

EXHIBIT B-3

- DEN Retreat Presentation Status and Strategies, October 2000
- CRA Presentation on "Distance Education and Computer Science: The Strategic Plan", July 2000
- Summary of all Distance Education Presentations at Snowbird, July 2000
- CRA Presentation on "Technology in Education", July 1998

Experience in Academic Administration

When I assumed the chairmanship of Computer Science at USC in 1990 there were 19 tenure track faculty. The department was processing approximately \$3 million per year in research. The department was ranked somewhere between 20th and 25th in comparison with other computer science departments.

When I stepped down as chairman of the department, there were more than 50 faculty, (24 tenure track and 32 research faculty). The department was processing approximately \$15 million per year in research. The department was ranked somewhere between 12th and 15th in comparison with other computer science departments.

Curriculum

I managed four degree programs: a B.S. degree in Computer Science administered through the College of Letters, Arts, and Sciences, a BS in CECS (Computer Engineering/Computer Science) administered through the School of Engineering, a M.S. and Ph.D. degrees administered through the Graduate School.

Faculty Appointments/Promotions

Over my term as chairman I hired three senior level professors and twelve assistant professors. I oversaw the promotion of six assistant professors to associate with tenure and the subsequent promotion of four associate professors to full professor.

Department Research Grants

As chairman, I lead a group of faculty in developing a research proposal to NSF for a CISE grant. We won the competition in 1992 and received a \$5 million grant over 3 years. We used the funds to build up the networking research infrastructure within the department.

In 1995 I participated with other faculty in responding to a Request for Proposals from Intel Corp. As a result we received more than \$1 million in computer hardware and software

In 1997 I arranged for a \$2.5 million grant to the department from the Microsoft Corporation. The grant was for hardware, software, and some personnel support.

Department Industrial Affiliate Board

I created a department Industrial Affiliate Board. Members included Beckman Scientific, Candle Corp., Hewlett-Packard, IBM, Intel, Lucent, Microsoft, Sun Microsystems, and TRW, and others. Companies subscribed with a \$5,000 per year donation. In return they were invited to the department's two day Research Overview in the early Fall. In addition, we assisted in their recruiting efforts on campus.

Other Activities

- Established the department's first web site.
- Enrollments in all four degree programs increased substantially.
- Established a Distinguished Lecture Series
- Joined the Computing Research Association

IBM Consulting Scholar

For six years I was working with IBM's ACIS division developing applications and interest in their line of UNIX workstations, the Risc System 6000.

Industrial Experience

I am a co-founder (with Lawrence Flon) of Quality Software Products Company, a California corporation that specialized in the development of UNIX application software. Starting in 1983 we developed and sold several software products including: Q-calc a multi-user spreadsheet program, MasterPlan, a project management system that does Gantt and PERT charting and eXclaim!, an X-based spreadsheet program. For several years I shared CEO responsibilities with Dr. Flon. Therefore, I had experience managing an organization of more than 20 people with gross sales exceeding \$1 million per year. I had responsibility for sales, marketing, distribution, hiring and firing of personnel. I managed several software development projects, supervising requirements development, design, coding and testing. In 1993 the product line of the company was sold to Island Graphics.

COMPUTER SOFTWARE ENGINEERING SERIES

ELLIS HOROWITZ, EDITOR

- Wayne Amsbury *Structured BASIC and Beyond*
- Jean-Loup Baer *Computer Architecture*
- Bateman and Pitts *COBOL Programming*
- Peter Calingaert *Assemblers, Compilers and Program Translation*
- M.S. Carberry, H.M. Khalil, J.F. Leathrum, J.S. Levy *Foundations of Computer Science*

- Shimon Even *Graph Algorithms*
- W. Findlay and D.A. Watt *Pascal: An Introduction to Methodical Programming*
- Ellis Horowitz and Sartaj Sahni *Fundamentals of Computer Algorithms*
- Ellis Horowitz and Sartaj Sahni *Fundamentals of Data Structures*
- Ellis Horowitz *Fundamentals of Programming Languages*
- Ellis Horowitz *Programming Languages: A Grand Tour*
- Tom Logsdon *Computers and Social Controversy*
- Ira Pohl and Alan Shaw *The Nature of Computation: An Introduction to Computer Science*
- Salomma *Jewels of Automata Theory*
- Spencer *Computers in Number Theory*
- Jeffrey D. Ullman *Principles of Database Systems*

Specific Experience Related to Legal Matters

My primary field of specialization is computer software. I have wide ranging experience with many programming languages and with software systems created from these languages. My specific area of research is software engineering, which has to do with the design and development of large-scale software systems. Recently I have been involved in the Internet/World Wide Web, developing software systems that use the Internet to deliver its results.

In addition to my experience as a professor, technical manager, implementor and entrepreneur, I have handled a number of technical legal matters over the past few years. My experience has generally fallen in two major areas:

Patents: I have dealt with several cases where the issue was whether a violation of a patent had occurred. In these cases I made a close examination of the patent claims and then investigated the subject software to determine whether any clause was violated.

Copyrights: Cases here involved a determination of whether one set of code was derivative from another. I have examined software source code directly, and I have used special tools to analyze software programs.

Litigation support: In all of my cases I have directly supported the attorneys by advising about technical matters. I have participated in depositions, preparation of declarations, and reviewed material prepared by them. I always attempt to reduce complicated concepts to their simplest form, and rely upon analogies where appropriate.

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Below is a list of legal cases I have worked on during the past 3 years plus cases I am currently working on.

CASE: Columbia Pictures et al vs. Gary Fung, isohunt web technologies, Spring 2007

ATTORNEY FIRM: Jenner & Block

MAIN ATTORNEY: Gianni Servodidio

919 Third Avenue, 37th floor, New York, NY 10022

REPRESENTING: Columbia, plaintiff

MY ROLE: Acting as an expert witness with respect to BitTorrent and general Web technology.

STATUS: Case is in discovery

CASE: Columbia Pictures et al vs. Justin Bunnell, et al, Spring 2007

ATTORNEY FIRM: Jenner & Block

MAIN ATTORNEY: Steven Fabrizio

601 Thirteenth Street, N.W. Suite 1200 South, Washington, DC 20005

REPRESENTING: Columbia, plaintiff

MY ROLE: Acting as an expert witness with respect to BitTorrent and general Web technology.

STATUS: Case is in discovery

CASE: Metro-Goldwyn-Mayer Studios et al vs Grokster, Ltd, et al, Spring 2007

ATTORNEY FIRM: Jenner & Block

MAIN ATTORNEY: Nicolas Boyle

601 Thirteenth Street, N.W. Suite 1200 South, Washington, DC 20005

REPRESENTING: Metro-Goldwyn-Mayer, plaintiff

MY ROLE: Acting as an expert witness with respect to Peer-to-Peer and general Web technology.

STATUS: Ongoing

CASE: Triton vs. Microsoft, Oracle, SAP, Spring 2006

ATTORNEY FIRM: Fish & Richardson, LLP

MAIN ATTORNEY: Barbara Benoit, 202-626-6363

500 Arguello Street, Suite 500, Redwood City, CA 94063

E-mail – benoit@fr.com

REPRESENTING: SAP, defendant

ADDITIONAL ATTORNEY: Kathy Lutton, lutton@fr.com

MY ROLE: Patent infringement case. Triton owns a patent on an expert system for automating the sales process. Each phase of the sales process included a bunch of rules that would trigger various actions. I examined the patent in question, did a prior art search and discussed invalidity strategies.

STATUS: Case settled in discovery phase

CASE: Kazaa, Altnet vs. RIAA, MediaSentry, 2005-2006

ATTORNEY FIRM: Quinn Emanuel Urquhart Oliver & Hedges, LLP

MAIN ATTORNEY: Michael Williams, 213-624-7707

865 South Figueroa St., 10th floor, Los Angeles

E-mail – michaelwilliams@quinnemanuel.com

REPRESENTING: RIAA, etc. defendant

MY ROLE: Patent infringement case. Kazaa owns a patent for representing the name of a file by its MD5 signature, retrieving and managing the file by using its signature rather than its file name and directory location. P2P systems use the MD5 signature to uniquely identify files. After examining various documents I prepared claim charts supporting patent invalidity. I also responded to defendant's argument of infringement.

STATUS: Case settled before trial

CASE: Yahoo vs. Findwhat, 2003-2005

ATTORNEY FIRM: Heller Ehrman White & McAuliffe, LLP

MAIN ATTORNEY: Kalai Lau, 206-389-6077

333 Bush Street, San Francisco, CA 94104

E-mail – klau@hewm.com

REPRESENTING: Yahoo plaintiff

MY ROLE: Patent infringement case. Yahoo (Overture) owns a patent that defines a system for pay-per-click advertising. Advertisers would bid on search terms and the amount of their bid determines their position in a search result list. After examining various documents, including defendant's source code I prepared claim charts supporting an argument of infringement. I also responded to defendant's argument of invalidity. I was deposed over two days and testified in U.S. District Court, Central District of California, in Santa Ana, CA in April 2005. Judge Cormac Carney presiding.

STATUS: Case resulted in a mistrial.

CASE: Yahoo vs. Google, 2003-2005

ATTORNEY FIRM: Heller Ehrman White & McAuliffe, LLP

MAIN ATTORNEY: Kalai Lau, 206-389-6077

333 Bush Street, San Francisco, CA 94104

E-mail - klau@hewm.com

REPRESENTING: Yahoo plaintiff

MY ROLE: I examined Google source code and various documents related to patent 6,269,361. I filed a declaration and provided a tutorial on search engines to Judge Jeffrey White of Federal Court, Northern District of California, in San Francisco.

STATUS: Case was settled