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IP Mediation Group

Assessing and Maximizing Your Intellectual Property

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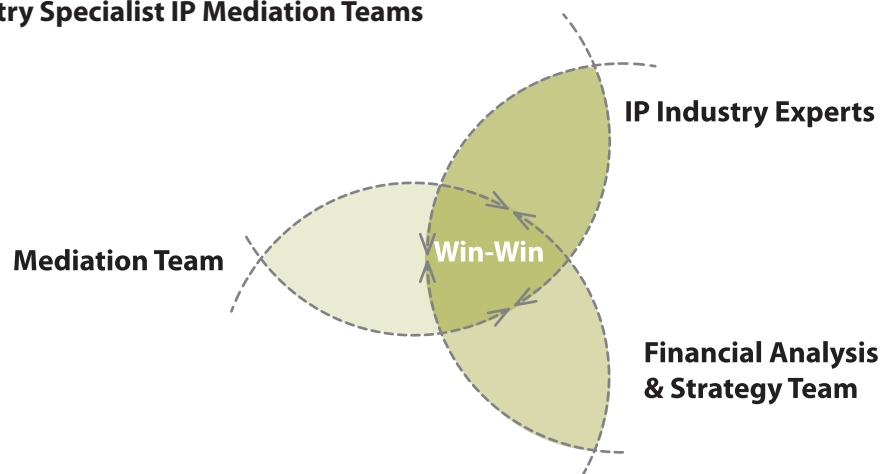
About Our Firm

The Intellectual Property Mediation Group (IPMG) facilitates mediation and dispute resolution for individuals and companies that anticipate or are engaged in intellectual property conflicts. The firm was founded by Laurie Rhoades and Russell Owens, and is located in Denver, Colorado. We service international, national and local clients primarily in the niches of publishing, entertainment, information technology (IT) and bio-pharmaceutical intellectual property.

A Unique Approach to Intellectual Property Disputes

IPMG takes a unique approach to IP conflict resolution. Because IP disputes often involve property infringement issues that heavily depend upon the context of broader industry dynamics, our mediators work closely with our industry experts so they possess a clear understanding of IP industry conditions, standards and opportunities. This enables the parties in dispute to identify win-win strategies for resolution.

Industry Specialist IP Mediation Teams



IPMG Mediators are a select group of highly skilled and experienced professionals. Throughout the mediation process, the Mediator acts as a neutral intermediary, guiding the parties to reach a mutually satisfactory settlement of their dispute. Settlements are documented as enforceable contracts.

Our **IP Industry Experts** represent a wide range of industries, including entertainment, publishing, IT and bio-pharmaceutical. We are continually adding experts to our team, based upon client and IP industry needs.

Because most IP disputes have a financial component, we also have a **Financial Analysis & Strategy Team** that is available to work closely with our Mediators and Industry Experts during a mediation. The Financial Team provides data and insight into the financial aspects of the dispute as well as a clear financial perspective for any prospective settlements.



Our Vision for IP Mediation

What if a party had an alternative to litigation? And what if that alternative produced a positive means of confronting and resolving disputes? Further, what if that alternative was available at a lower cost and could be pursued and resolved in a more expeditious manner than litigation could offer?

Mediation vs. Litigation

In business as well as personal settings, conflict is a part of everyday life. Indeed, in the absence of conflict, our familiar habits might keep us stuck in one place. Most of these are minor and can be resolved without any assistance. More significant issues we may choose to ignore until they ignite into a crisis. We may then seek intervention or advice from colleagues, consultants, counselors or attorneys. And we tend to dread the possibility of litigation. Are there any alternatives?

Mediation is a growing method of resolving disputes that keeps the participants in the role of decision maker for their own matters, guided by a professional facilitator. Having a neutral person in the room significantly changes the dynamics of the process. The mediation process surfaces core issues, focuses on underlying interests and contributes to creative resolution that is owned by the participants. Agreements are documented and reviewed by the parties' legal counsel prior to acceptance and execution. Mediation is an efficient, cost-effective method of resolution that does not prevent using arbitration or litigation should the parties ultimately choose that course.

Given the time and expense associated with arbitration and litigation, it is often better to attempt resolution using mediation first. Everyone wins if the dispute can be resolved quickly and at low cost. And the relationship between the parties often is maintained or improved using mediation vs. litigation.

A Case for IP Mediation

Many years ago, I had a client whose copyright was infringed. Though we felt that we had a strong case, the client did not have the "stomach" for the length of time and the expense involved in pursuing the matter to trial. So, after spending almost \$50,000, she requested that we settle before she incurred further expenses and further emotional stress. Interestingly, the client's husband was a retired police officer who believed that there was no real justice in the courtroom! I would foresee a very different outcome had the parties submitted to mediation.

I would anticipate initial resistance from some lawyers who are entrenched in the old way of doing business. And there are certainly some situations where that is the appropriate way to proceed. However, in an era of overworked and slow-moving courts and prohibitively expensive costs of litigation, there will be those who will look for a new paradigm...one that will serve their clients best interests.

~ Laurie Rhodes



Our Founders

Laurie Rhoades

As an attorney practicing in the field of intellectual property law for over 15 years, Laurie wants to change the perception of lawyers as part of the problem rather than part of the solution. Too often people feel that the lawyers are the only real winners in a lawsuit and that lawyers may be caught in an inherent conflict of interest whereby it is in the best interest of the lawyer to extend and expand rather than to expedite a solution to a conflict in order to bill the client for more hours.

Laurie's clients include publishers, software developers, authors, musicians, and artists throughout the US and internationally. As the economic conditions continue to falter, she has seen a growing number of disputes as companies in certain industries attempt to hold onto old and outdated business models and as others attempt to bolster sagging profits by means of litigation. The time is ripe for new paradigms and fresh means of addressing conflict.

Russell Owens

Russell Owens' experience as a business owner for over 20 years and as a business intermediary for an additional 15 years provides him with the hands-on experience of solving complex challenges from the CEO to the individual contributor level. His work spans companies in local, national and international markets and in such areas as life style businesses, publishing, non-profits, education and technology. Russell is a dedicated mentor in both the public and private sectors.

Due to the rapidly changing and intensifying business climate, coupled with growing demands upon leadership in recent years, Russell saw an increase in disputes and conflicts within and between organizations. He felt there must be a way to address these challenges in an innovative way as an alternative to costly and time-consuming litigation. He saw a tremendous need for collaboration and alternative dispute resolution in the business setting.



Our IP Mediation Team

The IPMG Mediation Team consists of a select group of highly skilled and experienced professional mediators. In the mediation procedure, the mediator acts as a neutral intermediary, guiding the parties to reach a mutually satisfactory settlement of their dispute. Any settlement is recorded in an enforceable contract.

Richard Dash

As an educator, administrator, corporate officer, business consultant, and mediator, Richard has brought his conflict resolution and team building skills to bear on four continents. He specializes in teaching proactive skills of non-adversarial conflict resolution, team collaboration, clarity of communication and multi-cultural understanding. Public and private institutions for more than thirty years have used his practical training skills in these areas. 18 of those years were spent living among Palestinians and Israelis in the Middle East, creating and teaching extremely practical tools for dispute resolution.

A partial range of responsibilities include:

- Consultant to ministries of education in Europe and the Middle East
- Facilitator for GE Real Estate, GE Consumer Finance, GE Security and GE Fleet Services Senior Leadership Teams
- Communications training and team building exercises for GE Healthcare Performance Solutions and GE Supply
- Co-Founder of "Putting Peaces Together" a nonprofit organization for international conflict resolution training
- Long-term teacher of special education for violent teenagers
- Dean of Students for the Muss High School in Israel
- Multicultural training director and field counselor for "Interns for Peace Organization – Nitzineh Shalom – Baram A Salam", a program for establishing peace programs in Palestinian and matching Israeli communities.
- Business consultant and international negotiator for OZ Building and Investments LTD (Israel Stock Exchange)
- Teacher of conflict resolution skills and classroom management for Arab and Jewish teachers at Seminar Gordon, Ort Bialik, Hadera district as well as many lectures for up to 200 teachers in non-adversarial classroom management and motivation systems
- Established, with others, an intentional community as a practical model of peace potential
- Communications training for the top managers of International Paper
- Conflict solutions training for management groups of REI Sporting goods
- Invited by Dr. Bernard Litaeur, creator of the "Euro" for the Common Market, to facilitate the "Alternative Money" leadership group in defining their next steps of development.

Current Ongoing Activities Include:

- Organizational development and facilitation for Ceridian Corporation senior leadership teams in the U.S. and U.K.

- Teaching “Managing Conflict and Confrontation” for Regional Vice Presidents of The Royal Bank of Canada”
- Two-day courses in “Masterful Conversations” for Intuit Software. Thus far over 900 of their 8,000 employees have participated in this course

Other Keynote Addresses and Workshops Include:

- Weitzman Institute (ISR)
- Cornell University (USA)
- Arlington Institute (USA)
- Sustainable Resources Conference (USA)
- Human Unity Conference (Eng)
- Sustainable Development Fair (CH)
- Cedar Sinai Hospital Resident Physicians Retreat (USA)
- Yad Tabenkin International Communities Conference (ISR)
- Colorado Education Trust Conference (USA)
- Regis University Graduate School of Psychology (USA)

Barbara Dash

Barbara is a professional counselor, trainer, and lecturer for over 25 years. She has created and facilitated dynamic communication programs that have reached thousands of individuals in the Middle East, Europe, Canada, and the United States. Her skills include conflict resolution techniques, mediation, leadership, diversity, team building, wellness, relationship and couples work. Certified in several modalities of trauma therapy, she maintained a successful psychotherapy practice for over 17 years. Her inspirational and expert ability to deeply touch her diverse audiences has earned her a reputation as a brilliant and captivating speaker. Barbara is one of the co-founders of Israel’s first non-religious non-political urban kibbutzim. She is the author of “Among the Broken Sons”, a memoir chronicling her extraordinary journey in Palestinian Arab villages and Israeli communities.

Her professional experience includes:

- Partner, Catalyst Consultants
- Co-Founder of “Putting Peaces Together,” a nonprofit organization for international conflict resolution training
- Choice Point Consulting, Communication Courses and Facilitation in Conflict Resolution Skills
- Mobius Consulting, Communication Skills Courses
- Intuit (NASDAQ), Facilitation and Training in Communication
- General Electric (NYSE), Senior Leadership Teams in Organizational Development and Conflict Resolution
- General Electric, Real Estate Chief Investment Officers Leadership Team
- General Electric Security, Conflict Resolution and Organizational Dynamics

Featured speaker and presenter:

- September 2007 “Conflict Resolution; Is There Hope?” Tel Aviv, Israel
- September 2007 “Communication in Peace,” Jerusalem of Light Peace Conference, Israel
- January 2005 “Trauma in the Middle East,” Hollywood, Florida
- May 2003 “Conflict in Israel,” Coral Springs, Florida
- May 2001 Boulder, Colorado, Keynote Address and Workshop on Trauma, Boulder Community Hospital,

Neurology Department for Professional Medical Staff

- January 2001 Boulder, Colorado, YK2 Preparation
- 1980-1999 Keynote Speaker, Lecturer and Facilitator on subjects related to human dynamics, throughout Israel and Palestine. Topics have included: Couples Communication, Parenting, Group Dynamics, and Multi-cultural Understanding
- August 1993 Coral Springs, Florida, Mid East Current Situation
- May 1991 Hollywood, Florida, Mid East Current Situation
- February 1990 Ashland, Oregon, Conflict Globally
- June 1989 Toronto, Canada, Women For Peace
- February 1989 LaVine, France, International Conference on World Violence
- May 1987 Dallas, Texas, Women's Global Peace Conference
- November 1986 Boulder, Colorado, Middle East Conflict
- October 1986 Stratford-on-Avon, England, Human Unity Conference
- November 1985 100 Mile House, Canada, Global Leadership Conference
- November 1982 100 Mile House, Canada, Global Leadership Conference
- July 1982 Oslo, Norway, City Center, Understanding Conflict in Mid East
- April 1981 Loveland, Colorado, Insiders View of Middle East
- March 1981 Mickleton, England, International Communities Conference
- March 1978 Winnipeg, Canada, International Affairs Conference
- January 1976 Beckshill-on-Sea, England, Conference on Global Conflict

Jorge Gibbons

Jorge Gibbons was born in Buenos Aires, Argentina. He is fluent in English, Spanish, and Portuguese and became a U.S. citizen in 2007.

Jorge is currently a professor at the "Chancellors Leadership Program" at the University of Colorado in Boulder. He is an experiential educator who has worked with many different groups, businesses, and associations for over 18 years. He has had great success developing groups, teams, and leadership qualities with more than 40 companies internationally, among them: Merck, Hewlett Packard, DuPont, Target, BNDES, Pfizer, Lojas Renner, Banco Fiat, Embratel, Ypiranga, Lafarge, and Novartis. In Brazil, Mr. Gibbons was one of the founders of the Búzios Atlantic Rain Forest Ecological Institute and worked as its Executive Director. While in Brazil he was also consultant and facilitator for Dinsmore Associates for four years, prior to moving to the United States.

Jorge Gibbons earned his master's degree in biological sciences in Buenos Aires, Argentina, and received his Professional Teacher's License from the State of Colorado with an endorsement in Secondary Science in 2005. He taught eighth grade science for four years at Lake Middle School before transitioning to his current role as Manager of School Programs for The Conflict Center. For the past two years Jorge has helped Denver Public Schools move from a punitive culture towards a restorative culture. Applying the principles of Restorative Justice, Jorge designs customized programs, delivers training for teachers, and coaches administrators. Jorge is a trained Restorative Justice Circle Facilitator and has experience as trainer of Restorative Justice in Schools. Jorge is a member of the Colorado Coalition of Restorative Justice Directors.

Through his work with different groups and organizations, Jorge has demonstrated an ability to

establish an authentic connection with participants, creating a collaborative atmosphere for both individuals and groups to explore alternatives and generate constructive options. He follows a systemic approach to analyzing conflict and educating parties to discover common interest for the purpose of building consensus and reaching agreement. He is certified in numerous challenge courses, as well as holding a 2nd degree Black Belt in Aikido.

Jorge's education, training, and experience provide him with the diversity and insight for working with all ages and backgrounds, business and educational settings, in the United States, Spanish, and Portuguese speaking countries. He is motivated by the power of interactive dynamics, not only in resolving conflicts but in harnessing human energy for discovering and creating new ideas and partnerships. Jorge thrives on the potential for invention shared on an international dimension.

Eileen Charles Hyatt

As owner and manager of a freelance court-reporting firm with 30 employees, Eileen was immersed in the world of litigation and business management for 30 years. As an owner of numerous properties, she has directed multiple construction and leasing projects. Mediation has brought these skills and experiences together through her company Reaching Accord. Eileen is a Professional Mediator as designated by the Colorado Council of Mediators (CCMO).

Eileen's organizational development skills have been employed as board member, executive director, and grant writer for the Victim Offender Reconciliation Program (VORP) of Denver; as chair of the Legislative Committee of CCMO; as chair of the Outreach Subcommittee of the Inter-Professional Committee of the Colorado Bar Association; and as President of the Colorado Court Reporters Association.

Eileen has extensive experience in private conflict coaching and mediation coaching. In addition, she coaches and guides leaders in developing a resolution mindset in business and in life.

Civil Litigation:

- Construction, real estate, landlord-tenant, contracts, employment
- Court Annexed Mediation Program, Denver Bar Association
- Jefferson County Mediation Services Program Workplace
- Partnership agreements, administrative teams, board of director and business meetings, employee and customer issues
- Diversity Council Retreat, Denver Center for Performing Arts
- Board of Directors Retreat, Aurora Fox Center Theatre
- Gilliam Youth Services Center
- Family Star, Early Head Start Program Administrative Team
- Denver Teachers Union

Restorative Justice

- Executive Director of Victim Offender Reconciliation Program (VORP) of Denver, start-up of RESTORE, a diversion program for first-time shoplifters referred by Denver County Court
- Grant Writer for VORP of Denver

- Community Conferencing: neighborhood disputes, parent-teen dialogue
- Victim-Offender Conferencing
- Denver County Court diversion programs
- Community Accountability Board – Denver Probation Department
- High-Risk Victim-Offender Conferencing
- Community Alternatives, Inc.
- Colorado Department of Corrections
- Restorative Justice coordinator for student-student, student-teacher, teacher-teacher conflicts; conflict management and anger management training
- The Conflict Center
- Denver Public Schools
- Manual High School
- Montbello High School
- Baker and Morey Middle Schools
- Training of mediators and teachers in Denver Public Schools in practice of Restorative Justice

Stanley Scott

Stan Scott has been a professional mediator for over 22 years. Stan teaches Core Mediation and Mediation in the Workplace for Colorado State University and the Institute of Advanced Conflict Resolution. Colorado State University is recognized as having a top, nationally recognized, academic, accredited Mediation program.

As a founding Partner of CIVICUS Associates, Stan is dedicated to building bridges to the future in business, communities and organizations. In his practice, Stan blends mediation, consulting, partnership development, training, coaching, facilitation, community involvement, and conflict and change management skills to co-create interventions that improve working relationships, while discovering more effective ways of doing business.

CIVICUS Associates' clients include a variety of government, education, nonprofit, small business, and community organizations.

Government

- U.S. Department of Agriculture - Forest Service, Fort Collins, Colorado
- Larimer County, Fort Collins, Colorado
- Douglas County, Health Advisory Council, Castle Rock, Colorado
- Longmont City Council, Longmont, Colorado
- City of Longmont, Colorado
- Boulder County Recycling and Composting Authority, Boulder, Colorado
- Longmont Downtown Development Authority, Longmont, Colorado
- Longmont Power and Communications, Longmont, Colorado
- Department of Water/Wastewater, Longmont, Colorado
- Department of Community Development, Longmont, Colorado
- Department of Parks and Recreation, Longmont, Colorado
- Department of Human and Cultural Services, Longmont, Colorado
- Town of Lake City, Colorado
- Town of Fairplay, Colorado
- Town of Alma, Colorado

Public Safety

- Longmont Police Department, Longmont, Colorado
- Los Alamos Police Department, Los Alamos, New Mexico
- Colorado Highway Patrol, Golden, Colorado
- U.S. Department of Justice
- Colorado State Fire Chiefs Association
- U.S. Army - Pueblo Chemical Depot, Pueblo, Colorado

Non-Profit and Community Organizations

- Longmont Violence Prevention Group, Longmont, Colorado
- Boulder County United Way, Boulder, Colorado
- Fisher's Peak YMCA, Trinidad, Colorado
- Broomfield United Methodist Church, Broomfield, Colorado
- The Land Institute, Salina, Kansas
- Longmont Humane Society, Longmont, Colorado
- Headwaters Conference, Gunnison, Colorado
- Mid-American All Indian Center, Wichita, Kansas
- Historic Beckwith Ranch, Westcliffe, Colorado
- Francisco Fort Museum, La Veta, Colorado
- Fort Francisco Center for the Performing Arts, La Veta, Colorado
- Great Old Broads for Wilderness, Durango, Colorado
- Crested Butte Mountain Theater, Crested Butte, Colorado

Health and Social Services

- Kansas Self-Help Network – Wichita, Kansas
- Northern Larimer County Health District – Fort Collins, Colorado
- The OUR Center, Longmont, Colorado
- Alternatives for Youth, Longmont, Colorado
- Partners in Huerfano and Las Animas Counties
- West Custer County Hospital District, Westcliffe, Colorado
- Longmont Senior Center, Longmont, Colorado
- The Inn Between, Longmont, Colorado
- The Hover Community, Inc., Longmont, Colorado
- Longmont Youth Services Center, Longmont, Colorado

Education Clientele

- Colorado State University, Department of Design and Merchandising, Fort Collins, Colorado
- Department of Education Colorado State University, Fort Collins, Colorado
- Colorado State University - Cooperative Extension, Fort Collins, Colorado
- Service Integration Project, Colorado State University, Fort Collins, Colorado
- St. Vrain Valley School District, Spangler Elementary School, Longmont, Colorado
- Jefferson County Schools, Edgewater Elementary School, Edgewater, Colorado
- High Plains Educational Coop, Ulysses, Kansas

Private Sector

- Institute for Advanced Dispute Resolution, Denver, Colorado
- Innovations in Justice, Taos, New Mexico
- General Business Services, Trinidad, Colorado
- JMS Broadcasting, Fort Morgan, Colorado
- Duran Oil Company, Trinidad, Colorado



Our IP Industry Expert Team

Mediation is an interest-based procedure, as opposed to court litigation or arbitration, where the outcome is determined by applicable law. Our IP Industry Experts work collaboratively with the mediator in providing in-depth clarity of IP industry conditions, standards, and opportunities, and subsequently in guiding the parties by their business interests. Thus, the parties are able to agree on an outcome that is focused on the future of their business relation, and to identify win-win strategies for resolution

Laurie Rhoades | Publishing

Laurie Rhoades began her career in corporate law and only later came to the field of intellectual property law. After several years at the U.S. Copyright Office, she returned to Denver, Colorado, where she opened her law practice, specializing in copyright, trademark, and licensing law. She has currently been practicing intellectual property law for over 20 years. As well as practicing, she has taught copyright law both to lawyers and lay people and in-house to clients.

While at the Copyright Office, Laurie represented that office in the Clinton Administration's study on the intersection of copyright law and the internet and the tension that has continued to grow between the copy "right" and copy "left" adherents.

When Laurie began practicing in Denver, there were few Colorado lawyers specializing in intellectual property law, with the exception of a thriving patent bar. Her practice today includes publishers, authors, artists, software developers, and musicians. Her firm has developed a specialty of handling legal aspects of matters for filmmakers and currently represents a number of independent filmmakers.

Theresa A. Brown | Patent and Trademark Law

Theresa brings a wealth of knowledge and experience in IP patent and trademark law. For more than 21 years, she has successfully represented public and privately held companies and non-profit institutions in the biotechnology and pharmaceutical fields. During that time, she has been with private law firms, including of counsel to an IP law firm in Denver, and in-house counsel for companies in San Diego and Colorado, including Hybritech, Inc., Synergen Inc. and Somatogen, Inc., prior to starting her own consulting practice in 2001. Theresa is recognized not only for having built a prominent practice, but also for her reputation for bringing clarity to complex, highly technical challenges and subsequently aligning positive solutions for her clients. Prior to earning a law degree from the University of Colorado School of Law, she was involved in cancer research at Scripps Clinic in La Jolla after receiving a degree in chemistry from the University of California at San Diego.

Theresa is licensed to practice law in Colorado and California and is a registered patent attorney with the United States Patent and Trademark Office. Her specialty includes patent and trademark prosecution, licensing, developing IP portfolios, IP auditing, and case management of patent

litigation cases. In addition, she has experience conducting IP due diligence in connection with licensing and acquisition activities. She also taught trademark law as a guest lecturer at a San Diego law school for two years.

As in-house counsel to companies in California and Colorado, she also brings general legal experience, including working closely with outside counsel on employment, environmental, regulatory and SEC matters, as well as negotiating and drafting a variety of agreements such as confidentiality, consulting, sponsored research, clinical trial, co-marketing, distribution, supply, service, purchasing, material transfer, and employment agreements. Her responsibilities also included managing product liability cases and negotiating settlement agreements when needed.

In recent years, Theresa saw the tremendous financial and time-consuming challenges that litigation brings to the lives of all participants and has been actively engaged in numerous mediation-related continuing legal education courses. She truly believes that mediation is a wonderful means to not only resolve conflicts, but also to reach mutually acceptable terms in complex agreements between parties that are not yet in conflict. With her invaluable experience in all aspects of biotech patent and trademark law, Theresa is a key player in the synergistic process of working with our mediation team members as we assess the technical and legal merits of each party's position in arriving at a win-win resolution.

Laurie Hughes | Entertainment

Laurie has a distinctive background in business and legal affairs and business development for performing rights organizations and in rights acquisition for a digital media company. She brings valuable perspective and experience to either owners or users of copyrighted works.

As VP of Business Affairs and General Counsel for the world's largest out-of-home entertainment network, Laurie led the department responsible for copyright research, rights licensing, and royalty distribution for its digital music services. Her team located and obtained licenses from and developed relationships with all the major and thousands of large and small independent record labels, music publishers, aggregators, management companies, and attorneys. She negotiated agreements that maintained royalty rates at a reasonable level for the company, but also provided for distribution of millions of royalty dollars to copyright owners annually. She also established some of the first digital licenses with Mexican and Canadian collective licensing agencies.

As AVP of Business Affairs at ASCAP, Laurie led a team that negotiated industry-wide agreements that grew existing licensing revenue, while developing new revenue streams that have resulted in millions of dollars of revenue to copyright owners.

Laurie earned her law degree at the University of Memphis School of Law, and her B.A. at Smith College. In addition, she studied international relations at the University of Geneva, Switzerland, and the Graduate Institute of International Studies, Geneva and studied negotiation at the Harvard Law School Negotiation Project.

Dave Skinner | Information Technology

Dave has over 35 years of experience in information technology and operations as an architect, engineer, technologist, manager, and entrepreneur. He has an unusual breadth of experience, not only in terms of technology (hardware, software, systems, storage, telecommunications, operations) but also in terms of the size of organizations in which he has served (from start-ups to over 200,000 employees) and the combination of business and technical roles he has played.

Dave currently serves as Senior Vice-President for Engineering and Operations at mShopper (Boulder, Colorado), a leading provider of mobile commerce solutions. In this capacity, he leads the Product Management, Engineering, Operations and Customer Care functions of the company, with the mandate to rapidly mature mShopper's technology and service delivery functions to meet opportunities in this fast-growing market.

In his previous position, Dave served as VP of Engineering at LeftHand Networks (Boulder, Colorado), then an early-stage storage systems start-up that is now the leader in iSCSI SAN storage solutions. LeftHand Networks was acquired by Hewlett-Packard in 2008. While at LeftHand, he initiated major changes in engineering processes and organization that resulted in dramatically shorter product release cycles, higher product quality, and enhanced customer satisfaction.

Prior to LeftHand, he served as a senior architect at Sun Microsystems after it acquired Redcape Software (Boulder, Colorado), where he was the co-founder and CTO. At Redcape, Dave created and productized the concept of policy-based storage management, which later became the Sun Jiro (TM) platform. In previous positions, he served as CTO at Fujitsu ASG and also held various senior engineering and management positions at StorageTek.

Dave is a long-time member of both the Association for Computing Machinery (ACM) and the Institute of Electrical and Electronic Engineers (IEEE), and has served as the chair of several IEEE standards committees. He has a BSEE from the University of Colorado at Boulder and has completed graduate courses at both CU and UCLA in electromagnetics, computer science, and telecommunications.

At many times during his career, Dave also has served as a consultant to various technology companies and industry groups, providing advice, strategic planning and architecture services. He has also taught software engineering methodology and programming languages professionally to a number of prominent technology companies. Dave has spoken at numerous industry conferences and events, including keynote speeches at ComDex. His work within established companies as an individual contributor and manager, as an entrepreneur, as an independent consultant, and also as a leader of industry groups gives him valuable experience in IP management and conflict resolution.

Steven Shoemaker, MD | Pharmaceutical Industry

Steve Shoemaker has over 20 years of pharmaceutical experience ranging from early phase, proof-of-concept animal studies of novel recombinant and small molecule compounds developed in start-up companies, to later phase NDA approval, commercialization, and life cycle management of drug delivery products marketed by established pharmaceutical companies. He has also participated in the development of strategies focused on private and public financing of early

stage pharmaceutical companies, technology acquisition, and corporate mergers.

Steve received a BS in chemistry from Stanford University and a medical degree from UCLA. He trained initially in Internal Medicine and subsequently in Pulmonary and Critical Care Medicine at the University of Colorado Health Sciences Center. He then joined the University of Colorado medical faculty in the Division of Pulmonary Sciences.

Steve left academic medicine to join Somatogen, Inc. as it was being founded. He was responsible for the drug development program of genetically modified, recombinant hemoglobin that included first studies in humans. He next joined Anesta Corp. as it was preparing for a successful initial public offering. He was the medical director for a drug delivery product and was responsible for the medical strategy required to navigate a tough FDA approval process. He worked with the marketing group at Anesta to develop a commercialization strategy that enjoyed early success. Anesta was acquired by Cephalon, Inc. His most recent job included development work at N30 Pharmaceuticals that is developing novel small molecule compounds to modify nitric oxide related biology for various pulmonary and cardiovascular applications.



Our Financial Analysis & Strategy Team

Due to the fact that many IP disputes have a financial component, we also have a Financial Analysis & Strategy Team that will often work closely with our mediation team. The financial team can provide clarity, as well as pragmatic, objective analysis of the financials and/or independent business valuations.

Guy Coffey

Guy Coffey first saw the importance of business conflict from a corporate perspective. This importance was magnified when he noticed that many conflicts in business arise directly or indirectly from financial challenges. Additionally he saw a great need for an outside, third party to provide an objective professional analysis of the financial situation and work collaboratively with the parties for a pragmatic and workable solution.

Guy's prior experience includes eight years of work for Waste Management, Inc., prior to going back to graduate school for a Master in International Management degree at Thunderbird School of Business. Subsequent to this, he worked for a German aerospace company and Deutsche Telecom in management positions, which included the analysis of companies for acquisition. His advanced studies and experience in forensic accounting have proven to be valuable tools in the deep analysis of financials. Guy is respected as a leading expert in business valuations and financial analysis of businesses.

Guy's experience in finance analysis, coupled with his unique ability to identify and communicate the meaning of the financial information, helps our clients reach win-win resolutions.

Rick Highsmith

Rick Highsmith has 20 years of experience as a technology entrepreneur, as well as a high-level consultant in business planning, finance, marketing, and product development. Although currently living in Denver, Colorado, Rick has spent most of his career in the Silicon Valley, building business infrastructure for start-ups and determining business feasibility with the least amount of capital.

In California, Mr. Highsmith served as President of Chemtracker, a Stanford University allied company, and spent three years in Asia, primarily Hong Kong as an OTL licensee. Throughout the 1990s, Rick worked with a number of start-up companies as an early-stage entrepreneur for several investors in California. Prior to this activity, Rick built an IT consulting practice serving Fortune 500 companies for Chinese based GlobalNet, Ltd. Before GlobalNet, Rick was the North American Operations Manager of an engineering analysis software company that was acquired by MSC Software (NYSE: MNS).

Mr. Highsmith is a graduate of the University of Southern California's Entrepreneur Program in Los Angeles, California. He completed a financial and credit analysis program at City National Bank in

Beverly Hills, California. He currently serves on the Board of Directors at HRC, Inc., and Burlingame Property Management, Inc., both in California. In addition, Rick is the CEO of CLIXO, a successful, leading-edge search engine optimization firm.

Rick has the rare ability to perceive businesses from the humanistic perspective of a business owner, as well as to analyze and understand the financials of an institution at all depths. These skills have brought a powerful dimension to our Mediation and Dispute Resolution team.

Neil Krauss

Neil Krauss is currently the Assistant Vice Chancellor for Business and Finance, University of Denver. Neil has created, negotiated, managed, and reported on numerous corporate contracts and agreements, working with the management of a multi-million dollar budget. He manages corporate contracts and external business relationships with developers, Denver City Council members, and neighbors. Another major responsibility for Neil is to facilitate and create strategic external communication products and internal marketing strategies.

Neil's professional talents blend creative financial consulting and development skills with proven professional communication and management results. He specializes in developing and implementing management solutions in complex business situations.

As a financial consultant, Neil works with entrepreneurs on strategic corporate financial development, fashioning production models that roll into financial statement development. He developed and maintains financial and production models for several start-up corporations.

Neil uses his two Master's degrees (M.S. in Finance and M.A. in International Studies from the University of Denver, with a focus on international economics and development) towards creating and implementing solutions to corporate challenges. He is tested fluent in French language. Neil earned his Bachelor of Journalism degree from Missouri, and, in a previous career, was an award-winning newspaper investigative reporter and editor.

Stephen D. Replin

Stephen is a partner in the law firm Replin & Rhoades, LLC. The firm specializes in Intellectual property, entertainment law, and business Law. Replin & Rhoades, LLC represents film makers, writers, publishers, screenwriters, playwrights, fashion designers, models, cut and sew operations, couture designers, a fashion venture capital funds, a magazines, musicians, music labels, recording artists, agents, and so on.

Previously Steve served as President, and CEO of Regatta Capital, Ltd, a nationwide provider of hard money loans for commercial bridge financing. He also built Apache Resources, , Ltd, a public company with Business focus on Venture Capital, Bridge Financing and Real Estate Syndication; he was President and CEO. He began his law practice with Adler, Zall & Haligman, attorneys at law where he practiced as an associate tax attorney.

Steve received a B.S. degree in accounting from the University of Colorado and an MBA, with distinction, from the New York University Graduate School of Business with a double major of corporate finance and investments. He received a JD degree from the University Of Denver College

Of Law and an LL.M. degree in taxation from the New York School of Law. Mr. Replin is a certified public accountant.

Steve is committed to service work in the community, serving as Chairman Board of Directors, American Heart Association, Denver MetroDivision; Committee on Finance and Operations, American Heart Association Pacific Mountain Affiliate; Board of Directors, Treasurer, Fashion Group International, Inc. Board of Advisors, TACtile Textile Arts Center; Board of Directors, Colorado Music Business Organization; Board of Directors, Colorado Lawyers for the Arts; Member, Mayor's Create Denver Advisory Committee; Loan Committee Member, Denver Creative Enterprises Revolving Loan Fund; Member, Colorado Film Commission Legislative Task Force; Board of Advisors, Fashion Denver, Inc.

In Steve's spare time, he has written and published two books, *Hard Money: Where to Go When the Bank Says No*; *Civil Tax Penalties*, plus a *BNA Tax Portfolio Series*. He has also written numerous professional articles related to tax law.

Mary Whetstine

Mary Whetstine has over 20 years of business experience in the financial, education and transportation arenas. Her extensive background has enabled her to assist corporations in the areas of financial analysis, evaluation and development. Prior to earning her Executive MBA at Daniels from the University of Denver in 2002, she worked as a senior trader and member of the client relations team for Charles Schwab & Co and a consultant with Acquest Management.

She has worked with numerous Fortune 500 companies in diverse sectors, including private education and transportation. Also, Mary has served on several boards of directors and been involved in grant writing. Mary is currently the associate director of network office operations, working in evaluations and corporate growth strategies. More recently, the work has evolved into compliance to SEC regulations.

One of Mary's business passions has been to utilize her extensive financial knowledge to strategically guide individuals and corporations through challenges and conflicts towards excellence, and with an emphasis on ethics.

Jerry R. Myers

Jerry Myers' 30 years experience in investment banking, executive management, entrepreneurial growth, technology exploitation, and strategy consulting in the media and entertainment industries has led to a vast depth of experience in strategic business development, new market entry, and accelerating commercial growth across international markets.

Mr. Myers received a B.A. degree in Mathematics from the University of Akron. Early in his career he designed and grew strategic consulting services and market penetration strategies for Coopers & Lybrand and Deloitte & Touche. He furthered his career by architecting and developing complex software and control systems, establishing systems performance measurement practices, and leading large projects at Bell Labs and US West Communications.

Mr. Myers built a commercialization and market delivery business unit for BDM Technologies, where he identified technologies to take to market and led business development in new industry verticals. Mr. Myers led BDM's market entry in the Pacific Rim, where he established operations in Hong Kong, Malaysia, and South Korea.

Jerry started two technology and service organizations: Amsterdam-based e-City B.V., focused on interactive television, providing marketing strategy, content delivery and localization, and a proprietary targeted advertising technology platform; Denver-based SynXis, Inc., and McLean offered middleware for the online leisure and travel industry, providing transaction processing services, electronic distribution, and call center services. Mr. Myers managed these companies through very rapid growth and expansion into new markets.

Mr. Myers led external litigation support teams for large law firms, responsible for analyzing legal and corporate documents, interviewing company executives, and developing strategies to support a legal position. These projects involved intellectual property issues and their associated business assets. Prior revenue was analyzed to determine amounts relevant to the claim, and potential future revenue was modeled to serve as a basis for negotiation.

Mr. Myers worked with IP attorneys to develop long-term patent strategies, as well as creating the design and implementation of harvesting processes and procedures used by product development teams. He assisted one client in transitioning from a US to global approach for extending IP claims. For another global client, Mr. Myers led a team to identify commercial opportunities for select IP products, which were then packaged for successful global commercialization.

Mr. Myers founded Chimney Rock Capital Partners, LLC, a value-added investment-banking firm focused on middle market companies seeking the resources and expertise to sell their company or to grow through acquisitions and expansion capital. Chimney Rock is based in Denver, Colorado, having national clients and international business and capital relationships.



Our Advisory Board

Mike Feeley	Business Law
Jon L Fetzer	IT Financial Analysis
Stacy Lewis	Marketing/Strategic Planning
Richard Pfeifer	Investment Analysis
Marcel Venter	Creative Design
Buzz Yancey	Technology Business Strategy & Development
Hani Yaafouri	Business Development Middle East
Bety Ziman	Interpretation & Translation

Mike Feeley

Mike Feeley, former Colorado Senate Minority Leader, is an attorney and shareholder in the Denver office of Brownstein Hyatt Farber Schreck, LLP. Brownstein Hyatt Farber and Schreck is the country's most dynamic law firm and represents its clients throughout the American West and Washington DC in the courtroom, in the boardroom, and in the halls of government.

Senator Feeley concluded his tenure in the Colorado State Senate in January 2001. Senator Feeley sponsored significant legislation involving telecommunications, tax reform, land use, and civil rights. He served in legislative leadership as the Senate Minority Leader for almost seven years. In a July 2000 Rocky Mountain News newspaper survey of his fellow senators, Senator Feeley was chosen as the most effective state senator, a remarkable honor for a member of the minority party. While committed to significant public service, Mr. Feeley has practiced law in Colorado since 1982. His legal experience includes substantial litigation and he has tried cases at all levels of state and federal courts.

Mr. Feeley is currently a member of Brownstein's Government Relations and Litigation Practice Groups. His practice involves representation of clients before government agencies and commercial litigation. He received his B.A. - Magna Cum Laude - Economics, from the University of Colorado at Boulder in 1977. He received his J.D. from the University of Denver College of Law in 1982 and his L.L.M - Taxation - from the University of Denver Graduate Tax Program in 2003. However, his real education came as a Sergeant, United States Marine Corps, 1971-1974.

Jon L. Fetzer

A serial entrepreneur, while in college Jon founded and was president of OverByte, Corp., an accounting software company that specialized in software for the concrete sawing and drilling industry. In 1991 he sold OverByte, as well as graduated from the University of Colorado at Boulder with a degree in philosophy and economics. He then became the executive vice-president, and subsequent president of InstaMart, Inc. and E.Z. Pickens, Inc., a chain of convenience stores (approx \$10M annual sales) with offices in Colorado and operations in Oklahoma.

In 1995, Jon entered the University of Colorado's MBA program, but left the program in 1996 to enter the Internet industry as the general managing partner of the Birmingham Internet Group (BIG) of Birmingham (Detroit), Michigan. BIG owned a cybercafé and Internet marketing and development company, which created Internet sites for clients such as the NFL's Detroit Lions and Detroit's The Planet radio station.

This international reach in terms of sales and sourcing, as well as Jon's interest prompted him, in 1999, to found TamTam - an international consulting company for businesses in or about to enter international markets. The company had over

2,000 clients in 40 countries ranging from a small biochemical firm in India to Fortune 500 companies such as Western Union and Ebay.

Jon also founded ScanGo (www.scango.com) a leading document imaging and capture company with clients ranging from the State of Colorado, the University of Denver, Major Hagen & Africa and Navigant Pharmaceuticals (part of Gambro AB).

Jon has served on non-profit boards including two-terms as treasurer on the board of directors of the Colorado Internet Keiretsu. Jon has also guest lectured at the University of Denver's MBA & MLS programs as well as been a member of the advisory board for the masters' program in Knowledge Management at the University of Denver.

Stacy Lewis

Stacy Lewis is a 20-year veteran in the world of marketing strategic planning, branding, positioning and creative program development. Having led her own brand consulting practice for the past five years and served as creative director and brand strategist at various Denver advertising agencies, Stacy is now managing partner of Sector Brands, a social purpose branding firm that helps for profit, non-profit and government organizations leverage the power of branding to become dynamic forces for social good while achieving greater impact in the communities and markets they serve.

Stacy has helped a wide range of clients across multiple sectors, including healthcare, higher education, government, consumer products and business-to-business service and economic development to maximize their organizational impact and clarity through the development of authentic and emotionally-compelling brands. In addition to advocating the power of branding within the non-profit sector, Stacy is actively involved with the sector, having served as a volunteer for a number of organizations and boards, including Jewish Family Services, the Conflict Center, Transplant Council of the Rockies, MS Society, COMPA food ministries, Sewall Child Development Center, Women's Bean Project, Children's Treehouse Foundation and Metro Volunteers.

A frequently requested speaker, Stacy has presented her approach on purpose-driven branding to a wide range of audiences, including foundation directors, non-profit organizations, communities, students and CEO's. Stacy served as the 2001-2002 Chairwoman of the Denver Advertising Federation, and was named 2002 Advertising Professional of the Year.

Richard D. Pfeifer

Rich joined Wells Fargo Investments as a Financial Consultant in 2003. He specializes with the individual investor, providing guidance for retirement planning and proper portfolio construction; and, with small to medium sized businesses, servicing their needs regarding Corporate Cash Management, Key-man Insurance, and establishing and or revising qualified pension plans.

He is a Certified Investment Manager Analyst (CIMA) and obtained his professional certification through the Wharton Business School, University of Pennsylvania, in conjunction with the Investment Management Consulting Association (IMCA), Denver, Colorado. He has a Bachelor of Science in Criminal Justice from Metropolitan State College, Denver, Colorado.

He has twenty-four years of experience in the Financial Services Industry and has served as a Vice President-Investments for Prudential Securities, Dean Witter Reynolds, and EF Hutton & CO. During that service, in addition to his personal production, he worked as the Branch Office Coordinator for Managed Money Products, Qualified Pension Plans, Fixed

Income Products that included Government, Corporate and Municipal Bonds, Unit Trusts, and Preferred Stocks. He was qualified as a Prudential Securities Portfolio Manager and Qualified Retirement Planner and worked in the capacity of both.

Prior to the Financial Services Industry, he worked in the Private and the Public Law Enforcement sectors; for Petro Lewis Oil Company as a Senior Investigator for Fraud and Theft; and, for the Denver Police Department as a Detective, Investigations. His last assignment for the Denver Police Department was as a Denver District Attorney's Grand Jury Investigator, investigating white-collar crimes. He served in the United States Marine Corps during the Vietnam era.

He is a native of Colorado, born in Denver, has three children, a son-in-law, and three wonderful grandchildren. His hobbies include golf, working out, travel, the arts, reading, and just plain relaxing and enjoying his family and friends.

Marcel Venter

Marcel Venter is the Principal and Creative Director for FreshBrand, LLC.

He is a designer with 20 years experience in the design industry, both in Johannesburg, South Africa and Denver, Colorado.

Marcel is a passionate designer with experience in Identity Design, Signage and Environmental Graphics. Before relocating to Denver, Marcel owned a corporate design studio and an architectural sign company in South Africa. He was also creative director and associate at KSDP Pentagraph (now The Brand Union) Johannesburg and creative director at Davis Design, Denver, Colorado.

Marcel has led and managed a diverse range of design projects, including corporate identity systems, signage and environmental design programs. Clients include BMW Motorsport, BMW Motorcycles, South African Breweries, Anglo Gold, Procter & Gamble South Africa, Audi, and Nissan.

Hani Yaafouri

Originally from Sidon, Lebanon, Hani Yaafouri is a native Arabic speaker and an expert in Middle East markets, providing insights on the impact of business on cultures. He received his B.S. in Management from the Lebanese American University in Lebanon in 1999 and a Master's degree from the University of Denver, Daniels College of Business in 2008. Hani is currently attending the University of Denver School of Law.

Hani Yaafouri is currently consulting on a marketing project with the Natural Resources and Environmental law department at the University of Denver, promoting its graduate programs to colleges and universities in the Middle East.

Prior to consulting with the University of Denver, Hani spent six years as a general manager with Starbucks Coffee Company in Beirut, Lebanon, the most challenging market for Starbucks in the Middle East. During Hani's tenure at Starbucks, the company was able to expand its operation in Beirut from four to twelve stores. Hani was named the Howard Behar Outstanding Manager of the Year in 2005 for successfully promoting Starbucks as one of the most respected brands in the world.

A firm believer in volunteer work, Hani served a year (1994) with the Lebanese Red Cross, First Aid Division, in his

home town of Sidon, Lebanon. In 1996, Hani volunteered with a refugee committee that provided food and shelter for the people who were displaced from the villages on the Lebanese/Israeli borders during the Israeli Grapes of Wrath operation in southern Lebanon.

Buzz Yancey

For over 20 years Buzz Yancey has led, developed, and guided companies of various industries and sizes. This eventually led him to his great passion of working with companies and organizations where he can assist in the implementation of leadership change. This includes acting as interim CEO, to coaching new or existing team leaders.

Start-ups Sold During Incubation:

- RF tag embedded in pneumatic tires to measure and transmit pressure and temperature
- High-level interpretive software algorithms for geophysical applications
- Marketing Consultant: Boulder Technology Incubator

Consulting:

- Blakeskee Advisory Group, Holland & Hart, U.S. West
- Sales and Sales Management Positions: Stuart Pharmaceuticals, ICI America
- Corporate Originator
- Principal in DDX, Inc.

Products:

- HeatWatch® - world wide industry standard sensor for monitoring estrus cycles in cattle bred through artificial insemination; Sold in 2008
- OpTest® - optical immunoassay; Sold to Accel8 Technologies in 2000

Marketing Positions:

- Union Carbide Clinical Diagnostics; International Medical Corporation;
- Physio Dynamics

Other Affiliations & Accomplishments:

- Denver Entrepreneurship Academy; Chair of Board – eight years. Non-profit organization open to high-achieving university students interested in augmenting their academic studies with a series of real-world programs and experiences. Board composed of successful area entrepreneurs, venture capitalists, senior SBA officials, angel investors, and others. Corporate sponsors: Ernest and Young
- University of Denver: Adjunct Professor. Developed, refined, and copyrighted curriculum in entrepreneurship. Composed marketing model used in the DU entrepreneurial studies program. Directed Technology Transfer Program. Assisted Dr. David Goldberg in developing, refining, and licensing technology. Negotiations in process for sale of technology to Pfizer Animal Health
- Small Business Innovation Research (SBIR) and Small Business Technology Transfer (STTR)
- Federal government annual grants totaling \$2 billion in seed funding to high-tech small businesses each year, 40% to firms with 1-10 employees.

Bety Ziman

Bety's native language is Spanish. She received her BA in Education at the Universidad Autonoma de la Ciudad de Mexico, Jewish Teachers Seminar. She also completed course study towards her Master Degree at Brandeis University and the Hebrew University in Jerusalem. Her interpretation and translation course studies continued at the University of Arizona and at the Monterey Institute for Interpretation and Translation.

She relocated to the Denver area, after Hurricane Katrina. Bety had lived in New Orleans 30 years, where she taught Hebrew at Tulane University. She has been interpreting for the US Immigration courts for 7 years, and has FBI clearance to interpret in certain types of hearings for the DHS. Her interpreter experience in the Federal Courts and in State Courts has been extensive. While in Denver she has worked for the AUSA, the State and Federal Courts, as well as for numerous law offices. Her fingerprints are also on record with the State Department, as she does work for the office of the AUSA and the Federal Courts, as well as other administrative courts.

Bety interprets, translates, transcribes and proofreads from and into English, Spanish and Hebrew. Her subject expertise includes law, immigration, medicine, business, political and market research polls, technical brochures and interpreting at conferences, business meetings, and focus groups. In addition, she is an evaluator for prospective interpreters for LionBridge Technologies in the Spanish and Hebrew languages.

Higher Education Memberships and Certifications:

National Association of Judicial Interpreters and Translators; American Translators Association; Colorado Association of Professional Interpreters; Federally Certified Interpreter; US Courts Consortium Certified Interpreter; Approved by DHS to interpret in Immigration credible fear hearings; Certified Evaluator of Prospective Interpreters



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