team Leadership Chris Briggs Senior Program Manager at Rockstar Consortium

Case 2:13-cv-00900-JRG Document 52-17 Filed 03/21/14 Page 21 of 41 PageID #: 2006 Lynn also knows about... Outlook High Level Of ... Microsoft Word Executive Administrative Hamid Ould-Brahim Internet Technology Expert at Rockstar Consortium Inc. Following hamid ziyati IP Technology Consultant Chad Hilyard Rockstar Chief Intellectual Property Counsel at Rockstar Consortium US LP **Rockstar Consortium** Telecommunications · Follow Help Center About Press Blog Careers Advertising Talent Solutions Tools Mobile Developers Publishers Language Upgrade Your Account United in Corporation © 2014 User Agreement Privacy Policy Community Guidelines Cookie Policy Copyright Policy Send Feedback

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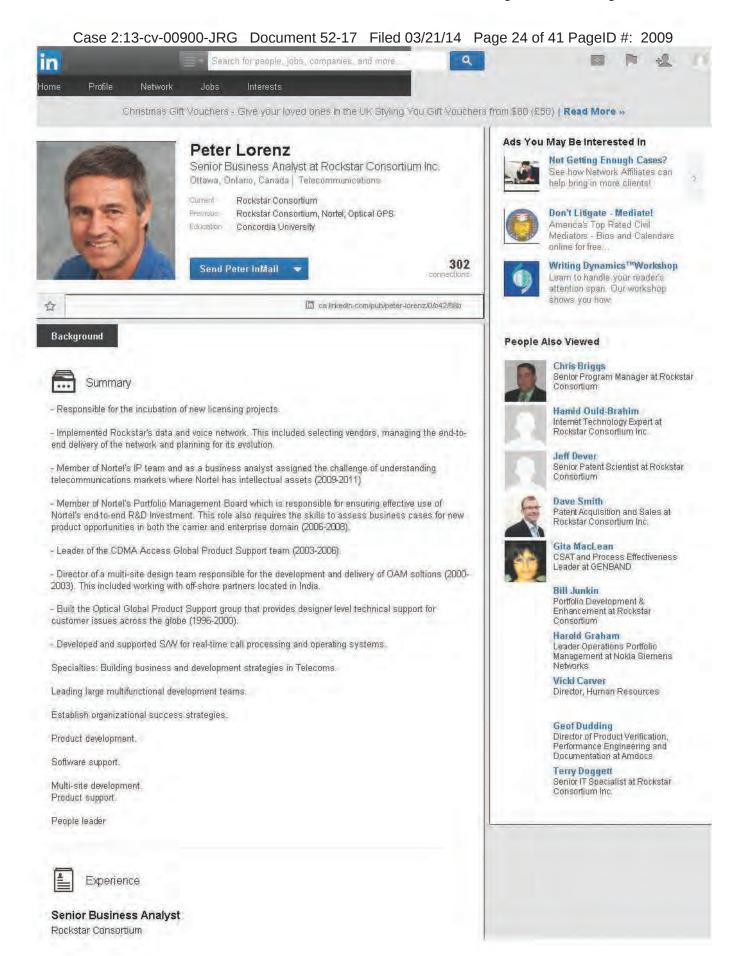
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Mee President of Licensing at Rockstar
Consortium US IP
Sold Qualities
IP Counsel Rockstar Consortium US
LP
Als S. Guindi
Senior IP Counsel at Rockstar
Consortium US
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Mee President- Patent Licensing

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May 2012 - Present (1 year 10 months) | Ottawa, Carada Area

- Lead new business initiatives and licensing programs through the incubation and early launch cycle.
- Establish operational processes that enhance the companies effectiveness.
- Identify new business opportunities that leverage Rockstar's Intellectual Property.

### Leader-IT And Communications

Rockstar Consortium

August 2011 - April 2012 (9 months) | Ottawa, Canada Area

Build the Rockstar Voice and Data Network

As a founding member I transitioned our team from Nortel's IT infrastructure into the new Rockstar network. I was responsible for all aspects our our business operations as they pertain to information technology and telecommunications.

### Intellectual Property

Norte

December 2008 - July 2011 (2 years 8 months)

Drive the team's understanding of telecommunications markets and the opportunity they represent.

### Manager - Portfolio Management Board

Nortel

April 2006 - November 2008 (2 years 8 months)

- Key member of Nortel's Business Transformation team that identified significant R&D savings.
- · Lead the review of new business casesand recommend investment decisions
- Lead analyst for investigating underperforming businesses and recommending corrective action using industry best practices and analysis techniques.
- Deliver quarterly financial performance reports to the Senior Executive Leadership on key business health indicators.

# Director - CDMA Global Product Support

Nortel Networks

November 2003 - 2006 (3 years)

- Responsible for driving product performance improvement initiatives within the CDMA product portfolio,
   Moved all products to "Green" within 8 months of joining the team.
- · Managed significant capital investment:
- Established third party support Model for CDMA Evolution Data Only partnership.
- Launched programs to meet and eventually exceed TL9000 performance objectives
- . Built the plan to drive to CMMI Level 3.
- Defined and implemented "Best in Class" support culture within the R&D community. Worked with
  peers in other business units to help them drive change and deliver improved support services. Mentored
  successors.
- Lead teams in Calgary, Guangzhou China, Bangalore India and Ottawa.
- ◆ 1 recommendation

Jim Carew

Director North America CTM at BlackBerry

Mew +

### Director - OAM Development

Nortel

Nevember 1999 - November 2003 (4 years 1 month)

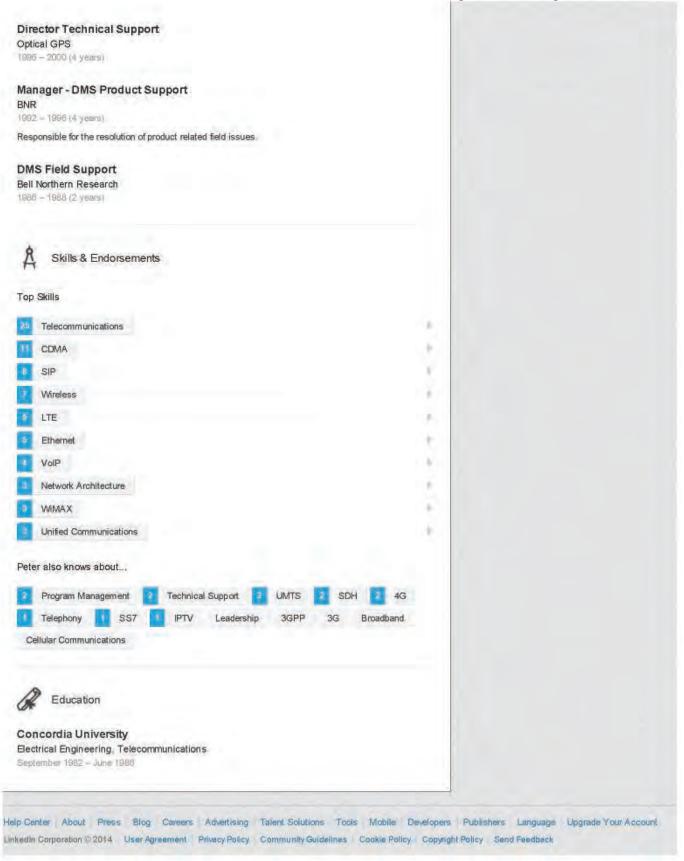
- Delivered large and complex multi-site software programs to support the Operations Administration and Management requirements for Nortel's entire suite of Optical products.
- Reduced the software development cycle from 18 months to 9 months and improved quality by driving down customer complaints by 57%. Initiatives were adopted as new practices within the OAM development community. Drove TL9000 certification.
- Lead a multi-site Research and Development team of over 200 prodessionals located in Ottawa, Montreal, England, and India with a multi-million dollar budget.
- 1 recommendation

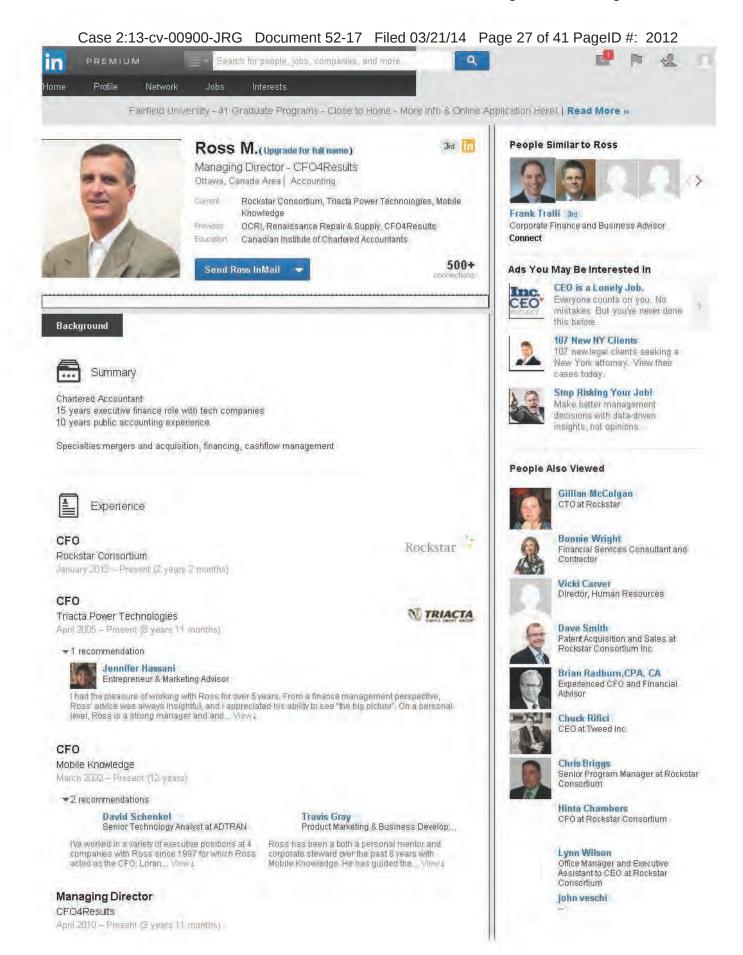
Anthony Cinicolo, PMP

Project Manager - Public Safety at Government of Canada

Visw 1

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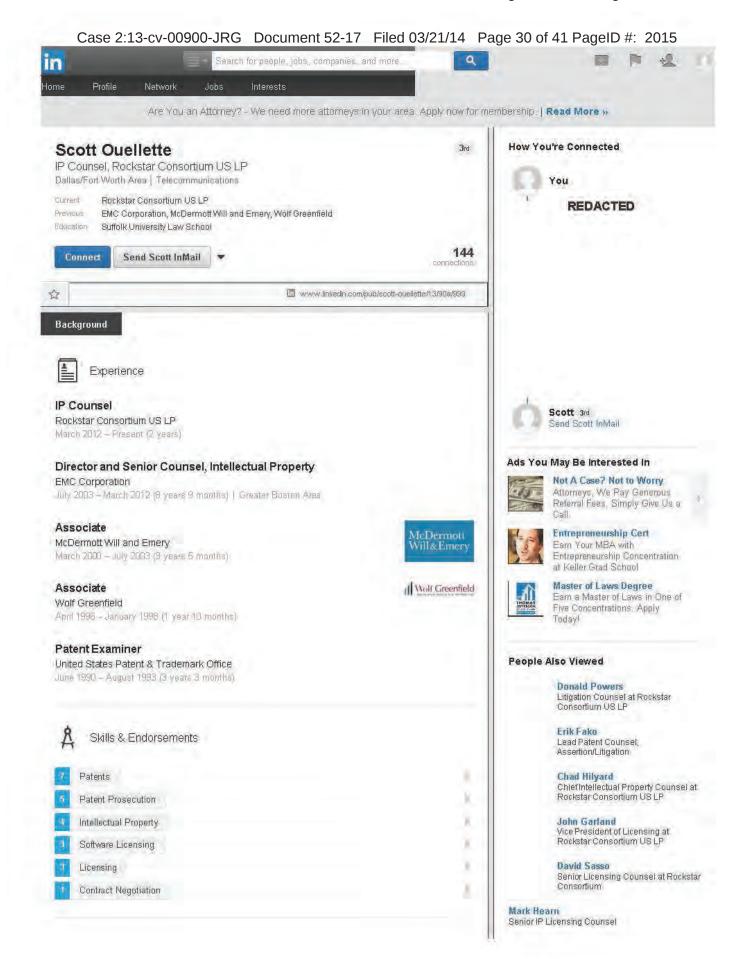


Case 2:13-cv-00900-JRG Document 52-17 Filed 03/21/14 Page 28 of 41 PageID #: 2013 **Board of Directors** How You're Connected Linda Lowe Daycare January 2011 - Present (3 years 2 months) Located in Pakenham the aim at the Linda Lowe Daycare is to provide a stimulating environment and program that enables each child to develop emotionally, creatively, socially, physically and intellectually A child is entitled to opportunities to satisfy these needs and to develop these abilities in an environment, REDACTED which fosters co-operation and a sense of responsibility and order. **Dollars and Sense Steering Committee** September 2010 - May 2012 (1 year 9 months) CFO Renaissance Repair & Supply November 2008 - March 2012 (2 years 5 munths) Senior Associate CFO4Results March 2005 - March 2010 (5 years 1 month) Ross M. CFO Objectworld April 2004 - October 2009 (5 years 7 months) ◆ 1 recommendation David Levy President & CEO at Objectworld Ross, has been GFO since 1997 of 4 companies for which I was CEO, viz.- Loran, Peregrine (Ross reported to Peregrine's CFO), Mobile-Knowledge, and Objectworld. His judgement, knowledge, expertise and guidance have been invaluable. Ross brings the., Mew in the control of the contro CFO Intelligent Photonics Control March 2004 - February 2005 (1 year) -1 recommendation Gary Welner OptoElectronic Business Development, Sales & Marketing Management Ross is a terrific team player with solid skill set all the way around. He could scale the top line issues and needs down stream to device unit prices if needed and help financially model deats and strategies. We worked closely together up through ...  $\label{eq:loss} \mbox{We worked closely together up through ...} \mbox{ New $\mathbb{Z}$}$ Director of Finance, Canada Peregrine Systems September 2000 - March 2002 (1 year 7 months) Director of Finance Loran International Technologies inc January 1999 - September 2000 (1 year 9 months) Director of Finance Plaintree Systems June 1998 - January 1998 (6 months) Senior Manager Ernst & Young September 1993 - June 1998 (4 years 10 months)

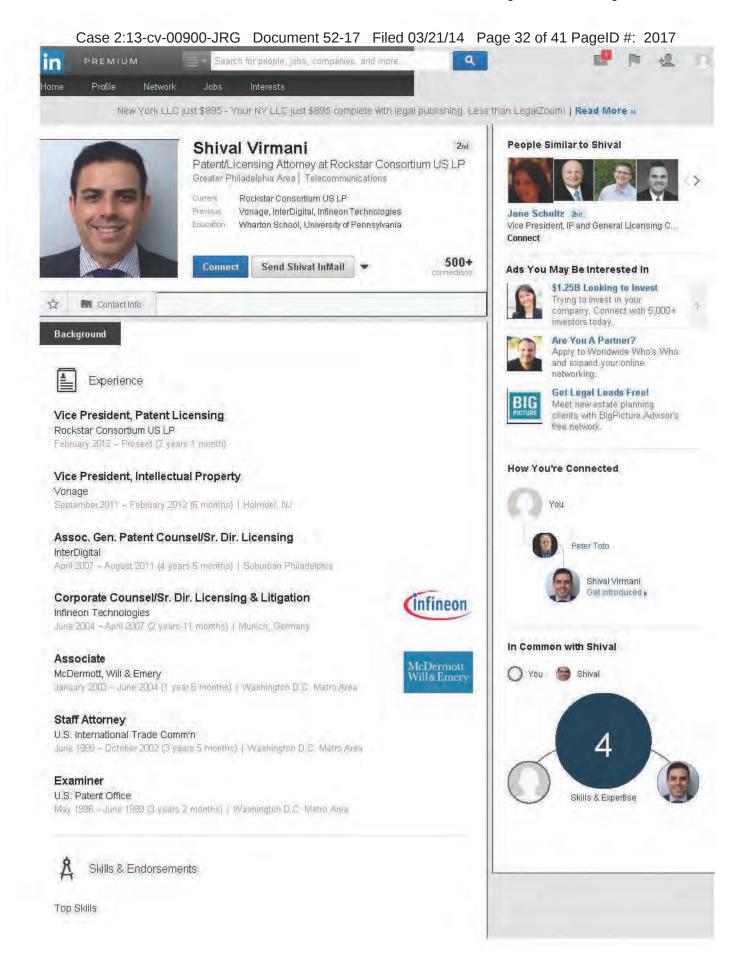


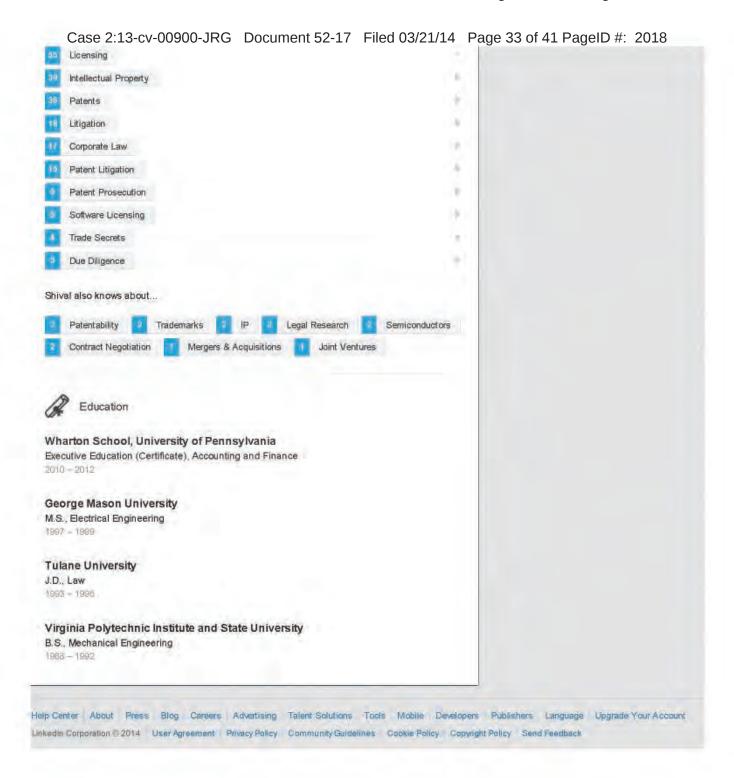
Skills & Endorsements

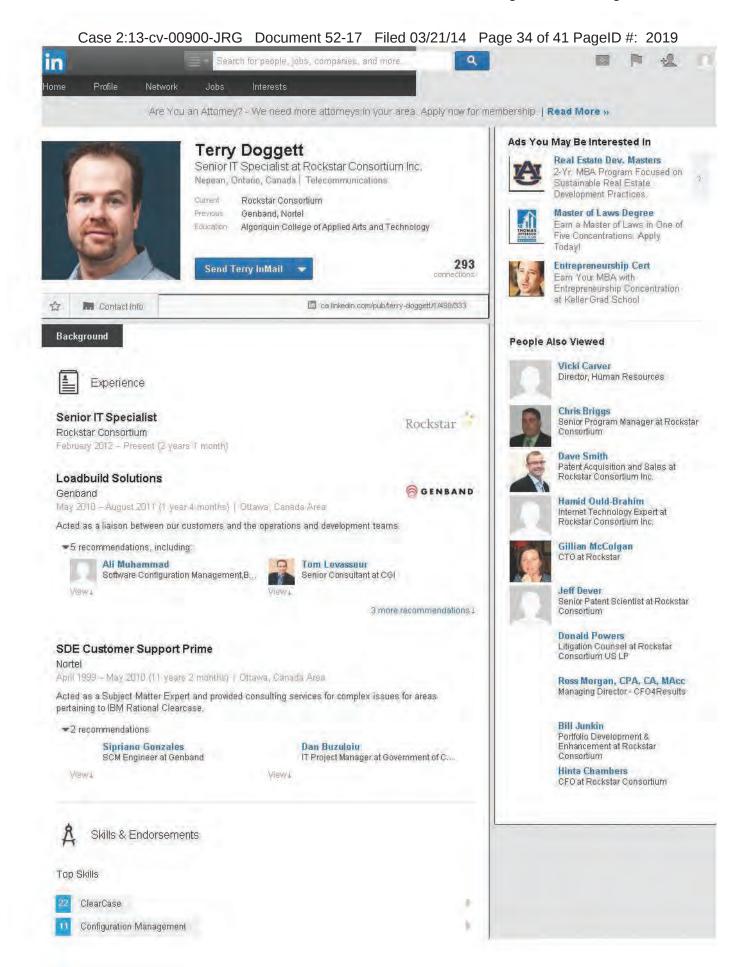
Case 2:13-cv-00900-JRG Document 52-17 Filed 03/21/14 Page 29 of 41 PageID #: 2014 Top Skills Finance Mergers & Acquisitions Financial Reporting Mergers Financial Modeling Management Start-ups Managerial Finance Strategic Planning Due Diligence Ross also knows about... Strategic Financial Venture Capital Corporate Finance Executive Management Business Strategy Business Development Private Equity Management Consulting Risk Management Cash Flow Negotiation Financial Analysis Accounting See 7+ > Education Canadian Institute of Chartered Accountants Chartered Accountant University of Waterloo Masters of Accounting Help Center About Press Blog Careers Advertising Talent Solutions Tools Mobile Developers Publishers Language Upgrade Your Account Linkedin Corporation © 2014 User Agreement Privacy Policy Community Guidelines Cookie Policy Copyright Policy Send Feedback

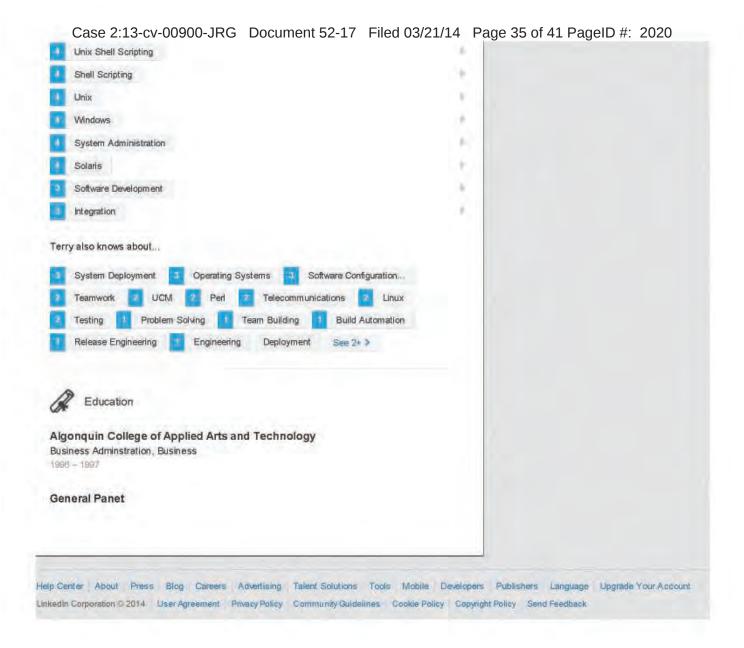


Case 2:13-cv-00900-JRG Document 52-17 Filed 03/21/14 Page 31 of 41 PageID #: 2016 Education Suffolk University Law School Shival Virmani Patent/Licensing Attorney at Rockstar Consortium US LP 1993 - 1996 Michelle Lee University of Massachusetts Dartmouth Technology & IP Commercial Lawyer BS, Electrical Engineering 1985 - 1990Alfi S. Guindi Senior IP Counsel at Rockstar Consortium LLC Dave Smith Patent Acquisition and Sales at Rockstar Consortium Inc. In Common with Scott You Scott Skill or Expertise Help Center About Press Blog Careers Advertising Talent Solutions Tools Mobile Developers Publishers Language Upgrade Your Account Linkedin Corporation © 2014 User Agreement Privacy Policy Community Quidelines Cookie Policy Copyright Policy Send Feedback

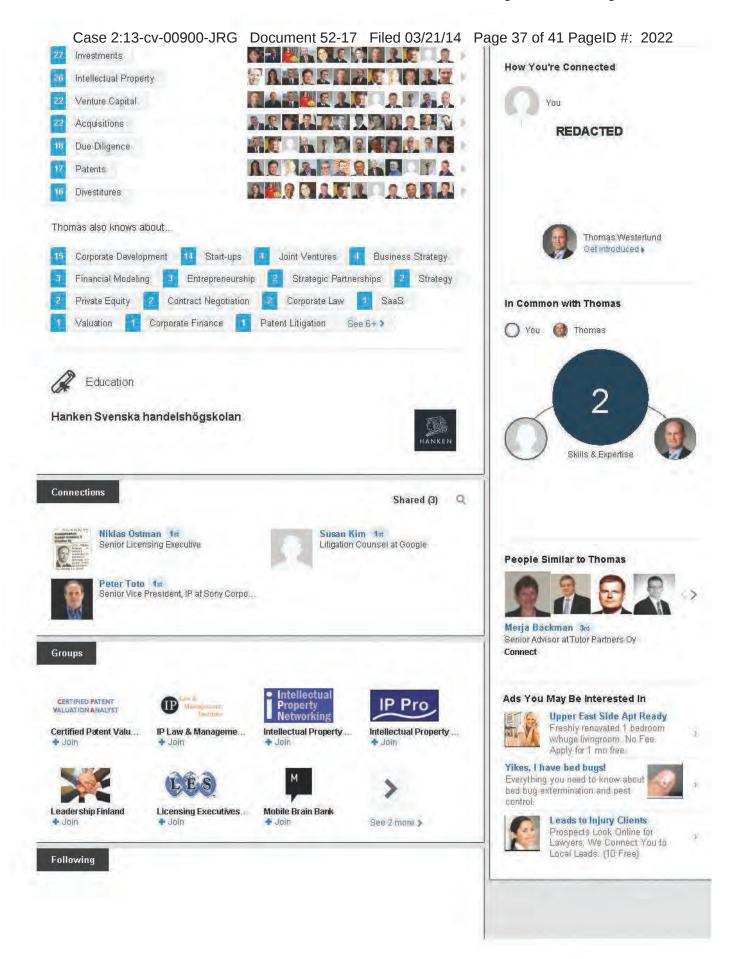








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Rockstar

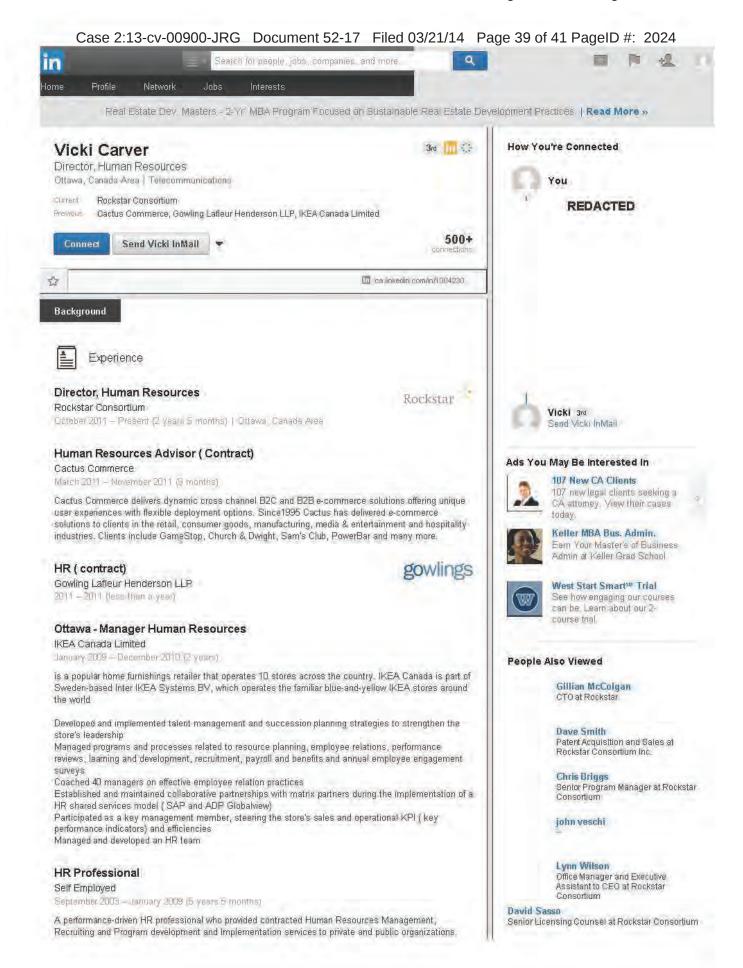
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Clients included Bell Canada. Alcatel-Lucent, Halogen Software, and Corel Corporation.

# Manager, Talent Acquisition (Contract)

Corel Corporation

April 2007 - November 2008 (1 year 8 months)

2007 - 2009

Corel Corporation - Talent Acquisition Manager

Corel is a office productivity and digital media software development company whose products are sold in more than 75 countries through a well-established network of international resellers; retailers, original equipment manufacturers, online providers and Corel's global websites.

My main project was to source and implement a replacement (ATS) applicant tracking system: Successfully implemented Njoyn across North America

Provided full-cycle recruiting services including sourcing, assessment and selection services for positions ranging from administrative to Senior Vice President level

→ 1 recommendation

#### Philip Wilson CHRP, SHRP

HR & Biz Exec ,30 yrs Governance,OD, Leadership, Talent Mgt, Rewards, Exec Coach, Career ...

Vick) is a superb HR professional who is both creative and innovelve in how she resolves issues for clients. She is a very experienced recruiter and is extremely customer centric. She loves a challenge, I would strongly recommend Vicki. Vicky 1

# HR Specialist (contract)

Halogen Software

2006 - 2007 (1 year)

Christian Beauchesne

Experienced Software Leader, Team Le...

Stanley Janas Director, Human Resources at The Sta...

Vicki is very talented and resourceful recruiter. She has a very good grasp of the market and was key in our recruitment... View I

Vicki is a very affective recruiter who also has a very good generalist HR background as well. Give ber a project and let ... View L.

### Senior Recruitment Specialist (Contractor)

Alcatel-Lucent

2006 - 2008 (less than a year)

#1 recommendation

### Todd Luckasavitch

Head of Global Recruitment/Global HR Business Partner - IP Platforms Business at Alcatel ....

Mcki demonstrated true professionalism and in-depth market knowledge in every recruitment project she managed. Her ≾bility to dig deep to discover the true resourcing needs of the clients and with that gain knowledge and understanding of their. New ⊥

# Student

Algonquin College

2000 - 2002 (2 years)

# **Director Professional Services**

Workstream Inc.

January 1998 - January 2002 (4 years 1 month)

Workstream provides enterprise and mid-market tatent management solutions and services that help companies manage the entire employee lifecycle - from recruitment to retirement.

Developed and managed a cross functional Professional Services team who project managed and delivered software implementation and training services

Developed classroom and Web based training and implementation programs to ensure clients and users were maximizing the full functionality of the software; ensuring renewals

Managed client relationships for retention and up-sell purposes

Created and delivered client focus groups sessions to obtain feedback on product evolution and services. Created pricing strategy for training, implementation and consulting services.

Built and maintained collaborative relationships across the organization, ensuring a common goal and focus on providing outstanding customer service

Performed some components of a product marketing role; writing product features enhancements and researching competition and best practice trends

# Terry Doggett

Senior IT Specialist at Rockstar Consortium Inc.

### Ross Morgan, CPA, CA, MAcc

Managing Director - CFO4Results

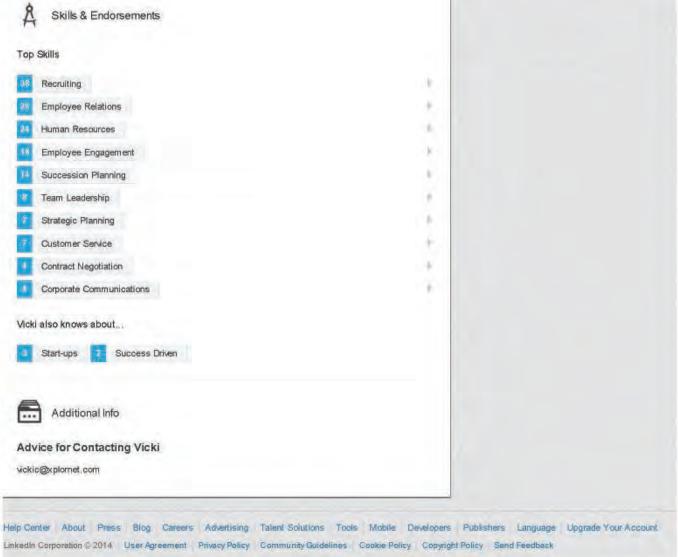
# Megan Paterson

Director, Human Resources at Kinaxis

### Tracey Clements, CHRP

Director, People Services at TITUS

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# **EXHIBIT 16**

The rock star

# Star man



John Veschi expected to create a world-class licensing programme at Nortel when he joined the company in 2008. Five years later, he is the CEO of Rockstar, a unique NPE that is in the early stages of monetising what is probably the most famous patent portfolio in the world

### By Joff Wild

When John Veschi was first approached by Nortel to head up its IP function and build a world-class licensing business at the company, he was not exactly enthusiastic; far from it, in fact. "My initial reaction was, 'Why would I want to go to Canada? It's cold and there are no golf courses!" he recalls. But when he began looking more closely at what he would be taking charge of, the former chief IP officer (CIPO) of LSI and Agere very quickly began to change his mind.

"There were Bell Labs-quality patents and they were largely unencumbered," Veschi says. For someone used to investing considerable time and effort in the complicated process of dealing with encumbrances – something which he likens to "playing three-level chess" - this was a tantalising prospect. "The idea of having what was essentially a green field in order to build a licensing programme that would not only be successful and enriching, but also be critical to the company was immensely appealing," he explains. It would, he believed, be a chance to create a legacy: "I saw Nortel as another Texas Instruments or Qualcomm. I was thinking that in the future, people would be writing stories about how important licensing was to turning the company around - I really

thought that would happen."

So in 2008 Veschi took the job and became Nortel's chief IP officer (CIPO), initially reporting to the company's general counsel and chief technology officer (CTO), but with a view to moving to become a direct report to the CEO (see box). Five weeks later, the credit crisis hit and in early 2009 Nortel filed for bankruptcy. Veschi was about to make his mark — but not in the way he had originally anticipated.

### A man with a plan

Today, John Veschi is CEO of Rockstar, the non-practising entity (NPE) established by five of the six companies that ended up submitting the winning US\$4.5 billion bid for the Nortel patents which went under the hammer at a week-long auction held in New York in June 2011. The five — Apple, BlackBerry (Research In Motion as was), Ericsson, Microsoft and Sony — are currently the only shareholders in Rockstar; each has a minority stake (the sixth member of the bidding consortium, EMC, is not involved).

Veschi and the Nortel IP team played a key role in the events leading up to the auction, including helping to alert those overseeing the bankruptcy to the portfolio's potential; identifying the technologies; drawing up detailed claims charts; participating in road shows and meetings with potential buyers; and deciding how to offer the patents, even to the extent of evaluating whether the best option would be to spin out a licensing business from Nortel. These are all stories that have been told before. What has been less chronicled - at least from an accuracy perspective – is what has happened since that pivotal week two years ago and the outlook for Rockstar the

Principally based in Ottawa, just a few miles from the former centre of Nortel's

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The rock star

R&D operations, and with a smaller office in Plano, Texas, Rockstar is home to a mix of IP attorneys, technologists and engineers, and transactions specialists. The job of Veschi and his 40-strong team of largely ex-Nortel employees is to generate a return for the NPE's owners from the 4,000 or so patents that remain under their control (approximately 2,000 other rights in the original portfolio having been transferred to one or other of the original consortium members).

Over the course of two detailed telephone interviews, Veschi explained how they arrived at their current position, the challenges that Rockstar faces and how he views the NPE's future, as well as the wider environment within which it is operating. He is excited by what lies ahead, but is conscious that a changing regulatory world could make his task harder - although far from impossible. Further down the line, do not be surprised to see Rockstar getting into acquisitions, or even undertaking privateering-style work for others. Veschi is a man with a lot of plans. And having achieved what he has so far, it would be a brave person to bet against him bringing them to fruition.

### The technology team

What is remarkable about Rockstar, and what distinguishes it from almost every other NPE out there, is that it essentially remains the IP function of what was a fully fledged operating company. Indeed, Veschi refers to the firm as a "former practising entity". This gives some context, he explains: "Our patents are derived from a product-driven company that was a technology pioneer and invested significantly in R&D."

Of immense help since the dark days of the Nortel bankruptcy has been the presence of a team of engineers and technologists led by 25-year Nortel veteran Gillian McColgan, Rockstar's CTO. That they are still a part of the operation, however, is more the result of fortune than design. "Where we got lucky was that when Nortel was trying to avoid bankruptcy, the company decided it had to be reorganised in order to prepare for the sell-off of one or more business units. This meant that people had to be reallocated," says Veschi. Nortel's CTO understood what Veschi was trying to build – an operation capable of extracting the maximum value from the patents that Nortel owned - and shared his view that this required people who knew the technologies underpinning those patents backwards, "That's how I met Gillian and

the diverse set of folks who are now on her team," Veschi says. That he can call on their expertise is something that sets Rockstar apart from many other licensing-based businesses. "We are staffed by technology lifers: people who dedicated their careers to Nortel. As a result, we really know our IP and the backstory behind each patent. I have yet to come across a patent in our portfolio where someone on our team did not know or work with the original inventor."

But that is not only a powerful tool today — it was also vital during the bankruptcy process itself, as parts of Nortel were sold off. "Gillian and her team were critical in the patent discussions," explains Veschi. "Usually you find technology expertise in different business units, but we had it in the IP team: a group of some of the most respected and well-regarded technologists in Nortel. That meant we could make sure we were not going to get beaten up by the various business units trying to do a land grab on the patent portfolio as they moved on; we knew everything there was to know about the patents."

McColgan & Co were also keen to point out that some people were looking in the wrong places for the real treasure that Nortel possessed. "The world thought that our most valuable assets were LTE and wireless patents; Gillian and her team were offended by that," Veschi continues. They believed that wireless was not the heart and soul of the company; instead, it was areas such as data communications. "We made sure that everyone knew what was there and that we were not going to squander it."

This attachment to Nortel's intellectual property speaks to a wider affection



# John Veschi, Rockstar's CEO

"There are a lot of people out there using former Nortel IP who aren't licensed yet. In terms of our progress in getting to them, we are probably in the third inning of a nine-inning game; but we are already generating returns for our investors"

# Establishing the appropriate reporting lines - business or law?

Before anyone takes a high-profile senior position which involves potentially company-transforming responsibilities, it is a good idea to negotiate carefully. When talking to Nortel about building its proposed IP licensing business, that's exactly what John Veschi did; and one of the areas that came up for discussion was reporting lines.

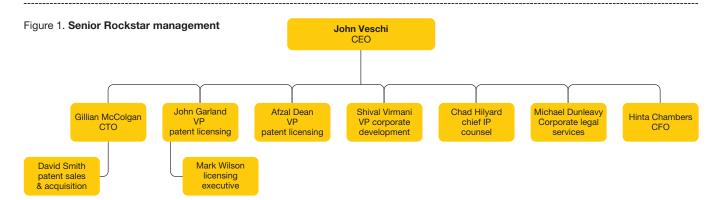
"Nortel's original plan was that I would be the VP of IP reporting to the general counsel," Veschi explains. It was something to which he could not agree: "I felt that would mean IP would be viewed as a cost centre. To do what I wanted to do, we could not be subordinate to other business units. We were going to need a free rein to assert patents against whoever it was necessary to take on – we could not

have people telling us that we could not because it might damage such and such a relationship."

His plan, Veschi continues, was to make intellectual property less of a legal function. "In the end, it was agreed that I would be appointed as chief IP officer (CIPO), initially reporting to both the general counsel and the chief technology officer, and then reporting directly to the CEO once the licensing business was established."

To have been reporting direct to the CEO in a company the size of Nortel would have made Veschi one of the world's highest-profile CIPOs. Whichever way the Nortel story was to have unfolded, it seems, Veschi was always destined to make a significant impression.

The rock star



that these seasoned employees had for the company itself. "Once you were at a company like Nortel, you did not tend to move around, so we have a team of people who had spent 20 or 30 years there. They wanted to do the right thing by it," Veschi claims. And it soon became apparent to all those involved in the bankruptcy process that such loyalty and expertise made the team itself a significant asset in its own right. "The buying community got pretty comfortable with the fact that the portfolio would have substantially more value if the team came with it," he says.

Thus, even before the final deal was sealed, it was clear that whoever ended up buying the patents would take the Nortel IP team too. And that even applies to Google. "I can't imagine that they would not have wanted to keep everyone together," Veschi states. "They may not have been actively licensing the patents, but they would still have needed to know them, so it is likely that the team would have been moved to Mountain View. That could have been something of a culture clash, given the average ages of our team and Google employees."

# Commitments to the DoJ

The sale of the Nortel patents closed on 29th July 2011, which also happens to be Veschi's birthday. But it took another few months - until Spring 2012 - for the acquisition to receive clearance from the US Department of Justice (DoJ). Although this approval may have taken some time to obtain, the only commitment that Rockstar itself gave to the DoJ (and the Federal Trade Commission) was that it would operate autonomously. This, explains Veschi, was so that the shareholders "as operating companies cannot pick and choose who we will target". Rockstar made no undertakings as to how it would license FRANDencumbered patents, as the bankruptcy court had already dealt with this issue.

In some quarters, much store has been set by Veschi's comment in an earlier interview with another publication that Rockstar is not bound to promises made to the regulators by Apple and Microsoft. He is keen to clarify what he meant by this. "The commitments that they have given relate to the patents that they have taken ownership of from the Nortel portfolio. Our commitments relate to the patents we control — so there is absolutely no link and nothing that ties us to what they have agreed. We are a separate company," he says.

Some, Veschi continues, have taken his original remarks to mean that the NPE is being used in some way as a vehicle to wash away commitments made by a predecessor in title. That is not true, he insists: "I simply pointed out that the commitments those companies made about their future patents have no bearing on Rockstar. We are a separate company and were never asked to make any commitment. Interestingly, the folks who have written about this as if there was something unseemly going on none of them has ever asked me about it. It's as if they have the sound bite and the interpretation that supports their cause, so why confuse it with facts?"

Rockstar has an ongoing dialogue with the DoJ, the last time they got together being in February this year. And Veschi says that the relationship is a good one: "They know we are not seeking to harm anyone else relative to their peers or competitors. They understand and are comfortable with what we are trying to do. I have been very impressed with the depth of their knowledge of the issues."

That said, the commitments that Rockstar has made do mean that Veschi must be careful about how he interacts with its owners. "We do not talk to the shareholders about potential licensing partners or any potential infringers that we may have targeted," he explains. "I have to show them progress and that real work

The rock star

### Doing the deal

Once a potential infringer of Rockstar intellectual property has been identified, it is a matter of sitting down with them in order to hammer out a licensing deal. In many instances, 'fair, reasonable and non-discriminatory' (FRAND) obligations loom large - even if, strictly speaking, that did not have to be the case. Although around 90% of Rockstar patents in areas such as wireless and data networking have some standard or other associated with them, under Canadian law any FRAND commitments given by Nortel to standards bodies could have been repudiated during the bankruptcy. But, says John Veschi, it was decided not to do this. Instead, the company chose to make sticking to previously made FRAND commitments a condition of sale.

Even where FRAND is not involved, Veschi is keen to emphasise that Rockstar deal makers want to be seen to be treating

is being done, but we tend not to go into details." Veschi schedules periodic calls and meetings with the owners — mainly with their respective heads of intellectual property — and, he says, they work well together. "But all of these guys have day jobs; how Rockstar performs is probably largely irrelevant to how most of them are judged," he acknowledges.

The sensitivities of this relationship also affect the way that Veschi interacts with senior staff inside the NPE. "I rely on my leadership team more than the typical CEO might. There are things that I cannot share with the board in the way that other CEOs might, so I probably spend more time speaking with my colleagues at Rockstar to get the appropriate amount of diversity of thought." Likewise, he continues, some of the other activities that another CEO would typically undertake, such as cultivating potential investors, are not matters that he needs to spend time on: "As a result, I probably spend more time as both a COO and a CEO."

# Mining and money

It may be an arm's-length relationship, but Rockstar's shareholders still want to see their investment realised to the maximum possible extent; and Veschi knows that he will be judged on the success or otherwise of his strategies to monetise the portfolio.

First of all, though, he has to decide which parts of it to mine; and there are plenty of choices. "It turned out that those licensees fairly. "We will ask the other party what it is they want to license and strive to negotiate a licence that is fair and reasonable for them," he states. The offer gets a mixed response: "Some appreciate our approach; others would prefer to simply call us a troll!"

The reaction often comes down to who is on the other side of the negotiating table. "Every company we engage with is different; some are more sophisticated than others, for example. In some cases we talk to the businesspeople; other times it might be the in-house IP team," Veschi says. "Sometimes we end up with outside litigation counsel. They usually come with the wrong perspective because they are already thinking about juries. But we believe we should get credit for not initially suing the company in question, as we prefer to sort things out in the boardroom rather than in the courtroom."

companies like Nortel, which did 'find a better mousetrap'-type R&D, have been less successful over recent years than those companies whose R&D was much more consumer facing," Veschi says. "But Nortel made mobile phones before many of the companies that make them now did; and it was similarly investing significantly early on into looking at what could be done on the Internet. It was grappling with problems and finding solutions a long time ago — what is natural today just wasn't back then. The patents that we own are a representation of the investments that were made."

Although Veschi will not talk specifically about the technology areas he has chosen to prioritise, he does point to a diagram that has been distributed internally (see Figure 2), which provides certain clues. It is composed of a series of concentric circles. "The smallest circle contains the three classical scientific disciplines biology, chemistry and physics - and the explosion out to the right is basically a description of the high-tech world," he explains. "The further out you get, the closer you get to the consumer. Right now, we are very active in about a half dozen of the areas named in the chart, while we are doing serious preparatory work for six to 10 more. Though I am not comfortable saying which ones precisely, I can say that most of them are in the upper-right quadrant."

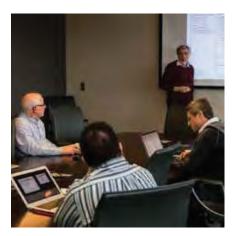
The monetisation game, he continues, is still in its early stages: "There are a lot of people out there using former Nortel



# Rockstar CTO Gillian McColgan leads a meeting

Starting with the man in the red shirt and working clockwise – David Smith, director, patent sales and acquisitions; Bruce Schofield, technical expert; Chris Briggs, senior programme manager; Hamid Ould-Brahim, internet technology expert, distinguished member of technical staff; Derek de Laat, senior financial analyst; Ron Steeves, patent licensing adviser; Gillian McColgan, CTO; Liam Casey, IP technology consultant

The rock star



### Deep analysis

Starting with man at the projector screen and working clockwise – Liam Casey, IP technology consultant; Peter Lorenz, senior business analyst; Hamid Ould-Brahim, internet technology expert, distinguished member of technical staff; Ron Steeves, patent licensing adviser

IP who aren't licensed yet. In terms of our progress in getting to them, we are probably in the third inning of a nine-inning game; but we are already generating returns for our investors."

Given the number of potential infringers out there, one way to a series of quick wins might be to start calling in the litigators, but this is an approach that Veschi rejects. "You could say that if we were to truly maximise the value of the portfolio, we should be suing everybody. But although our job is to get a good return on the investment that the owners have made, we strive to bring in revenue in a balanced way that is fair and reasonable. The shareholders are comfortable with that," he states.

While Rockstar has vet to initiate a lawsuit, Veschi believes that this is bound to change: "I suspect we will need to resort to litigation in the near future, as some of the users of our patents feel no remorse or obligation to pay fair royalties." But it is not a prospect he relishes: "Personally, I think it's a shame that some users choose, as a matter of course, to treat you like a secondclass citizen if you haven't sued them. Systemically, something seems wrong with that picture." Generally, Veschi continues, litigators hold too much sway currently: "If you look at the IP business market at the moment, it is too skewed towards the litigators being in charge. That is damaging. We have to take control back. If everything is run by them, you get sub-optimal results. We need to figure out better ways of recompensing the innovator."

Another dilemma vexing Veschi is how

deep to dig into the portfolio mine. "We have a very diverse portfolio and my job is to do the right thing by it. We could try to do everything and then run the risk of doing nothing well; while the reverse risk is that we focus closely on one or two areas and let everything else go by the wayside," he explains. "It's like vin and yang, and I admit that I struggle with it. Our engineers would go off in all directions if they were left to their own devices and that would be chaotic; but I don't want to confine them to too narrow a charter either. In the end, it comes down to how strong our patents are and the size of the markets that they can be applied to."

### More than licensing

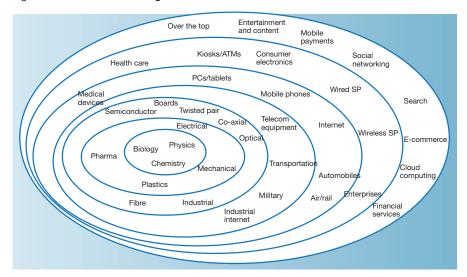
When it comes to monetisation, of course, licensing is not the only option. Of increasing importance over recent years are sales. They are part of the Rockstar offering too — although not, as yet, a big one. "With sales, we do a lot more thinking than doing. There are a lot of opportunities, but it is not our primary business. About 20% of my time is probably invested in talking about sales and partnerships, but it has to be a no-brainer for us to go ahead with a deal," Veschi states.

That said, his philosophy is never to say never: "There are no Rockstar assets that are not for sale. Does that mean they will be sold? No. But if an offer is made, we cannot refuse that they will go. That is business." Sometimes, Veschi states, patents are simply more valuable in someone else's hands. "We are often approached by other parties about sectors or sub-sets of our portfolio that they would like for either tactical or strategic needs. We need to explore those opportunities," he says.

But Rockstar is more proactive than that. Veschi believes that a healthy licensing business should keep a close eye on which assets are not being used and may be withering on the vine: "We have to make sure that they do generate some value, if possible — so we send out catalogues that detail patents which are for sale, while people contact us too. Also, our sales team is out in the market all the time, interacting with other parties and assessing where we might be able to place assets. We have to maintain a constant strategic overview on what we have."

There is also a licensing angle to being seen to be willing to contemplate sales, Veschi believes: "It may help to concentrate certain parties' minds when it comes to a negotiation. Maybe they should agree to a licence with us just in case we sell the relevant patents. We have a lot of very good

Figure 2. The world according to Rockstar - 2013



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The rock star

assets and do not need them all." What it all boils down to, he says, is for him to be put "in a place where I have to make a difficult decision about whether we should let something go or not".

Given its ownership, though, is there a possibility that while Rockstar may be willing to sell off parts of its portfolio, there may be certain parties that it is not willing to do business with — especially as sales are not covered by any commitments that have been made to regulators? Veschi says absolutely not: "We work the deals within our charter. Just like in the context of licensing, the shareholders do not influence the decisions on who we deal with."

### The wider world

Rockstar does not operate in a vacuum and it has not escaped Veschi's notice that the environment in the United States has become more hostile towards NPEs recently. What he would like to see, he explains, is a little more contextualised thinking about the issues.

"I don't want to defend all NPEs. What some of them do is troublesome and very litigation-centric, but they are part of the evolution of the corporate world in general," he says. The issue is by no means as clearcut as 'operating company good, NPE bad,' he claims: "When you go back to the good old days, you find companies that did everything in North America — from R&D through to manufacturing. Now a lot of this activity has been moved offshore. Why is a company that moves its factories to Asia considered more of a good guy than one which does not manufacture at all, but does much of its R&D work locally?"

And it's not as if big operating companies have a faultless record when it comes to intellectual property: "The classic NPE is the little guy working in his garage who comes up with an idea and gets a patent. If he then discusses his idea with a product company, which says, 'Thank you very much, now go away,' the only thing he has to protect himself is his patent."

Rockstar's own experiences have made Veschi — who has never previously worked inside an NPE — sympathetic to what many NPEs are up against when trying to deal with operating companies. "When we are negotiating deals, we find that companies which look similar from the outside behave very differently when we sit down with them," he states. "For the most part, we get respect, but some people get very emotional and quickly resort to name calling — that indicates to me they do not understand the situation they are in. You'd think that

### A US-centric organisation thanks to Nortel's money men

Although many US-based NPEs believe there may be significant potential in developing business abroad, for Rockstar the focus will have to remain the United States, John Veschi explains: "We are more of a US-centric organisation. We cannot fix the fact that in the past, Nortel decided not file abroad as much as it did in North America."

In general, Veschi says, a lot of the decision makers at the company saw the US market as the one to concentrate on. "It was like a Picasso painting in some ways – things were out of proportion," he says. Although there was very strong R&D, there was not an equal commitment to protecting

it: "The finance people and accountants seemed to have led the decision making."

Given the circumstances, he continues, the IP department can only be praised for creating what it did: "The IP people – battling against a lot of headwind – did a great job and we have got the benefit from that. When you look at the portfolio you see cases where the patent committee likely had, say, 25 really good inventions, but budget to only file 10 patents; even so, if you look at the way those patents were prepared and prosecuted they got a lot into them. In the end, though, there was only so much they could do."

people would realise they need to pay for the IP they use, but some are almost hysterical when we point out they cannot have our stuff for free. If that is the way they treat us, you can only wonder what it is like for a typical small NPE." The truth is, he says, some potential licensees just do not want to be fair and reasonable: "It is important to know that just because a company is a practising entity, that fact does not make the company a good guy. There are some unscrupulous characters out there on all sides of these issues."

However, Veschi is not set against all reform. He opposes the proposed Saving High-tech Innovators from Egregious Legal Disputes (SHIELD) legislation in the United States, which would introduce a loser-pays regime specifically aimed at what its authors describe as "patent trolls", but he is not opposed to loser pays per se. In fact, the opposite is true: "I have always been a fan of loser pays, but in a way that treats everybody the same. What you see with SHIELD is an attempt to discriminate against certain types of businesses. That is misguided. There are plenty of practising entities that are very comfortable with infringing and not paying royalties; loser pays across the board would encourage everyone to act a little more like a good guy."

Likewise, Veschi supports recent moves spearheaded by the US Patent and Trademark Office (USPTO), as well as certain companies such as Microsoft, to introduce greater transparency into patent ownership. "Those with good portfolios should be very comfortable with transparency and more of it makes a lot of sense," he says. "We are not trying to play hide the ball with our portfolio, and if the law changed to make it a requirement to register every licensing deal I would be



Reading the runes
From left to right – Peter Lorenz, senior
business analyst; John Veschi, CEO; and
Ross Morgan, CFO

The rock star

Figure 3. Rockstar journey

2008 2010 2011 2009 2012 Nortel decides to build a P&L Nortel enters creditor Patent portfolio valued and Patent portfolio sold for Rockstar fully operational protection and determines its actively marketed US\$4.5 billion US DoJ clearance IP business Hires John Veschi to assets must be sold Patent team remains Patent team transitions (March) transform, build and Patent team remains to Rockstar Actively negotiating intact lead IP team Valuation models Portfolio maintained and licences intact Augments the IP team Product businesses sold enhanced (~1/3 pending) Actively negotiating developed with key technologists with ~30% of portfolio Portfolio maintained and Corporate functions strategic sales IP team actively manages and inventors enhanced developed Begins initial licensing remaining 70% Licensing engagements programmes continue NORTEL NØRTEL NORTEL NERTEL Rockstar Rockstar

fine with this — but I am not going to do it unilaterally and I wouldn't expect anyone else to do so."

Enhanced transparency, Veschi claims, would help to make the market more efficient. At the moment, sometimes the only way to get information is through litigation – for example, to use discovery to find out who the true owner of a patent is or what other deals are related to it. "Since I think the patent marketplace is already too litigation-centric," he continues, "I would be in favour of some changes here. However, for me, it is better to have this codified somehow, so that depositing information would be like registering a deed. It could be that for a licence to be enforceable, it has to be recorded. To me, this looks like a good area for reform, and maybe a place where the USPTO can play a leadership role."

Whatever happens, though, Veschi firmly believes that Rockstar will adapt and prosper: "I am not sure how the regulatory and legal environments will evolve. Reforms may make it a little harder for us to do deals or may raise our costs slightly, but we have a very strong portfolio and whatever measures may be in place, I am confident we will be able to deal with them."

### Into the future

With 4,000 patents to exploit and plenty of deals still to be done, on the face of it the future looks like a long and bright one for Rockstar. But things are never that simple. The reality is that every single asset in the firm's portfolio has a shelf life, which gets shorter as each day passes. Therefore, unless acquisitions happen or new business models are developed, Rockstar will also have a finite existence. Veschi seems well aware of this.

"We have done some thinking about acquiring, but not a lot," he states. "It might

happen down the line, but we have so many toys already that we want to play with first." Right now, he continues, it is difficult to imagine spending much time focusing on what others have, given that Rockstar is mining its own portfolio and is still finding valuable assets; but the situation could well change. "It would not surprise me if a few years down the road, we had significant IP other than what we currently own," he

concludes. Likewise, there may be opportunities to roll out new types of business offering among them privateering. Veschi states that he will leave it to others to decide whether Rockstar is already a privateer, but whatever definition of the term people may want to use, the consortium could well become one in the future. "We are often asked about whether we would be interested in getting involved in privateering by those we are doing licensing deals with – they look at the quality of our people and wonder whether we can help them with their patents," he says, "This may be something we look at more closely further down the road, because it can be an attractive proposition, but it is not a priority because we still have a lot of our own IP to work with first. That does not mean, though, that with the right economics we cannot be forced to change our minds. Five to 10 years down the line, I can certainly see us managing the Rockstar portfolio, plus other IP assets as well."

For either that or acquisitions to happen, though, Veschi will need to go back to the shareholders and make his case. But while it is one thing to be the co-owner of an NPE that is essentially managing a portfolio of patents acquired from a bankrupt company in an open auction primarily for operational reasons, it is quite another altogether to be seen to be the ongoing backer of an NPE which is going into the marketplace to acquire more rights solely for the purposes



Discussing a prospect
From left to right – John Garland,
vice-president, patent licensing; Ross
Morgan, CFO; Pam Yeh, controller; Afzal
Dean, vice-president, patent licensing