UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

JED MARGOLIN,

Plaintiff

v.

NATIONAL AERONAUTICS AND SPACE ADMINISTRATION

Defendant.

Case No. 3:09-cv-00421-LRH-(VPC)

Appendix Volume 4

For Motion For Summary Judgment

Jed Margolin
1981 Empire Rd.
VC Highlands, NV 89521-7430
Phone: 775-847-7845
Email: jm@jmargolin.com

Dated: June 9, 2010

Appendix Volume 4 - Index

National Aeronautics and Space Administration

Headquarters
Washington, DC 20546-0001

August 1, 2008

Reply to Attn of: Office of the General Counsel

Dr. Robert Adams, CEO
Optima Technology Group
1981 Empire Road
Reno, NV 89521-7430

Re: U.S. Patents Nos. 5,904,724 and 5,566,073

Dear Dr. Adams:

We are in receipt of your letter dated July 14, 2008 informing our office of an assignment of two patents by the inventor Mr. Jed Margolin. While Mr. Margolin's infringement claims are currently under investigation, we do not have any information from Mr. Margolin confirming the alleged assignment of his patents to your firm. Although your letter included copies of two licensing agreements, there is likewise no evidence of an assignment of the said inventions in the communication you sent to us. Until we receive appropriate evidence of such an assignment, we are not able to respond to your request for a license from our Agency.

Please refer any future correspondence in this matter to the undersigned, Mr. Jan S. McNutt, [redacted] b(6)

Sincerely,

Jan S. McNutt
Attorney-Advisor

02577

[redacted]

From: McNutt, Jan (HQ-MC000)
Sent: Wednesday, August 06, 2008 9:44 AM
To: 'Jed Margolin'
Subject: RE: NASA Case I-222
Attachments: Margolin Letter 20080805.pdf

Dear Mr. Margolin,

Please see the attached. Hard copy to follow.

Jan S. McNutt
Attorney-Advisor (Commercial)
Office of the General Counsel
NASA Headquarters
[redacted]

b(6)

This document, including any attachments, contains information may be confidential, protected by the attorney-client or other applicable privileges, or constitutes non-public information. All content is intended only for the designated recipient(s). If you are not an intended recipient of this information or have received this message inadvertently, please take appropriate steps to destroy this content in its entirety and notify the sender of its destruction. Use, dissemination, distribution, or reproduction of this information by unintended recipients or in a manner inconsistent with its provision is not authorized and may be unlawful.

-----Original Message-----
From: Jed Margolin [mailto[redacted]]
Sent: Tuesday, August 05, 2008 1:56 PM
To: McNutt, Jan (HQ-MC000)
Subject: NASA Case I-222

b(6)

Dear Mr. McNutt.

I have attached the documents we discussed.

Regards,

Jed Margolin

National Aeronautics and Space Administration
Headquarters
Washington, DC 20546-0001

August 5, 2008

Reply to Attn of: Office of the General Counsel

Mr. Jed Margolin
1981 Empire Road
Reno, NV 89521-7430

Re: Administrative Claim of Jed Margolin for Infringement of U.S. Patent Nos. 5,566,073 and 5,904,724; NASA Case No. I-222.

Dear Mr. Margolin,

We are in receipt of the Freedom of Information Act Request (FOIA) conveyed to us by email dated June 30, 2008 in which you request copies of all documentation relating to your administrative claim of infringement of U.S. Patent Nos. 5,566,073 and 5,904,724.

We regret the delay in processing your claim and assure you that we are now undertaking measures to provide a resolution of your claim as soon as possible. Unfortunately. Mr. Alan Kennedy retired from NASA earlier this year and the action on your claim was not conveyed to management in a timely manner. In addition the local attorney responsible for review of your claim also departed from NASA. We are now cognizant of the importance of proceeding with a review of the claim and will contact you when we have reached a decision.

As to your FOIA request, as the investigation of your claim is ongoing, we kindly request that you allow us a 90 day extension to answer this request. Within that time period we should be able to obtain a better picture of our position vis-à-vis your claim and the request for documents may no longer be required.

We should inform you that we have received a separate communication from a company Optima Technology Group, claiming to have been assigned both of the patents in question. You informed me telephonically that this is the case; however, we have no record of any assignment of your patents to this firm and will need confirmation through appropriate attested documents delivered to the agency in order to recognize any claim of ownership by a party other than the inventor.

Thank you for your patience in this matter. Please contact the undersigned a[redacted] email[redacted] if you have any additional questions or comments.

Sincerely,

Jan S. McNutt
Attorney-Advisor

02579

Robinson, Kellie N. (HQ-NB000)

From: McConnell, Stephen (HQ-NB000)
Sent: Monday, June 30, 2008 8:13 AM
To: Robinson, Kellie N. (HQ-NB000)
Subject: Fw: FOIA Request

Attachments: jm_nasa.pdf

jm_nasa.pdf (106 KB)

----- Original Message -----
From: Jed Margolin [redacted]
To: nasafoia@nasa.gov <nasafoia[redacted].gov>
Sent: Sat Jun 28 21:05:56 2008
Subject: FOIA Request

b(6)

This request is made pursuant to the Freedom of Information Act.

I would like all documents related to the Administrative Claim of Jed Margolin for Infringement of U.S. Patent Nos. 5,566,073 and 5,904,724; NASA Case No. I-222.

I am attaching a letter dated June 11, 2003 from Alan Kennedy, Director, Infringement Division, Office of the Associate General Counsel as file jm_nasa.pdf. I provided the information requested, it was received by Mr. Kennedy, and thereafter Mr. Kennedy refused to respond to my attempts to find out the results of the investigation.

I believe NASA has had enough time to have completed its investigation by now.

[redacted]

b(6)

www.jmargolin.com <http://www.jmargolin.com>

08-270

02502

[redacted]

From: Fein, Edward K. (JSC-AL)
Sent: Wednesday, August 06, 2008 3:29 PM
To: McNutt, Jan (HQ-MC000)
Cc: Borda, Gary G. (HQ-MC000); Rotella, Robert F. (HQ-MA000)
Subject: RE: Patent Infringement claim from Jed Margolin; NASA Case No. I-222

Jan ... I do vaguely recall this matter, but don't recall the outcome. I'm copying below tons of stuff I found on my computer using Google Desktop. I have not reviewed what I'm sending. There no doubt a good deal of redundancy, for which I apologize.

It looks like Langley may have taken the lead on this. Barry Gibbens at Langley appears to have worked it. Regrettably. Barry is deceased -- a very sad story for another time. But Linda Blackburn may be of some assistance.

Let me take this opportunity to welcome you to the NASA team. I look forward to meeting you in the not too distant future.

-Ed

RE: Read: Let us chat on about SCOUT, SC3D, the X-38 program and RIS; noted below are our patents that cover said technology that RIS and your groups are using.

From: Mike Abernathy [redacted]>
To: 'Delgado, Francisco J. (JSC-ER2)' [redacted]>, 'Fein, Edward K. (JSC-AL)' [redacted] 'Kennedy, Alan J. (HQ-MC000)' [redacted]>, [redacted]>
CC: 'Fredrickson, Steven E. (JSC-ER)' [redacted]a.gov>
Date: Sep 26 2006 - 12:13pm

Thank you very much. It means very much to Carolyn and I right now.

b(6)

Mike Abernathy

Rapid Imaging Software, Inc.

From: Delgado, Francisco J. (JSC-ER2) [mailt[redacted]gov]
Sent: Monday, September 25, 2006 9:42 PM
To: Mike Abernathy; Fein, Edward K. (JSC-AL); Kennedy, Alan J. (HQ-MC000[redacted]
Cc: Delgado, Francisco J. (JSC-ER2); Fredrickson, Steven E. (JSC-ER)
Subject: FW: Read: Let us chat on about SCOUT, SC3D, the X-38 program and RIS; noted below are our patents that cover said technology that RIS and your groups are using.

See email from "Mr. Adams" below.

This is getting more ridiculous by the minute. I have resisted replying in any form as suggested by JSC council. However, this matter has been left open for quite some time and something needs to be done NOW. It has come to my attention that Mr. Adams and company have issued a letter that prohibits RIS from selling any of their software until this issue is resolved. We have had a very "intellectually" fruitful relationship with RIS for almost a decade and would like to

continue this relationship for many years to come. Some of the technology concepts in question were co-developed by RIS and I during many "brainstorming sessions" on how to provide optimal situation awareness to various users.

The folks pressing forward with this claim do not have solid ground to stand on (IMHO). Based on the previous research performed, I do not see how their patent claims are valid and I would like to request that NASA's council take this matter seriously and get the patents invalidated (as it should have been done when this first showed up a couple of years ago). This is not only the right legal thing to do, but also the right moral thing to do. If we allow an individual to continue to harass small companies and stand-by with little/no action, then we are no better than the company doing the harassing. As a government organization, we need to keep the public faith and trust and again, "do the right thing." I realize that patience is important in legal matter, but believe that the time for sitting idle and hoping that this matter goes away is way past due and that something needs to be done ASAP. Putting companies that NASA relies on to help move technology forward out of business with a barrage of unwarranted litigation does not seem like it is in NASA's (or our taxpayers) best interest.

Please let me know what I need to do on my end to help move this along.

BTW: If we do not deal with issue immediately it will only get worse for NASA. I know of several Projects within JSC, JPL, and Langley that use independently developed technology (i.e. technology that does not use what RIS and I came up with) that I am sure Mr. Adams and company would claim infringes on their "Patents." We seem to be on his radar at the moment because we do what government organizations are encouraged to do ("Publish their work").

Thank You,

Frank Delgado

b(6)

From: Robert Adams [mailto[redacted]
Sent: Mon 9/25/2006 5:58 PM
To: Delgado, Francisco J. (JSC-ER2)
Subject: RE: Read: Let us chat on about SCOUT, SC3D, the X-38 program and RIS; noted below are our patents that cover said technology that RIS and your groups are using.

Sir,

Since you have clearly refused to cooperate, please provide us your department's heads information and said contact information including a contact in your IP litigation department. We are aware that you received your read receipt of our email sent to you regarding:

Let us chat on about SCOUT, SC3D, the X-38 program, and RIS; noted below are our patents that cover said technology that RIS and your groups are using.

United States Patent 5,566,073 Margolin October 15, 1996 Pilot aid using a synthetic environment

United States Patent 5,904,724 Margolin May 18, 1999, Method and apparatus for remotely piloting an aircraft

We simple have one goal in mind and that is have a chat regarding the technology and that RIS and NASA take a license of said IP technology.

Thank you

b(6)

From: Delgado, Francisco J. (JSC-ER2) [mailto[redacted]]

Sent: Tuesday, September 19, 2006 7:30 AM
Subject: Read: Let us chat on about SCOUT, SC3D, the X-38 program and RIS; noted below are our patents that cover said technology that RIS and your groups are using.

Your message

To: Delgado, Francisco J. (JSC-ER2)

Cc:

Subject: Let us chat on about SCOUT, SC3D, the X-38 program and RIS;

noted below are our patents that cover said technology that RIS and your

groups are using.

Sent: Tue, 19 Sep 2006 08:52:25 -0500

was read on Tue, 19 Sep 2006 09:30:05 -0500

~~~

RE: Read: Let us chat on about SCOUT, SC3D, the X-38 program and RIS; noted below are our patents that cover said technology that RIS and your groups are using.

From: Fein, Edward K. (JSC-AL) [redacted]
To: Delgado, Francisco J. (JSC-ER2) [redacted], Kennedy, Alan J. (HQ-MC000) <[redacted]>
Date: Sep 26 2006 - 10:58am

b(6)

Frank ... I've talked with Alan, and he said he'd respond, and give you a call.

-Ed

~~~

RE: Read: Let us chat on about SCOUT, SC3D, the X-38 program and RIS; noted below are our patents that cover said technology that RIS and your groups are using.

From: Mike Abernathy [redacted]
To: 'Delgado, Francisco J. (JSC-ER2)' <[redacted]>, 'Fein, Edward K. (JSC-AL)' [redacted]ennedy, Alan J. (HQ-MC000)" [redacted]
CC: [redacted]
Date: Sep 26 2006 - 12:13pm

b(6)

Thank you very much. It means very much to Carolyn and I right now.

Mike Abernathy

Rapid Imaging Software, Inc.

b(6)

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Sent: Monday, September 25, 2006 9:42 PM
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b(6)

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United States Patent 5,904,724 Margolin May 18, 1999, Method and apparatus for remotely piloting an aircraft

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Thank you

From: Delgado, Francisco J. (JSC-ER2) [redacted]
Sent: Tuesday, September 19, 2006 7:30 AM
Subject: Read: Let us chat on about SCOUT, SC3D, the X-38 program and RIS; noted below are our patents that cover said technology that RIS and your groups are using.

Your message

To: Delgado, Francisco J. (JSC-ER2)

Cc:

Subject: Let us chat on about SCOUT, SC3D, the X-38 program and RIS;

noted below are our patents that cover said technology that RIS and your

groups are using.

b(6)

Sent: Tue, 19 Sep 2006 08:52:25 -0500

was read on Tue, 19 Sep 2006 09:30:05 -0500

~~~

FW: and the very last communication of the day

From: Fein, Edward K. (JSC-AL) [redacted]
To: Kennedy, Alan J. (HQ-MC000) <a[redacted]
CC: Borda, Gary G. (HQ-MC000) [redacted]
Date: Sep 26 2006 - 8:11am

PSISDG_3691_1_149_1.pdf - 4.7MB - View in Outlook

fyi ...

From: Mike Abernathy [mailto:[redacted]
Sent: Monday, September 25, 2006 8:18 PM
To: Delgado, Francisco J. (JSC-ER2); Fein, Edward K. (JSC-AL)
Subject: FW: and the very last communication of the day
~~~

Mike Abernathy

Rapid Imaging Software, Inc.

b(6)

From: Mike Abernathy [redacted]
Sent: Monday, September 25, 2006 6:25 PM
To: FEIN, EDWARD K. (JSC-HA) (NASA); DELGADO FRANCISCO J. (FRANK) [redacted]; Kennedy, Alan J. (HQ-MC000); [redacted] Moore, Thomas, Mr, OSD-ATL'; 'Davey, Jon (Bingaman)'
Subject: and the very last communication of the day

Hi All,

Let me summarize what I think has just happened to our company.

In late 1995 we introduce our LandForm synthetic vision system to the market as COTS software product.

In 1997/8 we sell this to NASA and together we are the first people on earth to create a synthetic vision flight guidance system for a remotely piloted vehicle. Starting in 1998 the X38 is captive carried and test flown using this system. We documented our success in the attached document written in 1998 and published in early 1999. It was my privilege to be at Edwards when it happened, and is the highlight of my career until the program is cancelled in 2002.

We go on and demonstrate that our software can be used as pilot aid to other UAVs including Predator, Shadow, Tern, and many more. We receive no interest in this application, but instead they use it for sensor operator stations. It is a commercial success and people say good things about it. It is sold to mostly to a commercial UAV manufacturer named AAI Corporation. Many tests are done and the military guys all like it.

In 1999 the patent office issues a patent to a former Atari employee named Margolin for a Synthetic Environment for Remotely Piloted Vehicle. He had evidently applied for it in 1996. Shortly thereafter he begins to complain to NASA that they and RIS infringed upon his patent presumably by flying a system 2 years before he received his patent. Is this a joke?

In 7 years he never so much as asked RIS about using his technology. Margolin as best I can tell never built this system and never test flew it. Can't say as I blame him because his system looks to me like a crater looking for an address. It cannot be safely operated in the form patented (no autopilot). No one is even stupid enough to build it this way, not even him.

Sometime after that, I am alerted to the patent. I read it, but since there are major differences in the way X-38 worked with our software, I felt strongly that we had not infringed. I provide this information, plus evidence of prior art to NASA legal counsel. I am troubled because really I can't see how his system could fly because it would fail during link loss. Margolin also had a patent on synthetic vision for manned aircraft (if you can imagine) and we found copious prior art for that. I am also troubled because I never hear that the request for reexamination has been sent in by NASA.

Last week I received an email from Optima technology group threatening (thinly veiled) to destroy our relationships with our customers and sue us if we don't license their technologies. We explain that we do not sell software for use in piloting unmanned aerial vehicles any more owing to insurance which is true. We had demonstrated this in the past, but there really is not much market that we could see. We also explained that we had not infringed and why we thought we had been respectful of their patent, but they just tried to make it look like we infringed. But we did not.

They know we cannot withstand the onslaught of their lawsuits, even though we are clearly and obviously not guilty of infringement. They think that we will have to fold and accept their license, but we cannot do this because they are legal blackmailers, and because they are selling defective technology. If we give in, then they will just destroy some other little companies they way they did ours. And we cannot let anyone pay them off for us, because that just gives them funds to go destroy another company. For many years our company has tried to provide an innovative product with an excellent value and never compromise our integrity. I cannot let this nonsense bring that to an end by pretending that we are licensing technology when what they are selling is a fraud.

When I asked politely if their system has ever been tested Mr. Adams simply tells us to go get a lawyer, he is referring the matter for filing. I felt that it was not unreasonable to ask to know this but it really made him furious. Anyway I told him to tell it to our lawyer Mr. Ben Allison of Sutinfirm with whom I shall meet tomorrow. Tonight they said that they will issue a cease and desist order, which I believe means that we will be unable to sell our software anymore which will destroy our income stream and that will be it. I can't waste anymore time on this now. It is time for me to get back to work on things that matter for our users.

I have a docs appointment tomorrow at 8-10 local time. I had throat surgery recently so I really can't talk and frankly I find I tend to break into tears very frequently when I try to do so. But I want you all to know that I will stand firm until it is over. What would the soldiers who have used our software in combat think of me if I gave ground? Then bring it on.

I know it sounds bad for us right now, but remember that whatever happens to us no one can take away the honor and the privilege of working with NASA, the OSD, and all the other completely excellent people with whom we have worked.

Mike Abernathy

Rapid Imaging Software, Inc.

Attached are the other communications from them.

From: Robert Adams [redacted] b(6)
Sent: Monday, September 25, 2006 3:51 PM
To: 'Mike Abernathy'
Subject: RE: license

02602

Mike,

Let me try and be clear, all such development at OTG on behalf and or/or by our licensee is covered by NDA's and thus our company can be sued should we violate such agreements. As to your company's infringement of our patents, since that was clearly not covered by a NDA with us; please provide said information in detail:

Other then those items listed at your website and NASA's, what other projects did you do that infringed on our invention? If so when, where, and how?
Who at NASA flight-tested your product that used our invention? Please provide us with the name of the Pilot in Command, the responsible Flight Test Engineer, the model and block number of the vehicle and GCS, and the range or location at which such testing might have taken place with NASA and others. Also, indicate the dates of such testing. If flight test reports are available, as well please provide them to us.

Mike, I have no time to play games with someone who clearly infringes and thinks nothing of respecting our IP.

I will forward said matter to our legal department for further research and filing in accordance with the Federal laws. Please have your legal IP counsel contact our attorneys.

Robert Adams

From: Mike Abernathy [redacted] b(6)
Sent: Monday, September 25, 2006 2:26 PM
To: 'Robert Adams'
Subject: RE: license

Robert,

You have offered to license your technology to our company. You have stated that this technology is useful for "see and avoid applications" for UAVs which is an interesting market arena. We are making a good faith effort to consider your offer. We must know whether this technology has been brought into existence and whether it was ever test flown as a matter of due diligence.

We are not asking these questions out of idle curiosity and we certainly not trying to be difficult – we need this information in order to know the market value of the technology to our users, and there are certain elements of the method that we have concerns about. A flight test report – even if the system was implemented on a model airplane – will almost certainly allay our concerns and we can get on with this. The fact of whether or not this technology has been tested does not require an NDA.

Robert, throughout our dealings I have been honest and responsive to all of your requests, perhaps at peril to our company. I now ask you to please reciprocate my efforts in a small way and provide the requested information so that we may consider your offer of license.

Mike Abernathy

Rapid Imaging Software, Inc.

From: Robert Adams [redacted] b(6)
Sent: Monday, September 25, 2006 2:49 PM
To: 'Mike Abernathy'
Subject: RE: license

Mike,

Neither the company nor I are in any way anxious in signing any more licensees's as we have many already, but as you know we must protect our patents in order to preserve said Intellectual Property.

As to your questions, they do not relate to a license and/or a licensee. Our Intellectual Property has been tested in court and is proven solid by far such standards the Federal Court including the Federal Appeals Court. In addition, as to matters of disclosure, all such development at OTG and by our licensee is covered by NDA's.

Should you wish to challenge such, then I advise you to seek proper legal counseling as we are not an attorney nor will ours advice you on such a matters.

Your company has clearly infringed and OTG must protect itself against such matters just as your company would do if in the same position.

Robert Adams

From: Mike Abernath [redacted] b(6)
Sent: Monday, September 25, 2006 1:29 PM
To: 'Robert Adams'
Subject: license

Dear Robert,

Please tell the legal team thanks for getting back to us right away – we appreciate it.

You have asked us to consider licensing and this we are now doing. In the interest of due diligence as a prospective licensor of your technology, we ask that you provide us with the following information about the subject invention:

Was this invention ever constructed? If so when, where, and how?
Was this invention ever flight tested? Please provide us with the name of the Pilot in Command, the responsible Flight Test Engineer, the model and block number of the vehicle and GCS, and the range or location at which such testing might have taken place. Also, indicate the dates of such testing. If flight test reports are available please provide them to us, as well.

I know that you are anxious for us to consider your license offer, please provide us with this information.

Mike Abernathy

Rapid Imaging Software, Inc.

~~~~

latest from Optima

From: Mike Abernathy [redacted]
To: FEIN, EDWARD K. (JSC-HA) (NASA) [redacted], Kennedy, Alan J. (HQ-MC000) [redacted]
Date: Sep 25 2006 - 3:08pm

image002.gif - 6.9k - View in Outlook

b(6)

Ed,

This has not blown over. We would rather lose our company than see NASA hurt by this. Ed, it appears that RIS situation is hopeless. They know that we did not infringe, yet they continue because they know that we lack the funds to fight them. Our situation appears hopeless but we cannot accept a license for technology that we know is dangerous to the public, so I cannot accept this deal that they have offered.

Let us know what you think as soon as possible.

Mike Abernathy

Rapid Imaging Software, Inc.

From: Robert Adams [redacted]

02605
~~~~

Sent: Monday, September 25, 2006 12:26 PM
To: 'Mike Abernathy'
Subject: Privileged and Confidential Settlement Communications Protected Under Rule 408 of the Federal Rules of Evidence

Privileged and Confidential Settlement Communications Protected

Under Rule 408 of the Federal Rules of Evidence

Mike,

My legal team has read your response and it is a personal shame since you would rather cut and run verse facing the facts and take a license for past and future business, as I am sure it would be substantially less then litigation.

As you have been made aware in our prior communications, among other inventions, the Patents protect a number of features that are implemented in products capable of flying any and all UAV's (1.3) remotely and/or using Synthetic Vision and/or using a synthetic environment.

1.1 "Patent Portfolio" shall mean the portfolio consisting of United States Patent Numbers 5,904,724 (Method and Apparatus for Remotely Piloting an Aircraft), 5,566,073 (Pilot Aid Using a Synthetic Environment), and those future United States patents that may be added in accordance with the covenants and warranties.

1.2 "RPV" shall mean "remotely piloted vehicle." A "remotely piloted aircraft" is an RPV. "UAV" shall mean "unmanned aerial vehicle." RPV is an older term for UAV. "UCAV" shall mean "Unmanned Combat Aerial Vehicle." UCAV is also sometimes defined as an "Uninhabited Combat Aerial Vehicle." UCAV is a UAV that is intended for use in combat. UCAS means "Unmanned Combat Air System."

1.3 "Synthetic Vision" is the current term for "Synthetic Environment" and is the three dimensional projected image data presented to the pilot or other observer.

Of the ten companies responsible for the establishment of UAV Specifications or standard, eight of those companies sell UAV-Devices under brands they control, and each of those companies, i.e., Boeing Aerospace; Lockheed; Nakamichi Corporation; General Atomics Corporation; L-3 and Jacor Corporation; Raytheon; and Geneva Aerospace, pay Optima running royalties for the above referenced patents.

The substantial terms and conditions of our licensing Agreement: i) resulted from negotiations with the market leading manufacturers of UAV's; ii) are subject to most favored nation clauses; and iii) are, therefore, not negotiable.

The Agreement i) is exceedingly fair; ii) does not obligate Infringer to anything more than an industry accepted reasonable royalty for the Patents; iii) does not obligate Infringer to anything more than an industry accepted reasonable terms; and iv) may be canceled by Infringer at any time.

02606

Mike, there is no reason to permit Infringer (Your company) to further drag on the execution of said Agreement based on the facts present on the infringement matter.

Infringer must appreciate that the Patents cover a range of different inventions required to implement the UAV using Synthetic Vision Specifications; and there exists pending divisions of the Patents having claims that are read on by implementation of the UAV Specifications. Infringer principal competitors have appreciated the exceptional litigation strength and flexibility of my patent portfolio and have decided to accept a license rather than expose themselves to an injunction.

Infringer must appreciate that if litigation between the parties is initiated: i) the matter will immediately become personal for both parties; ii) I do not have to account to any other person; and iii) no license or settlement of any kind will ever be possible under any of my intellectual properties. Infringer's competitors require that Infringer be either licensed or enjoined.

I have resolved myself to this course of action in the event an agreement reached shortly, I firmly believe that enjoining Infringer from selling UAV-Devices will not result in lost royalties; and it is in Optima's long-term interests to make an example of a company that has refused to take a license.

Anyone who is fully knowledgeable of the strength and scope of my patent portfolio, and who appreciates the risk-taking and tenacity that I have demonstrated, would not, in light of the terms being offered, recommend jeopardizing the UAV business Infringer enjoys in the U.S.

1.

I have just returned from business travel, and have not had a chance to look over your communications in detail. Thank you very much for bringing your concerns to our attention. Let me assure you that we will do everything in our power, now and in the future, to avoid infringement of these or any patents. We have already begun another careful analysis of them and will act swiftly upon what we learn, should any problems be found. We have been aware of these patents for some years and have not ever infringed upon them, and will not do so. When we first learned of them, we carefully examined our activities and those of our customers to make sure there was no possible infringement of them. As soon as we learned of it, we also informed the legal departs of our major customers to alert them to the existence of USP 5,904,724, but so far no UAV manufacturers have been seriously interested in offering synthetic vision for their UAV pilot stations.

RIS own admission they knew about '724 will go to show that their infringement was willful, which means treble damages Robert. (They probably found out about it when NASA interviewed Jed about their X-38 project.) We will find out at trail and/or during the discover phase.

From their web site: http://www.landform.com/

SmartCam3D provides unparalleled situation awareness for UAS sensor operators. It fuses video with synthetic vision to create the most powerful situation awareness technology currently available. SmartCam3D is an augmented reality system that has been developed, flight tested, and deployed in the most demanding conditions including combat, and as a result it is highly evolved technology which is in use today around the world. The reason that SmartCam3D is so popular is simple: it makes sensor operators more effective, and reduces the target response time. SmartCam3D is deployed with US Army Shadow UAV, and is at present being integrated to the USAF Predator, as well as the Army Warrior UAS. SmartCam3D is the war fighter's choice for sensor operator situational awareness.

Improving a patented invention by adding something to it (in this case fusing video with synthetic vision) is still

infringement. Indeed, you may be able to patent the improvement. However, you may not practice the improved invention without the permission of the original patent holder. (It also means that the holder of the original patent may not practice your improvement without your permission.)

Since they publicly admit SmartCam3D is being used with US Army Shadow, USAF Predator, and Army Warrior his statement "no UAV manufacturers have been seriously interested in offering synthetic vision for their UAV pilot stations" is obviously false.

Also from their web site:

Software License Changes

RIS, Inc. changed insurance carriers, and effective September 1st, 2006 we updated our Software User License agreement. It now states that "The user is prohibited from using this software to pilot manned or unmanned aircraft." Our licenses have always prohibited use of our software for piloting manned aircraft. As you know, we had hoped that we would find a market for our UAV Glass Cockpit Product line. However, there is simply not sufficient market interest for us to bring such a product to market at this time, so we have decided not to release it. As a small company, we need to focus on our energy on the Sensor Operator and Intelligence Analyst at this time.

He is saying that his product should not be used for the very purpose it being advertised, sold, and used for. Lame. And it doesn't get him off the hook as he is still legally liable.

Since it did not state this until September 1, 2006, he has started to take this seriously, and he is clearly worried thus, he changed the terms to try to reduce the liability. I will have our team use wayback site and pull up the old Software User License agreement prior to Sept 1, 2006 this is when I bet they made all their sales and that is what OTG would be entitled too as well.

Here is a short lesson on infringement for Mike.

From: : http://inventors.about.com/library/bl/toc/bl_patent-infringement.htm

Text Box: Infringement can be direct, indirect, or contributory. Anyone who makes, uses, or sells the patented invention is a direct infringer. If a person actively encourages another to make, use, or sell the invention, the person so inducing is liable for indirect infringement. Contributory infringement can be committed by knowingly selling or supplying an item for which the only use is in connection with a patented invention. Good faith or ignorance is no defense for direct infringement, but it can be for indirect or contributory infringement. The remedies for infringement consist of: 1. Injunctive relief,
2. damages (including treble damages for willful infringement),
3. attorneys' fees in some cases, and
4. court costs.

2.

We discovered that the system described the in patent pertaining to remotely piloted vehicles USP 5,904,724 contains an entire clause in claim 1 that did not exist in the X38 or other UAVs that we have seen – this is the final paragraph of clause 1 regarding the method for handling delay in the control loop by "adjusting control sensitivity". This simply is not present in any form in any vehicles with which we have experience. Since all claims of this patent include this clause by reference, that patent is not relevant to these vehicles because none of them have this feature.

The clause he is referring to is:

a set of one or more remote flight controls coupled to said computer for inputting said flight control information, wherein said computer is also for determining a delay time for communicating said flight data between said computer and said remotely piloted aircraft, and wherein said computer adjusts the sensitivity of said set of one or more remote flight controls based on said delay time.

Time delays in a control system are unavoidable. Normally, a control system has fixed time delays and the system is designed to operate properly with these time delays. Because of the complexity of a UAV system these time delays may

not be known at the time the system (including the control laws) are designed. These time delays may also change during a mission due to the communications path changing. If the system does not properly deal with these changing time delays it will lead to pilot-induced oscillation and there is a good chance the aircraft will crash.

Anyone designing a UAS that does not adjust for changing time delays is an idiot. I don't think the people making UAVs are idiots. That does not relieve him of contributory infringement. It is likely that these time delays are dealt with as part of the control law system which Abernathy might not be privy to and thus a court order will provide us his insider info.

3.

More important however, is that all UAV control systems with which we are familiar require a device called an autopilot which is not contemplated at all in the subject patent. This device is similar to ones in modern manned aircraft, but it is used to control the aircraft flight in the pitch, heading, and roll axes. On UAVs, the communications delay is not handled by determining the delay and adjusting the control sensitivity as Margolin prescribes. Instead, an autopilot is installed onboard the aircraft where it senses changes in pitch, heading, and roll locally on board the aircraft. The pilot still makes control inputs to fly the airplane, but only via the autopilot on board the aircraft. The autopilot corrects attitude drift instantaneously avoiding the problem of substantial communication delays, and allows the pilot to control the vehicle in a more stable manner.

Most important, the autopilot is absolutely required to deal with the frequent communications outages which occur between the UAV and the ground control segment (This can be anywhere from a second to an hour in length, generally). In the system of Margolin, a communications outage would often result in the loss of the aircraft, because the pilot would be unable to correct attitude drift during communication link loss and the air vehicle would go out of control and could crash. In the last decade of working with UAVs never have I witnessed a flight in which the communication link was not lost at least once during the flight. If the control communication link goes down, no control inputs can be made to the aircraft from the pilot on the ground, but the autopilot keeps the airplane from crashing by flying straight and level or gently banking until the link is restored. The system of Margolin does not recognize the problem of link loss, and fails to offer any solution. The autopilot functionality can be located in various components in the X38 it was in the on board GNC (Guidance Navigation and Control) computer, as I recollect.

The fact that '724 does not explicitly teach an autopilot is irrelevant. Adding an autopilot to '724 is still infringement, just as adding a video overlay is infringement.

There is also the matter of the Doctrine of Equivalence. See attached file patents1.pdf

Consider Column 2, lines 12-18:

The computers in the system allow for several modes of operation. For example, the remote aircraft can be instructed to fly to given coordinates without further input from the remote pilot. It also makes it possible to provide computer assistance to the remote pilot. In this mode, the remote flight control controls absolute pitch and roll angles instead pitch and roll rates which is the normal mode for aircraft.

That legal sounds like a defined autopilot to me and that as we need to show infringement at the Markman hearing..

4.

There is another on-board component called a SAS or Stability Augmentation System found on most large modern UAVs such as Predator, and which performs additional real-time stabilization to that done by the autopilot. Again, the SAS is not contemplated by the Margolin patent, yet is required to dampen control system oscillations in order to safely operate a UAV in systems that may suffer from communications delays to remote user control inputs. There are many more differences that we found when we first examined it, but as you can see we have never worked with a vehicle upon which your system could have been implemented and safely flown, and therefore we realized that it is impossible for us to have infringed this patent 5,904,724. You may easily independently verify the fact of these profound and fundamental differences from your system by examining the printed published materials regarding UAV control system and NASAs many publications on X-38 control systems.

Again, adding something to '724 is still infringement.

As far as examining the control systems on NASA's X-38 project is concerned, in a telephone conversation with NASA's Alan Kennedy in the Office of the General Counsel on February 9, 2006, he repeated his claim that, "The X-38 does fly." NASA has a video of the X-38 (flying) on its web site. (See http://www.dfrc.nasa.gov/Gallery/Movie/X-38/HTML/EM-0038-

01.html)

5.

We have never allowed our software to be used as an aid in piloting manned aircraft and thus cannot have infringed 5,566,073. If you aware of anyone doing this with our software, kindly inform us immediately, and we will ask them to desist.

We still have him on infringing on '724.

6.

Finally, let me set your mind at ease by informing you that our software product license currently explicitly contains the following clause: "The user is prohibited from using this software to pilot manned or unmanned aircraft." Alas, the requirements of our current company insurance policy, combined with the profound lack of a market for this possible application of our technology facilitated this business decision. Your letter said we recognize the "value" of this technology, but in view of the current situation "lack of value" is probably more appropriate.

From: Mike Abernath[redacted]
Sent: Monday, September 25, 2006 9:08 AM
To: 'Robert Adams'
Subject: question

b(6)

Robert,

Thanks for your offer to call but I am still getting over throat surgery from 2 weeks ago so my phone is forwarded, but I look forward to email from you and/or your attorneys.

In trying to understand the value of your IP I would like to ask 2 questions regarding USP 5,904,724. Was this system ever built? Was it ever flight tested? Of course you need not answer, but it really would be helpful in understanding what is required to get your technology to market.

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From: Robert Adams[redacted]
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Respectfully,

Robert Adams

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Sent: Sunday, September 24, 2006 4:29 PM
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Finally, let me set your mind at ease by informing you that our software product license currently explicitly contains the following clause: "The user is prohibited from using this software to pilot manned or unmanned aircraft." Alas, the requirements of our current company insurance policy, combined with the profound lack of a market for this possible application of our technology facilitated this business decision. Your letter said we recognize the "value" of this technology, but in view of the current situation "lack of value" is probably more appropriate.

We will get back to you just as soon as we have had a chance to study these patent claims further. For now, is there anything else that our company can reasonably do in regard to the concern that you expressed?

Sincerely,

Mike Abernathy

Rapid Imaging Software, Inc.

From: Robert Adams [redacted]
Sent: Tuesday, September 19, 2006 7:53 AM
To: [redacted]
Cc: [redacted]
Subject: [Norton AntiSpam] Rapid Imaging Software, Inc. patent infringement

b(6)

It has come to our attention that your company provides Synthetic Vision to fly UAV both in real time and in simulation.

September 19, 2006

Michael F. Abernathy

Rapid Imaging Software, Inc.

[redacted]E. b(6)

Sent via US MAIL, FAX & EMAIL

Mr. Abernathy,

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Hence as a legal formality, we are inviting your company to license our technology seeing that your company is already commercially using and selling said technology as covered by our IP listed below:

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CD08-47B5-A58D-
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x=00000000-0000-0000-0000-
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[redacted]o arrange a proper license of said intellectual property. You have 15 days to do so.

Sincerely,

Robert Adams, CEO

Optima Technology Group

RA/cp

-enclosure links-

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b(6)

FW: question

From: Mike Abernathy [redacted].com>
To: DELGADO FRANCISCO J. (FRANK) [redacted] 'Fein, Edward K. (JSC-AL)' [redacted] 'Kennedy, Alan J. (HQ-MC000)' [redacted]
Date: Sep 25 2006 - 11:44am

One more FYI.

Mike Abernathy

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From: Mike Abernathy [mailto:mikea@landform.com]
Sent: Monday, September 25, 2006 10:08 AM
To: 'Robert Adams'
Subject: question

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b(6)

September 19, 2006

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RA/cp

-enclosure links-

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RE: Rapid Imaging Software, Inc. patent infringement

From: Fein, Edward K. (JSC-AL)[redacted]
To: Mike Abernathy[redacted], DELGADO FRANCISCO J. (FRANK)
[redacted]
CC: Kennedy, Alan J. (HQ-MC000)[redacted]
Date: Sep 25 2006 - 10:38am

b(6)

Thanks, Mike.

-Ed
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From: Mike Abernathy [mailt[redacted]
Sent: Monday, September 25, 2006 10:32 AM
To: Fein, Edward K. (JSC-AL); DELGADO FRANCISCO J. (FRANK)
Cc: Kennedy, Alan J. (HQ-MC000)
Subject: FW: Rapid Imaging Software, Inc. patent infringement

FYI

Mike Abernathy

Rapid Imaging Software, Inc.

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Most important, the autopilot is absolutely required to deal with the frequent communications outages which occur between the UAV and the ground control segment (This can be anywhere from a second to an hour in length, generally). In the system of Margolin, a communications outage would often result in the loss of the aircraft, because the pilot would be unable to correct attitude drift during communication link loss and the air vehicle would go out of control and could crash. In the last decade of working with UAVs never have I witnessed a flight in which the communication link was not lost at least once during the flight. If the control communication link goes down, no control inputs can be made to the aircraft from the pilot on the ground, but the autopilot keeps the airplane from crashing by flying straight and level or gently banking until the link is restored. The system of Margolin does not recognize the problem of link loss, and fails to offer any solution. The autopilot functionality can be located in various components in the X38 it was in the on board GNC (Guidance Navigation and Control) computer, as I recollect.

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We have never allowed our software to be used as an aid in piloting manned aircraft and thus cannot have infringed 5,566,073. If you aware of anyone doing this with our software, kindly inform us immediately, and we will ask them to desist.

Finally, let me set your mind at ease by informing you that our software product license currently explicitly contains the following clause: "The user is prohibited from using this software to pilot manned or unmanned aircraft." Alas, the requirements of our current company insurance policy, combined with the profound lack of a market for this possible application of our technology facilitated this business decision. Your letter said we recognize the "value" of this technology, but in view of the current situation "lack of value" is probably more appropriate.

We will get back to you just as soon as we have had a chance to study these patent claims further. For now, is there anything else that our company can reasonably do in regard to the concern that you expressed?

Sincerely,

Mike Abernathy

Rapid Imaging Software, Inc.

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b(6)

From: Robert Adams [redacted]
Sent: Tuesday, September 19, 2006 7:53 AM
To [redacted]
Cc [redacted]
Subject: [Norton AntiSpam] Rapid Imaging Software, Inc. patent infringement

It has come to our attention that your company provides Synthetic Vision to fly UAV both in real time and in simulation.

September 19, 2006

Michael F. Abernathy

Rapid Imaging Software, Inc.

[redacted]

Sent via US MAIL, FAX & EMAIL

Mr. Abernathy,

It has come to our attention that your company provides Synthetic Vision to fly UAV both in real time and in simulation.

I am sure that Mr. Francisco Delgado of NASA and your other clients would agree with your company having a proper license of our intellectual property.

Hence as a legal formality, we are inviting your company to license our technology seeing that your company is already commercially using and selling said technology as covered by our IP listed below:

United States Patent 5,566,073 Margolin October 15, 1996 Pilot aid using a synthetic environment

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We are pleased that you recognize the value of using Synthetic Vision to allow UAV's to See-and-Avoid other aircraft; this is covered by our patents as noted above.

Please contact us so that we can a proper legal license with our attorneys for your use of our technology and/or you may contact our attorneys (HYPERLINK "http://by106fd.bay106.hotmail.msn.com/cgi-bin/compose?mailto=1&msg=0BE8FF07-CD08-47B5-A58D-A825698FD5EB&start=0&len=6480&src=&type=x&to[redacted]cc=&bcc=&subject=&body=&curmbox=00000000-0000-0000-0000-000000000001&a=ad17460c4976d4c8a2dcf004b74ca88163cef3516fe0531abada331a64870d4[redacted] arrange a proper license of said intellectual property. You have 15 days to do so.

Sincerely,

b(6)

Robert Adams, CEO

Optima Technology Group

RA/cp

-enclosure links-

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RE: Rapid Imaging Software, Inc. patent infringement

02622
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From: Fein, Edward K. (JSC-AL) [redacted]
To: Mike Abernathy [redacted], DELGADO FRANCISCO J. (FRANK)
[redacted]ov>
CC: Kennedy, Alan J. (HQ-MC000) [redacted]
Date: Sep 25 2006 - 10:38am

Thanks, Mike.

-Ed

From: Mike Abernath[redacted]
Sent: Monday, September 25, 2006 10:32 AM
To: Fein, Edward K. (JSC-AL); DELGADO FRANCISCO J. (FRANK)
Cc: Kennedy, Alan J. (HQ-MC000)
Subject: FW: Rapid Imaging Software, Inc. patent infringement

b(6)

FYI

Mike Abernathy

Rapid Imaging Software, Inc.

From: Robert Adams[redacted]
Sent: Monday, September 25, 2006 8:55 AM
To: 'Mike Abernathy'
Subject: RE: Rapid Imaging Software, Inc. patent infringement

Mike,

Thanks for your email, I will forward it today over to my patent and review legal team. Once they complete a review of your comments, I will give you a ring on the phone and a response via the post and/or attorneys.

Respectfully,

Robert Adams

02623

b(6)

From: Mike Abernath[redacted]
Sent: Sunday, September 24, 2006 4:29 PM
To: 'Robert Adams'
Subject: RE: Rapid Imaging Software, Inc. patent infringement

Dear Mr. Adams,

I have just returned from business travel, and have not had a chance to look over your communications in detail. Thank you very much for bringing your concerns to our attention. Let me assure you that we will do everything in our power, now and in the future, to avoid infringement of these or any patents. We have already begun another careful analysis of them and will act swiftly upon what we learn, should any problems be found. We have been aware of these patents for some years and have not ever infringed upon them, and will not do so. When we first learned of them we carefully examined our activities and those of our customers to make sure there was no possible infringement of them. As soon as we learned of it, we also informed the legal departs of our major customers to alert them to the existence of USP 5,904,724, but so far no UAV manufacturers have been seriously interested in offering synthetic vision for their UAV pilot stations.

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differences that we found when we first examined it, but as you can see we have never worked with a vehicle upon which your system could have been implemented and safely flown, and therefore we realized that it is impossible for us to have infringed this patent 5,904,724. You may easily independently verify the fact of these profound and fundamental differences from your system by examining the printed published materials regarding UAV control system and NASAs many publications on X-38 control systems.

We have never allowed our software to be used as an aid in piloting manned aircraft and thus cannot have infringed 5,566,073. If you aware of anyone doing this with our software, kindly inform us immediately, and we will ask them to desist.

Finally, let me set your mind at ease by informing you that our software product license currently explicitly contains the following clause: "The user is prohibited from using this software to pilot manned or unmanned aircraft." Alas, the requirements of our current company insurance policy, combined with the profound lack of a market for this possible application of our technology facilitated this business decision. Your letter said we recognize the "value" of this technology, but in view of the current situation "lack of value" is probably more appropriate.

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Sincerely,

Mike Abernathy

Rapid Imaging Software, Inc.

From: Robert Adams [redacted]
Sent: Tuesday, September 19, 2006 7:53 AM
To: [redacted]
Cc: [redacted]
Subject: [Norton AntiSpam] Rapid Imaging Software, Inc. patent infringement

b(6)

It has come to our attention that your company provides Synthetic Vision to fly UAV both in real time and in simulation.

September 19, 2006

Michael F. Abernathy

Rapid Imaging Software, Inc.

[redacted]

Sent via US MAIL, FAX & EMAIL

Mr. Abernathy,

It has come to our attention that your company provides Synthetic Vision to fly UAV both in real time and in simulation.

I am sure that Mr. Francisco Delgado of NASA and your other clients would agree with your company having a proper license of our intellectual property.

Hence as a legal formality, we are inviting your company to license our technology seeing that your company is already commercially using and selling said technology as covered by our IP listed below:

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United States Patent 5,904,724 Margolin May 18, 1999, Method and apparatus for remotely piloting an aircraft

We are pleased that you recognize the value of using Synthetic Vision to allow UAV's to See-and-Avoid other aircraft; this is covered by our patents as noted above.

Please contact us so that we can a proper legal license with our attorneys for your use of our technology and/or you may contact our attorneys (HYPERLINK "http://by106fd.bay106.hotmail.msn.com/cgi-bin/compose?mailto=1&msg=0BE8FF07-CD08-47B5-A58D-A825698FD5EB&start=0&len=6480&src=&type=x&to[redacted]&cc=&bcc=&subject=&body=&curmbox=00000000-0000-0000-0000-000000000001&a=ad17460c4976d4c8a2dcf004b74ca88163cef3516fe0531abada331a64870d4c[redacted]to arrange a proper license of said intellectual property. You have 15 days to do so.

Sincerely,

Robert Adams, CEO

Optima Technology Group

02623

RA/cp

-enclosure links-

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RE: Rapid Imaging Software, Inc. patent infringement

From: Fein, Edward K. (JSC-AL[redacted]
To: Mike Abernathy[redacted] Delgado, Francisco J. (JSC-ER2)
[redacted] Kennedy, Alan J. (HQ-MC000)[redacted]
Date: Sep 25 2006 - 9:59am

Thanks, Mike!

b(6)

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RE: Rapid Imaging Software, Inc. patent infringement

From: Fein, Edward K. (JSC-AL)[redacted]
To: Delgado, Francisco J. (JSC-ER2)[redacted]>, Mike Abernathy
[redacted]ennedy, Alan[redacted]
Date: Sep 25 2006 - 8:55am

I'm including Alan Kennedy, the attorney at NASA Headquarters who handles patent infringement for the agency, on this response. I believe your (Mike's) response to Optima is quite thorough and could very well diffuse this issue. I'm not sure a telecon at this time is warranted. I suggest we wait to see Optima's response.

Alan, do you have any additional thoughts?

b(6)

-Ed

Edward K. Fein
Deputy Chief Counsel/
Intellectual Property Counsel
NASA Johnson Space Center
[redacted]

02627

From: Delgado, Francisco J. (JSC-ER2)
Sent: Monday, September 25, 2006 1:12 AM
To: Mike Abernathy; Fein, Edward K. (JSC-AL)
Subject: RE: Rapid Imaging Software, Inc. patent infringement

Please work with Mr. Fein on a time to call. I can 'sneak' away from any activity tomorrow to join a conference call.

thanks,

Frank

From: Mike Abernath[redacted] b(6)
Sent: Sun 9/24/2006 6:38 PM
To: Fein, Edward K. (JSC-AL); Delgado, Francisco J. (JSC-ER2)
Subject: Rapid Imaging Software, Inc. patent infringement

Gentlemen,

I strongly believe that these two patents are defective, but more important I feel strongly that NASA and RIS did not infringe either one of them, in spite of these accusations.

I would like to ask for your help urgently since these people are threatening to sue us and since they have falsely accused us of infringement.

I therefore would like to ask both of you to read my letter attached below which has been sent to Mr. Adams, to make sure that I am stating things properly. Would it be possible for me to call you tomorrow on the phone?

Mike Abernathy

Rapid Imaging Software, Inc.

From: Mike Abernathy[redacted] b(6)
Sent: Sunday, September 24, 2006 5:29 PM
To: 'Robert Adams'
Subject: RE: [Norton AntiSpam] Rapid Imaging Software, Inc. patent infringement

Dear Mr. Adams,

I have just returned from business travel, and have not had a chance to look over your communications in detail. Thank you very much for bringing your concerns to our attention. Let me assure you that we will do everything in our power, now and in the future, to avoid infringement of these or any patents. We have already begun another careful analysis of them and will act swiftly upon what we learn, should any problems be found. We have been aware of these patents for some years and have not ever infringed upon them, and will not do so. When we first learned of them we carefully examined our activities and those of our customers to make sure there was no possible infringement of them. As soon as we learned of it, we also informed the legal departs of our major customers to alert them to the existence of USP 5,904,724, but so far no UAV manufacturers have been seriously interested in offering synthetic vision for their UAV pilot stations.

We discovered that the system described the in patent pertaining to remotely piloted vehicles USP 5,904,724 contains an entire clause in claim 1 that did not exist in the X38 or other UAVs that we have seen – this is the final paragraph of clause 1 regarding the method for handling delay in the control loop by "adjusting control sensitivity". This simply is not present in any form in any vehicles with which we have experience. Since all claims of this patent include this clause by reference, that patent is not relevant to these vehicles because none of them have this feature.

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02629

5,566,073. If you aware of anyone doing this with our software, kindly inform us immediately, and we will ask them to desist.

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Sincerely,

Mike Abernathy

Rapid Imaging Software, Inc.

From: Robert Adams [redacted]
Sent: Tuesday, September 19, 2006 7:53 AM
To [redacted]
Cc: [redacted]
Subject: [Norton AntiSpam] Rapid Imaging Software, Inc. patent infringement

b(6)

It has come to our attention that your company provides Synthetic Vision to fly UAV both in real time and in simulation.

September 19, 2006

Michael F. Abernathy

Rapid Imaging Software, Inc.

[redacted]

b(6)

02630

[redacted] b(6)

Sent via US MAIL, FAX & EMAIL

Mr. Abernathy,

It has come to our attention that your company provides Synthetic Vision to fly UAV both in real time and in simulation.

I am sure that Mr. Francisco Delgado of NASA and your other clients would agree with your company having a proper license of our intellectual property.

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Please contact us so that we can a proper legal license with our attorneys for your use of our technology and/or you may contact our attorneys (HYPERLINK "http://by106fd.bay106.hotmail.msn.com/cgi-bin/compose?mailto=1&msg=0BE8FF07-CD08-47B5-A58D-A825698FD5EB&start=0&len=6480&src=&type=x&[redacted]m&cc=&bcc=&subject=&body=&curmbox=00000000-0000-0000-0000-000000000001&a=ad17460c4976d4c8a2dcf004b74ca88163cef3516fe0531abada331a64870d4[redacted]to arrange a proper license of said intellectual property. You have 15 days to do so.

Sincerely,

Robert Adams, CEO

Optima Technology Group

RA/cp

-enclosure links-

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02631
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RE: Rapid Imaging Software, Inc. patent infringement

From: Delgado, Francisco J. (JSC-ER2[redacted]
To: Mike Abernath[redacted]ein, Edward K. (JSC-AL)[redacted]
Date: Sep 25 2006 - 1:13am

Please work with Mr. Fein on a time to call. I can 'sneak' away from any activity tomorrow to join a conference call.

thanks,

Frank

b(6)

From: Mike Abernathy [ma[redacted]
Sent: Sun 9/24/2006 6:38 PM
To: Fein, Edward K. (JSC-AL); Delgado, Francisco J. (JSC-ER2)
Subject: Rapid Imaging Software, Inc. patent infringement

Gentlemen,

I strongly believe that these two patents are defective, but more important I feel strongly that NASA and RIS did not infringe either one of them, in spite of these accusations.

I would like to ask for your help urgently since these people are threatening to sue us and since they have falsely accused us of infringement.

I therefore would like to ask both of you to read my letter attached below which has been sent to Mr. Adams, to make sure that I am stating things properly. Would it be possible for me to call you tomorrow on the phone?

Mike Abernathy

Rapid Imaging Software, Inc.

From: Mike Abernathy [ma[redacted]
Sent: Sunday, September 24, 2006 5:29 PM
To: 'Robert Adams'
Subject: RE: [Norton AntiSpam] Rapid Imaging Software, Inc. patent infringement

Dear Mr. Adams,

I have just returned from business travel, and have not had a chance to look over your communications in detail. Thank you very much for bringing your concerns to our attention. Let me assure you that we will do everything in our power, now

and in the future, to avoid infringement of these or any patents. We have already begun another careful analysis of them and will act swiftly upon what we learn, should any problems be found. We have been aware of these patents for some years and have not ever infringed upon them, and will not do so. When we first learned of them we carefully examined our activities and those of our customers to make sure there was no possible infringement of them. As soon as we learned of it, we also informed the legal departs of our major customers to alert them to the existence of USP 5,904,724, but so far no UAV manufacturers have been seriously interested in offering synthetic vision for their UAV pilot stations.

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requirements of our current company insurance policy, combined with the profound lack of a market for this possible application of our technology facilitated this business decision. Your letter said we recognize the "value" of this technology, but in view of the current situation "lack of value" is probably more appropriate.

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Sincerely,

Mike Abernathy

Rapid Imaging Software, Inc.

From: Robert Adams [mailt[redacted]
Sent: Tuesday, September 19, 2006 7:53 AM
T[redacted]
C[redacted]
Subject: [Norton AntiSpam] Rapid Imaging Software, Inc. patent infringement

b(6)

It has come to our attention that your company provides Synthetic Vision to fly UAV both in real time and in simulation.

September 19, 2006

Michael F. Abernathy

Rapid Imaging Software, Inc.

[redacted]

b(6)

Sent via US MAIL, FAX & EMAIL

02634

Mr. Abernathy,

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I am sure that Mr. Francisco Delgado of NASA and your other clients would agree with your company having a proper license of our intellectual property.

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Please contact us so that we can a proper legal license with our attorneys for your use of our technology and/or you may contact our attorneys (HYPERLINK "http://by106fd.bay106.hotmail.msn.com/cgi-bin/compose?mailto=1&msg=0BE8FF07-CD08-47B5-A58D-A825698FD5EB&start=0&len=6480&src=&type=x&[redacted]cc=&bcc=&subject=&body=&curmbox=00000000-0000-0000-0000-000000000001&a=ad17460c4976d4c8a2dcf004b74ca88163cef3516fe0531abada331a64870d4[redacted]

[redacted]o arrange a proper license of said intellectual property. You have 15 days to do so.

Sincerely,

Robert Adams, CEO

Optima Technology Group

RA/cp

-enclosure links-
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RE: US Patents 5566073 and 5904724

b(6)

From: FEIN, EDWARD K. (JSC-HA) (NASA[redacted]
To: Barry V. Gibbens, LaRC [redacted]
CC: Linda B. Blackburn [redacted]
Date: Sep 01 2004 - 4:33pm

02635
~~~

Rats! I guess I'd should research things better before I blindly send them out. Btw, the real Bahamas get hurricanes too.

-----Original Message-----
From: Barry V. Gibbens, LaRC [mailto[redacted]
Sent: Wednesday, September 01, 2004 3:26 PM
To: FEIN, EDWARD K. (JSC-HA) (NASA)
Cc: Linda B. Blackburn
Subject: RE: US Patents 5566073 and 5904724

b(6)

Very nice! I went to the Nassau Bay website, and looked under "New Things . . . Check It Out." Three of the highlights were "Storm Preparedness Information," "Hurricane Tracking Chart," and "You Can Now Pay Traffic Fines On Line." Sounds like my kind of place!!!

BG

At 02:44 PM 9/1/2004 -0500, you wrote:

No need to telecommute from the Bahamas, Barry. Nassau Bay is right across the street from JSC! Check out http://www.nassaubay.com/. See -- we got it all! And please do pass the word. I'd even risk the wrath of Linda and Kathy to snag one of you guys.

[redacted]

Take care ...

b(5)

-Ed

-----Original Message-----
From: Barry V. Gibbens, LaRC [mailto:[redacted]]
Sent: Wednesday, September 01, 2004 2:21 PM
To: FEIN, EDWARD K. (JSC-HA) (NASA)
Subject: RE: US Patents 5566073 and 5904724

b(6)

Thanks Ed - I'll pass the word. Just for future reference, if any of us were to apply for the job, how would you feel about tele-commuting from, say, the Bahamas?????

[redacted]

b(5)

At 12:30 PM 9/1/2004 -0500, you wrote:

Thanks Barry ...

b(5)

[redacted]

02636

Best regards ...

-Ed

Btw, Jim Cate is retiring at the end of the month, and we definitely will be filling the slot. So please spread the word. Good things about JSC is the high locality pay differential in Houston, and the relatively low cost of living here. The downside is that the poor person will have to deal with my bad a** on a daily basis.

Take care ...
-----Original Message-----
From: Barry V. Gibbens, LaRC [redacted] b(6)
Sent: Wednesday, September 01, 2004 11:29 AM
To: Mike Abernathy; 'Kennedy, Alan'
Cc: Linda B. Blackburn; Dan Baize; 'Trey Arthur'; DELGADO, FRANCISCO J. (FRANK) (JSC-ER2) (NASA); FEIN, EDWARD K. (JSC-HA) (NASA); BOE, ERIC A., LTCOL. (JSC-CB) (NASA)
Subject: Re: US Patents 5566073 and 5904724

Hi Alan (and others),
Just to clarify the message below, I spoke with Mike Abernathy this morning, and I've spoken with Dan Baize on a number of occasions concerning this topic. I've also spoken with you (Alan) briefly, and with Linda Blackburn, Patent Counsel here at Langley (not Linda "Blackwell" :-). It seems clear that the technical folks have determined that the Margolin patent on Synthetic Vision creates a substantial problem for many of our partners in the aviation safety industry for a variety of reasons. It also seems clear that there is substantial prior art in existence to make an argument for re-examination of the Margolin patent. Linda has stated that we at Langley are willing to support an analysis of this situation at the Center level. She has, however, also told me that we first need to perform a formal infringement analysis to confirm (from a legal perspective) that we are in fact practicing the patent as described by its claims. If that analysis shows probable infringement, then we can proceed with a re-examination request, which Dan Baize has indicated he would be willing to fund. It is my understanding that you (again Alan) gave your blessing this morning for us to proceed at the Center level on these activities. If that is the case, I'll go ahead and begin moving on the formal infringement analysis, keeping you apprised of progress as it develops. Please let me know if you are in agreement with the situation as I have described it. If so, I'll begin work here shortly.
Thanks,
Barry

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Best regards,
Mike Abernathy
Rapid Imaging Software, Inc.
[redacted]m b(6)
HYPERLINK "http://www.visualflight.com/"www.visualflight.com

02637

Barry V. Gibbens
NASA Langley Research Center
Intellectual Property Law Team - Office of Chief Counsel
[redacted]

[redacted]
wwwebsite: http://tech-transfer.larc.nasa.gov/

b(6)

NEW E-MAIL ADDRESS: Please note that effective immediately, my e-mail address is [redacted]
Please update your mail systems accordingly. Thanks.

Barry V. Gibbens
NASA Langley Research Center
Intellectual Property Law Team - Office of Chief Counsel
[redacted]

[redacted]
wwwebsite: [redacted]a.gov/

b(6)

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[redacted]

[redacted]
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b(6)

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~~~

RE: US Patents 5566073 and 5904724

b(6)

From: FEIN, EDWARD K. (JSC-HA) (NASA) [redacted]
To: Barry V. Gibbens, LaRC [redacted]
BCC: ROAN, BERNARD J. (JSC-AL) (NASA) [redacted]
Date: Sep 01 2004 - 2:44pm

02638
~~~

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[redacted]

b(5)

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-Ed

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Sent: Wednesday, September 01, 2004 2:21 PM
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Sent: Wednesday, September 01, 2004 11:29 AM
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Cc: Linda B. Blackburn; Dan Baize; 'Trey Arthur'; DELGADO, FRANCISCO J. (FRANK) (JSC-ER2) (NASA); FEIN, EDWARD K. (JSC-HA) (NASA); BOE, ERIC A., LTCOL. (JSC-CB) (NASA)
Subject: Re: US Patents 5566073 and 5904724

b(6)

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Thanks,
Barry

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Best regards,

Mike Abernathy
Rapid Imaging Software, Inc.
[redacted]

www.landform.com
HYPERLINK "http://www.visualflight.com/"www.visualflight.com

Barry V. Gibbens
NASA Langley Research Center
Intellectual Property Law Team - Office of Chief Counsel
[redacted]1

b(6)

[redacted]
wwwebsite: http://tech-transfer.larc.nasa.gov/

NEW E-MAIL ADDRESS: Please note that effective immediately, my e-mail address is now [redacted]

Please update your mail systems accordingly. Thanks.

Barry V. Gibbens
NASA Langley Research Center
Intellectual Property Law Team - Office of Chief Counsel
[redacted]
b(6)
wwebsite: http://tech-transfer.larc.nasa.gov/

NEW E-MAIL ADDRESS: Please note that effective immediately, my e-mail address is no[redacted]gov.
Please update your mail systems accordingly. Thanks.

~~~

b(6)

FW: US Patents 5566073 and 5904724

From: FEIN, EDWARD K. (JSC-HA) (NASA[redacted]
To: RO, THEODORE U., JD (JSC-HA) (NASA[redacted]v>, CATE, JAMES M., JD (JSC-HA) (NASA) [redacted]
CC: KRISHEN, KUMAR (JSC-HA) (NASA) [redacted]>, WHITTINGTON, JAMES (JSC-HA) (USA) [redacted] HAINES, DAVID D. (JSC-HA) (NASA) [redacted]>, HIEGER, COLLIN (JSC-HA) (UNK) [redacted] LANE, HELEN W. (JSC-AD) (NASA) [redacted]>, HAYES, GREG W. (JSC-AD) (NASA) [redacted] ROAN, BERNARD J. (JSC-AL) (NASA) [redacted], REMINGTON, DANIEL R. (DAN) (JSC-AL) (NASA) [redacted]
Date: Sep 01 2004 - 12:51pm

Claims Analysis of Patent.doc - 2.1MB - View in Outlook

[redacted]

b(5)

-Ed

-----Original Message-----
From: Mike Abernath[redacted]
Sent: Wednesday, September 01, 2004 12:25 PM
To: FEIN, EDWARD K. (JSC-HA) (NASA)
Subject: RE: US Patents 5566073 and 5904724

Here it is.

Best regards,

Mike Abernathy
Rapid Imaging Software, Inc.
~~~

(505) 265 7020

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www.visualflight.com

-----Original Message-----
From: FEIN, EDWARD K. (JSC-HA) (NASA) [redacted] b(6)
Sent: Wednesday, September 01, 2004 11:19 AM
To: 'Mike Abernathy'
Subject: RE: US Patents 5566073 and 5904724

Barry Gibbens is a good man, Mike, and no, you haven't sent me the claims analysis. I am pleased to learn that the Agency is moving on this.

-Ed
-----Original Message-----
From: Mike Abernathy [redacted] b(6)
Sent: Wednesday, September 01, 2004 11:45 AM
To: FEIN, EDWARD K. (JSC-HA) (NASA)
Cc: DELGADO, FRANCISCO J. (FRANK) (JSC-ER2) (NASA)
Subject: RE: US Patents 5566073 and 5904724
Hi Ed,

Happy to keep you involved. I appreciated that article you sent me on the topic. The one thing that concerned me in the article is that I realized if Alan just sends the claims analysis to the PTO without requesting a re-exam then the owner will have the leisure to think up excuses for why this is not so, and prepare a defense maybe even ask for his own re-exam. Yikes! If NASA does not ask for the re-exam upon finding the prior art, we are basically strengthening his position to sue NASA by allowing him the time to synthesize a defense against the defects of his patent. It appears that Barry Gibbens is ready to press forward, happily.

Have I sent you the claims analysis yet?

Best regards,

Mike Abernathy
Rapid Imaging Software, Inc.
[redacted]

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www.visualflight.com

-----Original Message-----
From: FEIN, EDWARD K. (JSC-HA) (NASA) [redacted] b(6)
Sent: Wednesday, September 01, 2004 10:06 AM
To: 'Mike Abernathy'
Subject: RE: US Patents 5566073 and 5904724

Thanks, Mike, for keeping me in the loop.

-Ed
-----Original Message-----
From: Mike Abernathy [redacted]
Sent: Wednesday, September 01, 2004 10:33 AM
To: 'Kennedy, Alan'
Cc: 'Barry V. Gibbens, LaRC'; Dan Baize; 'Trey Arthur'; DELGADO, FRANCISCO J. (FRANK) (JSC-ER2) (NASA); FEIN, EDWARD K. (JSC-HA) (NASA); BOE, ERIC A., LTCOL. (JSC-CB) (NASA)
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Mike Abernathy
Rapid Imaging Software, Inc.
[redacted]

~~~

b(6)

RE: US Patents 5566073 and 5904724

From: Mike Abernathy [redacted]
To: 'FEIN, EDWARD K. (JSC-HA) (NASA)' [redacted]
Date: Sep 01 2004 - 12:44pm

Sir,

Could you read this and let me know what you think of it? I know it will evolve a lot in Barry's hands – which is good. But I would like your thoughts on it for my own and Frank's edification.

Best regards,

Mike Abernathy
Rapid Imaging Software, Inc.
[redacted]

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www.visualflight.com

-----Original Message-----
From: FEIN, EDWARD K. (JSC-HA) (NASA) [redacted]
Sent: Wednesday, September 01, 2004 11:41 AM
To: 'Mike Abernathy'
Subject: RE: US Patents 5566073 and 5904724

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Here it is.

b(6)

Best regards,

Mike Abernathy
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[redacted]

www.landform.com
www.visualflight.com

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02643
~~~

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www.landform.com
www.visualflight.com

Claims Analysis of Patent.doc

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Re: US Patents 5566073 and 5904724

From: Barry V. Gibbens, LaR[redacted]V>
To: Mike Abernathy [redacted] 'Kennedy, Alan' [redacted]>
CC: Linda B. Blackbur[redacted] Dan Baize[redacted],
'Trey Arthur' <[redacted]v>, DELGADO FRANCISCO J. (FRANK)
[redacted], FEIN, EDWARD K. (JSC-HA) (NASA)
[redacted] Eric Boe [redacted]
Date: Sep 01 2004 - 11:29am

b(6)

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NASA Langley Research Center
Intellectual Property Law Team - Office of Chief Counsel
[redacted]
wwwebsite: http://tech-transfer.larc.nasa.gov/

NEW E-MAIL ADDRESS: Please note that effective immediately, my e-mail address is no[redacted]
Please update your mail systems accordingly. Thanks.

From: McNutt, Jan (HQ-MC000)
Sent: Wednesday, August 06, 2008 1:36 PM

To: Fein, Edward K. (JSC-AL)
Cc: Borda, Gary G. (HQ-MC000); Rotella, Robert F. (HQ-MA000)
Subject: Patent Infringement claim from Jed Margolin; NASA Case No. I-222

Hello Mr. Fein,

I am a new attorney working commercial law and also helping out Gary and Bob. Do you remember working on this infringement claim, and if so, what was the outcome, if any? See attached.

<< File: Kennedy to JSC.pdf >> << File: Margolin FOIA.pdf >> << File: Letter from Optima 20080714.pdf >>

Thank you,

Jan S. McNutt
Attorney-Advisor (Commercial)
Office of the General Counsel
NASA Headquarters
[redacted]
b(6)

02647

[redacted]

From: Burns, Laura (HQ-MA000)
Sent: Friday, August 15, 2008 2:10 PM
To: McNutt, Jan (HQ-MC000)
Subject: UAS.vs.OTG

Jan,

Attached are some documents from the Universal case. Several of the documents were not available because they were sealed. If you have any questions, let me know.


UAs.vs.OTG.docket .pdf


OTG.Answer.to.UAS.Complaint.pd...


OTG.Amended.Answer.pdf


UAS.Reply.Counterclaims.pdf


UAS.Order.Motion.Dismiss.4.9.0...


USA.2ndAmendedComplaint.pdf


OTG.Answer.2nd.Amended.Complai...


UAS.Reply.to.OTG.Counterclaims...

Laura

Laura Burns
Law Librarian for the Office of the General Counsel
NASA Headquarters
300 E Street, SW, Suite 9W39A
Washington, DC 20546

202-358-2078 (v)
202-358-4355 (f)

02663

STD

U.S. District Court
DISTRICT OF ARIZONA (Tucson Division)
CIVIL DOCKET FOR CASE #: 4:07-cv-00588-RCC

Universal Avionics Systems Corporation v. Optima Technology Group, Inc. et al
Assigned to: Judge Raner C Collins
Cause: No cause code entered

Date Filed: 11/09/2007
Jury Demand: Both
Nature of Suit: 190 Contract: Other
Jurisdiction: Federal Question

Plaintiff

Universal Avionics Systems Corporation

represented by **Allan Andrew Kassenoff**
Greenberg Traurig LLP
200 Park Ave
New York , NY 10166
212-801-9200
Fax: 212-801-6400
Email: kassenoffa@gtlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul J Sutton
Greenberg Traurig LLP
200 Park Ave
New York , NY 10166
(212)801-9200
Fax: (212)801-6400
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott Joseph Bornstein ,
Greenberg Traurig LLP
200 Park Ave
New York , NY 10166
212-801-2172
Fax: 212-224-6146
Email: bornsteins@gtlaw.com
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

E Jeffrey Walsh
Greenberg Traurig LLP
2375 E Camelback Rd
Ste 700
Phoenix , AZ 85016
602-445-8406
Fax: 602-445-8100
Email: walshj@gtlaw.com

02667

ATTORNEY TO BE NOTICED

Robert A Mandel
Greenberg Traurig LLP
2375 E Camelback Rd
Ste 700
Phoenix , AZ 85016
602-445-8000
Fax: 602-445-8100
Email: mandelr@gtlaw.com
ATTORNEY TO BE NOTICED

V.

Defendant

Optima Technology Group, Inc.

represented by **Jeffrey Lynn Willis**
Snell & Wilmer LLP
1 S Church Ave
Ste 1500
Tucson , AZ 85701-1612
520-882-1231
Fax: 520-884-1294
Email: jwillis@swlaw.com

Robert Alan Bernheim
Snell & Wilmer LLP
1 S Church Ave
Ste 1500
Tucson , AZ 85701-1612
520-882-1239
Fax: 520-884-1294
Email: rbernheim@swlaw.com
ATTORNEY TO BE NOTICED

Defendant

Optima Technology Corporation

Defendant

Jed Margolin

represented by **Jeffrey Lynn Willis**
(See above for address)
ATTORNEY TO BE NOTICED

Robert Alan Bernheim
(See above for address)
ATTORNEY TO BE NOTICED

Defendant

Optima Technology Corporation

ThirdParty Defendant

02668

Joachim L Naimer

ThirdParty Defendant

Jane Doe Naimer

ThirdParty Defendant

Frank E Hummel

ThirdParty Defendant

Jane Doe Hummel

ThirdParty Plaintiff

Optima Technology Group, Inc.

Cross Claimant

Optima Technology Group, Inc.

Counter Claimant

Optima Technology Group, Inc.

V.

Counter Defendant

Universal Avionics Systems Corporation

represented by **Allan Andrew Kassenoff**
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Paul J Sutton
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

Scott Joseph Bornstein ,
(See above for address)
LEAD ATTORNEY
ATTORNEY TO BE NOTICED

E Jeffrey Walsh
(See above for address)
ATTORNEY TO BE NOTICED

Counter Claimant

Optima Technology Group, Inc.

represented by **Jeffrey Lynn Willis**
(See above for address)

Robert Alan Bernheim
(See above for address)
ATTORNEY TO BE NOTICED

Counter Claimant

Jed Margolin

represented by **Jeffrey Lynn Willis**
(See above for address)
ATTORNEY TO BE NOTICED

Robert Alan Bernheim
(See above for address)
ATTORNEY TO BE NOTICED

V.

Counter Defendant

Optima Technology Corporation

Date Filed	#	Docket Text
11/09/2007	1	SEALED COMPLAINT. Filing fee received: $ 350.00, receipt number 1549612, filed by Universal Avionics Systems Corporation. (Attachments: # 1 Exhibit Part 1 of 2# 2 Exhibit Part 2 of 2# 3 Summons OTC# 4 Summons OTG# 5 Summons JA# 6 Summons RA# 7 Civil Cover Sheet)(Walsh, E) Modified on 1/25/2008 (DNO, SEALED PER ORDER 39). Modified on 2/15/2008 (APJ,). (Entered: 11/09/2007)
11/09/2007		This case has been assigned to the Honorable Raner C. Collins. All future pleadings or documents should bear the correct case number: CIV-07-588-TUC-RCC. (GPA,) (Entered: 11/15/2007)
11/15/2007	2	Summons Issued as to Optima Technology Corporation. (GPA,). *** IMPORTANT: You must select "Document and stamps" or "Document and comments" on the print screen in order for the court seal to appear on the summons you print. (Entered: 11/15/2007)
11/15/2007	3	Summons Issued as to Optima Technology Group, Inc.. (GPA,). *** IMPORTANT: You must select "Document and stamps" or "Document and comments" on the print screen in order for the court seal to appear on the summons you print. (Entered: 11/15/2007)
11/15/2007	4	Summons Issued as to Jed Margolin. (GPA,). *** IMPORTANT: You must select "Document and stamps" or "Document and comments" on the print screen in order for the court seal to appear on the summons you print. (Entered: 11/15/2007)
11/15/2007	5	Summons Issued as to Robert Adams. (GPA,). *** IMPORTANT: You must select "Document and stamps" or "Document and comments" on the print screen in order for the court seal to appear on the summons you print. (Entered: 11/15/2007)
11/15/2007	6	Notice re electronically sending a magistrate election form to filer by Universal Avionics Systems Corporation (GPA,) (Entered: 11/15/2007)

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12/17/2007	7	Quarterly MOTION for Extension of Time To Answer based on Stipulation by Optima Technology Corporation, Robert Adams, Jed Margolin. (Attachments: # 1 Supplement Stipulation, # 2 Text of Proposed Order Order) (Chandler, Jeanna) (Entered: 12/17/2007)
12/19/2007	8	ORDER granting 7 Motion for Extension of Time. Dfts have up to 1/7/08 to serve/file their answer. Signed by Judge Raner C Collins on 12/18/07.(SSU,) (Entered: 12/19/2007)
01/04/2008	9	MOTION for Admission Pro Hac Vice as to attorney Scott J Bornstein on behalf of Universal Avionics Systems Corporation. (BAS,) (Entered: 01/04/2008)
01/04/2008	10	MOTION for Admission Pro Hac Vice as to attorney Paul J Sutton on behalf of Universal Avionics Systems Corporation. (BAS,) (Entered: 01/04/2008)
01/04/2008	11	MOTION for Admission Pro Hac Vice as to attorney Allan A Kassenoff on behalf of Universal Avionics Systems Corporation. (BAS,) (Entered: 01/04/2008)
01/04/2008		PRO HAC VICE FEE PAID. $ 100, receipt number PHX066316 as to Scott J Bornstein. (BAS,) (Entered: 01/04/2008)
01/04/2008		PRO HAC VICE FEE PAID. $ 100, receipt number PHX066315 as to Paul J Sutton. (BAS,) (Entered: 01/04/2008)
01/04/2008		PRO HAC VICE FEE PAID. $ 100, receipt number PHX066314 as to Allan A Kassenoff. (BAS,) (Entered: 01/04/2008)
01/04/2008	12	ORDER pursuant to General Order 05-25 granting 9 Motion for Admission Pro Hac Vice; granting 10 Motion for Admission Pro Hac Vice; granting 11 Motion for Admission Pro Hac Vice.Per the Court's Administrative Policies and Procedures Manual, applicant has five (5) days in which to register as a user of the Electronic Filing System. Registration to be accomplished via the court's website at www.azd.uscourts.gov. (BAS,)(This is a TEXT ENTRY ONLY. There is no.pdf document associated with this entry.) (Entered: 01/04/2008)
01/07/2008	13	MOTION to Dismiss Case by Optima Technology Group, Inc., Robert Adams. (Chandler, Jeanna) Modified on 1/9/2008 (SSU, DOCUMENT FILED WITH INCORRECT CASE NUMBER AND DOCUMENT NOT IN COMPLIANCE WITH LRCiv 7.1(c). ATTORNEY NOTICED). (Entered: 01/07/2008)
01/07/2008	16	SEALED LODGED Proposed Memorandum in Support of Motion to Dismiss Adams/Optima re: 14 MOTION to Seal Document re Memorandum in Support of Adams/Optima Motion to Dismiss. Document to be filed by Clerk if Motion to Seal is granted. Filed by Optima Technology Group, Inc., Robert Adams. (Chandler, Jeanna) (Entered: 01/07/2008)
01/07/2008	17	MOTION to Dismiss Case for Lack of Jurisdiction by Robert Adams. (Chandler, Jeanna) Modified on 1/9/2008 (SSU, DOCUMENT FILED WITH INCORRECT CASE NUMBER AND DOCUMENT NOT IN COMPLIANCE WITH LRCiv 7.1(c). ATTORNEY NOTICED). (Entered:

		01/07/2008)
01/07/2008	20	SEALED LODGED Proposed Memorandum in Support of Adams Motion to Dismiss for Lack of Personal Jurisdiction re: 18 MOTION to Seal Document re Memorandum in Support of Motion To Dismiss. Document to be filed by Clerk if Motion to Seal is granted. Filed by Robert Adams. (Chandler, Jeanna) (Entered: 01/07/2008)
01/07/2008	21	MOTION to Dismiss Case for Lack of Jurisdiction by Jed Margolin. (Chandler, Jeanna) Modified on 1/9/2008 (SSU, DOCUMENT FILED WITH INCORRECT CASE NUMBER AND DOCUMENT NOT IN COMPLIANCE WITH LRCiv 7.1(c). ATTORNEY NOTICED). (Entered: 01/07/2008)
01/07/2008	24	SEALED LODGED Proposed Memorandum in Support of Margolins Motion to Dismiss re: 22 MOTION to Seal Document re Memorandum in Support of Margolins Motion to Dismiss. Document to be filed by Clerk if Motion to Seal is granted. Filed by Jed Margolin. (Chandler, Jeanna) (Entered: 01/07/2008)
01/07/2008	27	ANSWER to 1 Complaint, with Jury Demand by Optima Technology Group, Inc..(Chandler, Jeanna) Modified on 1/9/2008 (SSU, DOCUMENT FILED WITH INCORRECT CASE NUMBER AND DOCUMENT NOT IN COMPLIANCE WITH LRCiv 7.1(c). ATTORNEY NOTICED). (Entered: 01/07/2008)
01/07/2008	28	Corporate Disclosure Statement by Optima Technology Group, Inc. (Chandler, Jeanna) TEXT Modified on 1/8/2008 (SSU, DOCUMENT FILED WITH INCORRECT CASE NUMBER). (Entered: 01/07/2008)
01/08/2008	29	MOTION for Leave to File Excess Pages by Optima Technology Group, Inc., Robert Adams. (Attachments: # 1 Text of Proposed Order Proposed Order) (Chandler, Jeanna) Modified on 1/9/2008 (SSU, DOCUMENT FILED WITH INCORRECT CASE NUMBER AND DOCUMENT NOT IN COMPLIANCE WITH LRCiv 7.1(c). ATTORNEY NOTICED). (Entered: 01/08/2008)
01/08/2008	31	ORDER granting 14 Motion to Seal Document ; granting 18 Motion to Seal Document ; granting 22 Motion to Seal Document. Signed by Judge Raner C Collins on 1/8/08.(SGG,) (Entered: 01/09/2008)
01/08/2008	32	Sealed Document: Memorandum Per Order 31 filed by Optima Technology Group, Inc., Robert Adams. (SGG,) (Entered: 01/09/2008)
01/08/2008	33	Sealed Document: Memorandum Per Order 31 filed by Robert Adams. (SGG,) (Entered: 01/09/2008)
01/08/2008	34	Sealed Document: Memorandum Per Order 31 filed by Jed Margolin. (SGG,) (Entered: 01/09/2008)
01/09/2008	30	ORDER granting 29 Motion for Leave to File Excess Pages. Signed by Judge Raner C Collins on 1/9/08.(SSU,) (Entered: 01/09/2008)
01/22/2008	36	First MOTION for Extension of Time Extension of Deadline under Rule 14 (A)(1) *Unopposed* by Optima Technology Group, Inc.. (Attachments: # 1 Text

		of Proposed Order)(Moomjian, Edward) DOCUMENT NOT IN COMPLIANCE WITH LRCiv7.1(c). ATTORNEY NOTICED. Modified on 1/24/2008 (SSU,). (Entered: 01/22/2008)
01/23/2008	37	ORDER granting 36 Motion for Extension of Time. Deadline for filing third party claims as a right is extended until and including 1/24/08. Signed by Judge Raner C Collins on 1/22/08.(SSU,) (Entered: 01/23/2008)
01/24/2008	38	AMENDED ANSWER to *COMPLAINT*, THIRD PARTY COMPLAINT against JOACHIM L. NAIMER, JANE DOE NAIMER, FRANK E. HUMMEL, JANE DOE HUMMEL, CROSSCLAIM against Optima Technology Corporation, COUNTERCLAIM against Universal Avionics Systems Corporation by Optima Technology Group, Inc.. (Moomjian, Edward) DOCUMENT FILED WITH INCORRECT CASE NUMBER. TEXT Modified on 1/25/2008 (SSU,). (Entered: 01/24/2008)
01/24/2008	39	SEALED ORDER granting 35 Motion to Seal Document ; denying 25 Motion to Seal Document. Signed by Judge Raner C Collins on 01/23/08.(DNO,) (Entered: 01/25/2008)
01/30/2008	40	Notice re Summons by Optima Technology Group, Inc. (Attachments: # 1 Summons)(Moomjian, Edward) (Entered: 01/30/2008)
01/30/2008	41	Summons Issued as to Optima Technology Group, Inc., Optima Technology Corporation. (Attachments: # 1 Summons)(BJW,). *** IMPORTANT: You must select "Document and stamps" or "Document and comments" on the print screen in order for the court seal to appear on the summons you print. (Entered: 01/30/2008)
02/06/2008	42	Notice re Summons to Frank E. Hummel by Optima Technology Group, Inc. (Attachments: # 1 Summons Jane Doe Hummel, # 2 Summons Joachim L. Naimer, # 3 Summons Jane Doe Naimer)(Chandler, Jeanna) (Entered: 02/06/2008)
02/06/2008	43	Summons Issued as to Joachim L Naimer, Jane Doe Naimer, Frank E Hummel, Jane Doe Hummel. (Attachments: # 1 Summons, # 2 Summons, # 3 Summons)(BJW,). *** IMPORTANT: You must select "Document and stamps" or "Document and comments" on the print screen in order for the court seal to appear on the summons you print. (Entered: 02/06/2008)
02/11/2008	48	SEALED MOTION to Seal Document by Universal Avionics Systems Corporation. (DNO,) (Entered: 02/15/2008)
02/13/2008	44	AFFIDAVIT of Phyllis Callahan *re Affidavit of Process Server as to Service Upon Reza Zandian (Statutory Agent) for Optima Technology Corporation* by Cross Claimant Optima Technology Group, Inc.. (Chandler, Jeanna) (Entered: 02/13/2008)
02/13/2008	45	MOTION for Extension of Time to File Answer re Counterclaims and Third-Party Claims by Universal Avionics Systems Corporation. (Attachments: # 1 Supplement Stipulation re Enlargement of Time for Plaintiff Counterdefendant and Third-Party Defendants to Answer or Otherwise Respond to Counterclaims and Third-Party Claims, # 2 Text of Proposed

		Order Order Enlarging Time)(Walsh, E) (Entered: 02/13/2008)
02/13/2008	46	Corporate Disclosure Statement by Universal Avionics Systems Corporation. (Walsh, E) (Entered: 02/13/2008)
02/14/2008	47	ORDER granting 45 Motion for Extension of Time to Answer. Joachim L Naimer answer due 4/14/2008; Jane Doe Naimer answer due 4/14/2008; Frank E Hummel answer due 4/14/2008; Jane Doe Hummel answer due 4/14/2008; Universal Avionics Systems Corporation answer due 3/18/2008. Signed by Judge Raner C Collins on 2/14/08.(SSU,) (Entered: 02/14/2008)
02/15/2008	49	SUMMONS Returned Executed by Universal Avionics Systems Corporation. Jed Margolin served on 11/26/2007. (Walsh, E) (Entered: 02/15/2008)
02/15/2008	50	SUMMONS Returned Executed by Universal Avionics Systems Corporation. Optima Technology Corporation served on 11/28/2007. (Walsh, E) (Entered: 02/15/2008)
02/15/2008	51	SEALED ORDER granting 48 Motion to Seal Document. Signed by Judge Raner C Collins on 02/15/08.(SGG,) (Entered: 02/20/2008)
02/15/2008	52	SEALED RESPONSE to Motion re 13 MOTION to Dismiss Case filed by Universal Avionics Systems Corporation., Sealed per Order 51 . (SGG,) (Entered: 02/20/2008)
02/15/2008	53	SEALED RESPONSE to Motion re 17 MOTION to Dismiss Case for Lack of Jurisdiction filed by Universal Avionics Systems Corporation. Sealed per Order 51 . (SGG,) (Entered: 02/20/2008)
02/15/2008	54	SEALED RESPONSE to Motion re 21 MOTION to Dismiss Case for Lack of Jurisdiction filed by Universal Avionics Systems Corporation. Sealed per Order 51 . (SGG,) (Entered: 02/20/2008)
02/15/2008	55	SEALED MOTION to Expedite Discovery by Universal Avionics Systems Corporation. Sealed per Order 51 . (SGG,) (Entered: 02/20/2008)
02/15/2008	56	Sealed Document: Memorandum and Support of 55 filed by Universal Avionics Systems Corporation. Sealed per Order 51 . (SGG,) (Entered: 02/20/2008)
02/15/2008	57	Sealed Document: Declaration filed by Universal Avionics Systems Corporation. Sealed per Order 51 (Attachments: # 1 Exhibit, # 2 Exhibit, # 3 Exhibit)(SGG,) (Entered: 02/20/2008)
02/15/2008	58	Sealed Document: Declaration filed by Universal Avionics Systems Corporation. Sealed per Order 51 . (SGG,) (Entered: 02/20/2008)
02/28/2008	59	MOTION to Expedite Motion for Extension of Time by Optima Technology Group, Inc., Robert Adams, Jed Margolin. (Moomjian, Edward) (Entered: 02/28/2008)
02/28/2008	60	MOTION for Extension of Time Extension of Time *Motion for Extension of Time to Submit Replies* by Optima Technology Group, Inc., Robert Adams, Jed Margolin. (Attachments: # 1 Text of Proposed Order)(Moomjian, Edward) (Entered: 02/28/2008)

02/28/2008	61	ORDER granting 59 Motion to Expedite.; granting 60 Motion for Extension of Time. Dfts have 30 days up to and including 3/31/08 to file their replies in support of Motions to Dismiss and Response/Opposition to the Motion for Expedited Discovery. Signed by Judge Raner C Collins on 2/28/08.(SSU,) (Entered: 02/28/2008)
02/28/2008	62	MEMORANDUM re: In Opposition to Motion for Extension of Time by Plaintiff Universal Avionics Systems Corporation. (Walsh, E) (Entered: 02/28/2008)
03/03/2008	64	SEALED ORDER granting 63 Motion to Withdraw. Signed by Judge Raner C Collins on 02/28/08.(DNO,) (Entered: 03/05/2008)
03/18/2008	65	ANSWER to 38 Amended Answer to Complaint, Third Party Complaint, Crossclaim, Counterclaim,,,, by Universal Avionics Systems Corporation. (Walsh, E) (Entered: 03/18/2008)
04/01/2008	66	NOTICE of Appearance by Jeffrey Lynn Willis on behalf of Optima Technology Group, Inc., Robert Adams, Jed Margolin (Willis, Jeffrey) (Entered: 04/01/2008)
04/01/2008	67	STIPULATION *for 72-Hour Extension of Time to File Replies in Support of Motions to Dismiss and Response to Plaintiff's Motion for Expedited Discovery (Second Request)* by Optima Technology Group, Inc., Robert Adams, Jed Margolin. (Attachments: # 1 Text of Proposed Order)(Willis, Jeffrey) (Entered: 04/01/2008)
04/01/2008	68	ORDER re 67 STIPULATION for 72-Hour Extension of Time to File Replies in Support of Motions to Dismiss and Response to Plaintiff's Motion for Expedited Discovery, due 4/3/08. Signed by Judge Raner C Collins on 4/1/08. (KMF,) (Entered: 04/01/2008)
04/02/2008	69	NOTICE of Appearance by Jeffrey Lynn Willis on behalf of Optima Technology Group, Inc., Robert Adams, Jed Margolin (Willis, Jeffrey) (Entered: 04/02/2008)
04/02/2008	70	APPLICATION for Entry of Default by Defendants Optima Technology Group, Inc., against Optima Technology Corporation, Inc.. (Attachments: # 1 Text of Proposed Order Proposed Entry of Default)(Willis, Jeffrey) Modified on 4/2/2008 to correct applicant (BJW,). (Entered: 04/02/2008)
04/03/2008	71	REPLY in Support re 21 MOTION to Dismiss Case for Lack of Jurisdiction *and Request for Stay of Proceedings on Motion to Dismiss* filed by Optima Technology Group, Inc., Robert Adams, Jed Margolin. (Willis, Jeffrey) (Entered: 04/03/2008)
04/03/2008	72	REPLY in Support re 13 MOTION to Dismiss Case filed by Optima Technology Group, Inc., Robert Adams, Jed Margolin. (Willis, Jeffrey) (Entered: 04/03/2008)
04/03/2008	73	RESPONSE to Motion re 55 MOTION to Expedite Discovery filed by Optima Technology Group, Inc., Robert Adams, Jed Margolin. (Willis, Jeffrey) (Entered: 04/03/2008)

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04/07/2008	74	Clerk's ENTRY OF DEFAULT as to Optima Technology Corporation (PAB,) (Entered: 04/07/2008)
04/09/2008	75	ORDER granting 13 Motion to Dismiss Case and as amended by 72 Reply; Counts 5, 6, 7 of Plaintiff's Complaint are dismissed without prejudice to Plaintiff refiling thises claims in state court. Counts 2-4 and 7-12 of Defendants' state law counterclaims, cross-claims and third-party claims are dismissed without prejudice. Ordered denying as moot 17 Motion to Dismiss Case for Lack of Jurisdiction; dft Adams is dismissed. Ordered denying 21 Motion to Dismiss Case for Lack of Jurisdiction and 71 Request for a Stay of Proceedings. Signed by Judge Raner C Collins on 4/9/08.(SSU,) (Entered: 04/09/2008)
04/10/2008	76	APPLICATION for Entry of Default by Defendant Optima Technology Group, Inc. against Optima Technology Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Text of Proposed Order)(Willis, Jeffrey) (Entered: 04/10/2008)
04/14/2008	77	Clerk's ENTRY OF DEFAULT as to Optima Technology Corporation. (SSU,) (Entered: 04/14/2008)
04/29/2008	78	STIPULATION by Optima Technology Group, Inc., Optima Technology Corporation, Universal Avionics Systems Corporation, Robert Adams, Jed Margolin. (Attachments: # 1 Text of Proposed Order Order)(Walsh, E) (Entered: 04/29/2008)
05/06/2008	79	ORDER denying 55 Motion to Expedite, pursuant to Stipulation 78 . Pla Universal Avionics Systems Corporation may file an amended complaint to reflect the effect of this Court's 4/9/08 Order on or before 5/9/08. Dfts Optima Technology Group and Jed Margolin will respond to the amended complaint within ten days of service. Universal will file a reply to any counterclaims within ten days after being served with such counterclaims. Any and all responsive pleadings that were or may have been due before the date of this Order are vacated in favor of the schedule set forth herein. Signed by Judge Raner C Collins on 4/29/08.(JEMB,) (Entered: 05/06/2008)
05/13/2008	82	**PHRASE "OR PATENT TROLL" PG1 LINE 24, & PARAGRAPHS 37-43 STRIKEN PER ORDER 101 **Sealed Document: FIRST AMENDED COMPLAINT filed by Universal Avionics Systems Corporation. (JEMB,) Modified on 7/7/2008 (JEMB,TO REFLECT STRICKEN SECTIONS). (Entered: 05/16/2008)
05/14/2008	81	ORDER granting 80 Motion to Seal Document. Signed by Judge Raner C Collins on 5/14/08.(JEMB,) (Entered: 05/16/2008)
05/16/2008	83	CERTIFICATE OF SERVICE by Universal Avionics Systems Corporation (Walsh, E) (Entered: 05/16/2008)
05/20/2008	84	Sealed MOTION to Seal Document re Motion to Unseal Chandler & Udall, LLP'S Ex Parte Motion to Withdraw as Counsel by Universal Avionics Systems Corporation. (Attachments: # 1 Text of Proposed Order)(Walsh, E) Modified on 5/21/2008 to seal document(PAB,). (Entered: 05/20/2008)

05/20/2008	85	SEALED LODGED Proposed Motion to Unseal Chandler & Udall, LLP's Ex Parte Motion to Withdraw as Counsel re: 84 MOTION to Seal Document re Motion to Unseal Chandler & Udall, LLP'S Ex Parte Motion to Withdraw as Counsel. Document to be filed by Clerk if Motion to Seal is granted. Filed by Universal Avionics Systems Corporation. (Walsh, E) (Entered: 05/20/2008)
05/20/2008	86	SEALED LODGED Proposed Declaration of Allan A. Kassenoff in Support of Plaintiff Universal Avionics Systems Corportation's Motion to Unseal Chandler & Udall, LLP's Ex Parte Motion to Withdraw as Counsel re: 84 MOTION to Seal Document re Motion to Unseal Chandler & Udall, LLP'S Ex Parte Motion to Withdraw as Counsel. Document to be filed by Clerk if Motion to Seal is granted. Filed by Universal Avionics Systems Corporation. (Attachments: # 1 Exhibit)(Walsh, E) (Entered: 05/20/2008)
05/21/2008	89	ORDER granting 84 Motion to Seal Document. Signed by Judge Raner C Collins on 5/20/08.(JEMB,) (Entered: 05/22/2008)
05/21/2008	90	MOTION to Unseal Document re Chandler & Udall, LLP's Ex Parte Motion to Withdraw as Counsel by Universal Avionics Systems Corporation. (JEMB,) (Entered: 05/22/2008)
05/21/2008	91	Sealed Document: Declaration filed by Universal Avionics Systems Corporation. (Attachments: # 1 Exhibit)(JEMB,) (Entered: 05/22/2008)
05/22/2008	87	MOTION to Strike *Allegations From Amended Complaint* by Optima Technology Group, Inc., Jed Margolin. (Bernheim, Robert) (Entered: 05/22/2008)
05/22/2008	88	Additional Attachments to Main Document re 87 MOTION to Strike *Allegations From Amended Complaint Proposed Order Granting Defendants' Motion to Strike Allegations from Amended Complaint* by Defendants Optima Technology Group, Inc., Jed Margolin. (Bernheim, Robert) (Entered: 05/22/2008)
05/29/2008	92	RESPONSE in Opposition re 90 MOTION to Unseal Document re Chandler & Udall, LLP's Ex Parte Motion to Withdraw as Counsel filed by Optima Technology Group, Inc., Jed Margolin. (Bernheim, Robert) (Entered: 05/29/2008)
06/04/2008	93	RESPONSE in Opposition re 87 MOTION to Strike *Allegations From Amended Complaint* filed by Universal Avionics Systems Corporation. (Walsh, E) (Entered: 06/04/2008)
06/05/2008	94	REPLY in Support re 90 MOTION to Unseal Document re Chandler & Udall, LLP's Ex Parte Motion to Withdraw as Counsel filed by Universal Avionics Systems Corporation. (Walsh, E) (Entered: 06/05/2008)
06/09/2008	96	SEALED ORDER denying 90 Motion to Unseal Document. Signed by Judge Raner C Collins on 6/9/08.(JEMB,) (Entered: 06/12/2008)
06/11/2008	95	Notice re Joint Rule 26(f) Report and Respective Case Management Plans by Optima Technology Group, Inc., Universal Avionics Systems Corporation (Willis, Jeffrey) (Entered: 06/11/2008)

06/18/2008	97	REPLY to Response to Motion re 87 MOTION to Strike *Allegations From Amended Complaint* filed by Optima Technology Group, Inc., Jed Margolin. (Bernheim, Robert) (Entered: 06/18/2008)
06/18/2008	98	MOTION for Default Judgment as to Cross-Defendants Optima Technology Corp. (a CA corp.) and Optima Technology Corp.(a NV corp.) by Optima Technology Group, Inc., Robert Adams, Jed Margolin. (Attachments: # 1 Text of Proposed Order [Proposed] Form of Judgment)(Bernheim, Robert) (Entered: 06/18/2008)
06/23/2008	99	RESPONSE in Opposition re 98 MOTION for Default Judgment as to Cross-Defendants Optima Technology Corp. (a CA corp.) and Optima Technology Corp.(a NV corp.) MOTION for Default Judgment as to Cross-Defendants Optima Technology Corp. (a CA corp.) and Optima Technology Corp.(a NV corp.) filed by Universal Avionics Systems Corporation. (Walsh, E) (Entered: 06/23/2008)
06/27/2008	100	Reply re 99 Response in Opposition to Motion, by Defendant Optima Technology Group, Inc.. (Bernheim, Robert) (Entered: 06/27/2008)
07/07/2008	101	ORDER granting in part and denying in part 87 Motion to Strike, Plaintiff may file an amended complaint by 7/15/08; granting 98 Motion for Default Judgment against Cross-Dfts Optima Technology Corporation, a CA Corporation, and Optima Technology Corporation, a NV Corporation.Signed by Judge Raner C Collins on 7/2/08.(SSU,) (Entered: 07/07/2008)
07/08/2008	102	REQUEST *For Entry of Separate Judgment Under Rule 58(d)* by Defendants Optima Technology Group, Inc., Robert Adams, Jed Margolin. (Attachments: # 1 Proposed Form of Judgment)(Bernheim, Robert) (Entered: 07/08/2008)
07/10/2008	103	Notice re of Service of Defendant Optima Technology Group, Inc.'s First Set of Interrogatories to Plaintiff by Optima Technology Group, Inc. (Willis, Jeffrey) (Entered: 07/10/2008)
07/15/2008	104	AMENDED COMPLAINT *Second* against Optima Technology Corporation, Optima Technology Group, Inc., Jed Margolin;Jury Demand, filed by Universal Avionics Systems Corporation.(Walsh, E) (Entered: 07/15/2008)
07/15/2008	105	AFFIDAVIT of Process Server Dean Nichols *on Mercury Computer Systems, Inc.* by Plaintiff Universal Avionics Systems Corporation. (Attachments: # 1 Exhibit Subpoena)(Walsh, E) (Entered: 07/15/2008)
07/15/2008	106	AFFIDAVIT of Process Server Ronald Bodtke *for Service on Reza Zandian* by Plaintiff Universal Avionics Systems Corporation. (Attachments: # 1 Exhibit Subpoena)(Walsh, E) (Entered: 07/15/2008)
07/15/2008	107	NOTICE of Deposition of Jed Margolin, filed by Universal Avionics Systems Corporation. (Walsh, E) (Entered: 07/15/2008)
07/15/2008	108	NOTICE of Deposition of Robert Adams, filed by Universal Avionics Systems Corporation. (Walsh, E) (Entered: 07/15/2008)
07/15/2008	109	Notice re Service of Plaintiff's First Set of Interrogatories to Defendant Optima Technology Group, Inc. by Universal Avionics Systems Corporation

		(Walsh, E) TEXT HAS BEEN MODIFED TO REFLECT CORRECT DOCUMENT TITLE, PER ATTORNEY. Modified on 7/16/2008 (SSU,). (Entered: 07/15/2008)
07/16/2008	110	Notice re Service of Plaintiff's First Request for Production of Documents to Defendant Optima Technology Group, Inc. by Universal Avionics Systems Corporation by Universal Avionics Systems Corporation (Walsh, E) (Entered: 07/16/2008)
07/18/2008	111	NOTICE of Deposition of UAS, filed by Optima Technology Group, Inc.. (Willis, Jeffrey) (Entered: 07/18/2008)
07/18/2008	112	NOTICE of Deposition of Joaquin Naimer, filed by Optima Technology Group, Inc.. (Willis, Jeffrey) (Entered: 07/18/2008)
07/18/2008	113	NOTICE of Deposition of Don Berlin, filed by Optima Technology Group, Inc.. (Willis, Jeffrey) (Entered: 07/18/2008)
07/18/2008	114	NOTICE of Deposition of Frank Hummel, filed by Optima Technology Group, Inc.. (Willis, Jeffrey) (Entered: 07/18/2008)
07/21/2008	115	MOTION for Reconsideration re Of the Court's Default Ruling Against Optima Technology Corporation Filed July7, 2008 by Universal Avionics Systems Corporation. (Attachments: # 1 Exhibit A)(Mandel, Robert) (Entered: 07/21/2008)
07/23/2008	116	MOTION for Hearing or Conference re: Rule 16 Conference by Optima Technology Group, Inc., Jed Margolin. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Text of Proposed Order)(Willis, Jeffrey) (Entered: 07/23/2008)
07/25/2008	117	APPLICATION for Entry of Default by Plaintiff Universal Avionics Systems Corporation against Optima Technology Corporation. (Attachments: # 1 Text of Proposed Order Entry of Default)(Mandel, Robert) (Entered: 07/25/2008)
07/25/2008	118	DECLARATION of Declaration of Allan A. Kassenoff in Support of Plaintiff's Application for Entry of Default re 117 Application for Entry of Default by Plaintiff Universal Avionics Systems Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B)(Mandel, Robert) (Entered: 07/25/2008)
07/28/2008	119	RESPONSE in Opposition re 116 MOTION for Hearing or Conference re: Rule 16 Conference *and Expedited Stay of Proceedings Pending Conference* filed by Universal Avionics Systems Corporation. (Attachments: # 1 Exhibit A, # 2 Exhibit B, # 3 Exhibit C)(Mandel, Robert) (Entered: 07/28/2008)
07/29/2008	120	Clerk's ENTRY OF DEFAULT as to Optima Technology Corporation (SSU,) (Entered: 07/29/2008)
07/29/2008	121	ORDER granting in part and denying in part 116 Motion; Court will set scheduling conference but will not grant a stay of the proceedings. Telephonic Scheduling Conference set for 8/28/2008 10:00 AM before Judge Raner C Collins' law clerk, Isaac Rothschild. Further ordered, parties file with the Court a joint report reflecting the results of the conference by 8/25/08. Signed by Judge Raner C Collins on 7/29/08.(SSU,) (Entered: 07/29/2008)

07/29/2008	122	*Optima Technology Group and Jed Margolin's* ANSWER to 104 Amended Complaint *and*, COUNTERCLAIM against Optima Technology Corporation by Optima Technology Group, Inc., Jed Margolin.(Bernheim, Robert) (Entered: 07/29/2008)
07/31/2008	123	MOTION FOR DEFAULT JUDGMENT by Plaintiff Universal Avionics Systems Corporation against Optima Technology Corporation. (Mandel, Robert) EVENT AND TEXT MODIFIED FROM Application for Default Judgment TO Motion for Default Judgment. Modified on 8/5/2008 (SSU,). (Entered: 07/31/2008)
08/06/2008	124	Notice re Service of Requests for Production to Garmin International, Inc. by Optima Technology Group, Inc., Jed Margolin (Bernheim, Robert) (Entered: 08/06/2008)
08/06/2008	125	Notice re Answers to Universal Avionics Systems Corporation's First Set of Interrogatories by Optima Technology Group, Inc. (Willis, Jeffrey) (Entered: 08/06/2008)
08/12/2008	126	Reply *TO DEFENDANT OPTIMA TECHNOLOGY GROUP, INC.S COUNTERCLAIMS* by Plaintiff Universal Avionics Systems Corporation. (Mandel, Robert) (Entered: 08/12/2008)
08/13/2008	127	Notice re SERVICE OF OBJECTIONS AND RESPONSES TO OPTIMA TECHNOLOGY GROUP, INC.'S FIRST SET OF INTERROGATORIES by Universal Avionics Systems Corporation (Mandel, Robert) (Entered: 08/13/2008)

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