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## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

Kimberley Chen Nobles  
United States of America



Nationality: American

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### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Juris Doctor, University of Southern California (top 2%);  
PhD Candidate, Electrical and Computer Engineering, University of Southern California;  
Master of Science, Electrical and Computer Engineering, Ohio University;  
Bachelor of Science, Electrical and Computer Engineering, Ohio University (Very High Honors);

Admitted to practice in California, District of Columbia, U.S. Court of Appeals for the Federal Circuit and before the United Patent and Trademark Office.

Adjunct Professor, University of California, Irvine.

#### Awards:

Recognized by *Southern California Super Lawyers* (2004–2016) and *Best Lawyers In America* (2007–2016); and in the prestigious *Legal 500* U.S. Intellectual Property, Media, Technology, and Telecoms report: "With a deep technical background in the electrical market, is well respected in the field for construction and prosecution of patents. Praised for providing a 'very responsive' approach to clients' needs, as well as for her 'fantastic guidance'." *Legal 500* also recognized and recommended Ms. Nobles in the Intellectual Property category.

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### LANGUAGES

English, Mandarin, Cantonese, Taiwanese, Malay and Indonesian

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### PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Over 25 years' experience as a partner in private practice, in Intellectual Property law, International Arbitration and Litigation.

Design and Research Engineer, Rockwell International and NASA.

Engineering experience includes research, development, and design in the areas of communication systems and electronic instrumentation on the Space Shuttle, Space Station, and Space-Based Interceptor Programs. Professional experience also includes research in the areas of electromagnetism, antennas, and communication under grants sponsored by the National Science Foundation.

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### MEMBERSHIP IN PROFESSIONAL BODIES

Board Director, Singapore-American Business Association;  
 Board Member, Executive Committee, US Korea Law Foundation;  
 Member, Steering Committee for Intellectual Property, International Bar Association;  
 Member, International Trademark Association;  
 Member, American Intellectual Property Law Association;  
 Member, American Bar Association;  
 Member, Institute of Electrical and Electronic Engineers;  
 Member, Licensing Executive Society.

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### AREAS OF SPECIALIZATION

Contentious and non-contentious:

International Law;  
 Intellectual Property - patents, trademarks, copyrights, trade secrets, licensing,  
 International Dispute Resolution and International Arbitration and Litigation;  
 Information and Communication Technology, Computer Hardware & Software;  
 Interface between Intellectual Property and the Internet;  
 Virtual Reality & Multimedia Technologies.

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### EXPERIENCE IN INTELLECTUAL PROPERTY

Over 25 years of intellectual property experience, including representing technology companies both in the US and worldwide in legal, technical, and strategic planning in intellectual property matters. Experience includes complex arbitration and litigation matters in intellectual property matters, involving patents, trademarks, copyrights, licensing, internet issues and trademark matters—notably privacy and data collection issues.

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### EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Litigated for and counseled clients with respect to domain names, and speaks frequently on the subject. Advised clients on the management of domain name portfolios and acted as counsel in domain name disputes.

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### MAJOR PUBLICATIONS

Selected professional articles have appeared as follows:

- Author, "Intellectual Property" CEB's Intellectual Property in Business Transactions, 2012-2017.

- Author, "Alternative Dispute Resolution Forums" US-Korea Law Journal, 2013.
- Author, "Emerging Issues and Trends in International Arbitration," California Western International Law Journal, 2012.
- Author, "Maximizing Results in International Litigation," Lexis-Nexis China (April 2009).
- Author, "Responding to Section 337 Actions," Lexis-Nexis China (April 2008).
- Author, "Managing IP Assets in the Global Marketplace," Lexis-Nexis China (April 2008).
- Author, "Avoiding Pitfalls and Traps in Intellectual Property Transactions," EmergingTechPR.com (June 2001).
- Author, "Information Management and Privacy," *Legalelite* (June 16, 2000).
- Author, "Birthright or Life Sentence: Controlling the Threat of Genetic Testing," *Southern California Law Review*, Vol. 65, No. 4.

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### EXPERIENCE IN COURT LITIGATION

Has an extensive and wide variety of litigation experience before courts and administrative tribunals at all levels. In addition, litigation experience includes cases before federal courts and the International Trade Commission, from pre-suit investigations through trial and appeal. Also has vast experience in International Arbitration in Intellectual Property, contracts and licensing matters.

Examples of representative engagements in court litigation include:

***The Chamberlain Group, Inc. v. Skylink Technologies, Inc.***; In the Matter of Certain Universal Transmitters for Garage Door Openers (U.S.I.T.C.)

Won summary judgments for Skylink Technologies, Inc. in parallel Federal District Court and International Trade Commission proceedings in case involving novel interpretation of the Digital Millennium Copyright Act. In a landmark decision under the DMCA, the Federal Circuit affirmed the District Court's ruling. 381 F.3d 1178.

***TiVo Inc. v. EchoStar Communications, Inc.*** (E.D. Texas)

Represented TiVo in a patent infringement suit related to pioneering digital video recorders (DVR). A jury found the patent claims to be valid and infringed and awarded TiVo damages of \$74 million.

***Applied Materials v. Novellus Systems*** (N.D. California)

Represented Novellus Systems in litigation involving patents relating to physical vapor deposition processes and equipment. After original plaintiff Applied Materials was forced to withdraw one of its patents and summary judgment of non-infringement was granted on another, Applied Materials settled the case by providing a royalty-free cross license and multi-million dollar payment to Novellus.

***Intergraph v. Hewlett-Packard*** (E.D. Texas)

Represented defendant Hewlett-Packard Company in a suit involving three patents in the Eastern District of Texas relating to computer architecture. The infringement allegations implicated the vast majority of PCs and servers that had been sold by HP and Compaq at the time, totaling tens of millions of units. The case settled prior to trial.

***Microsoft v. Immersion*** (W.D. Washington)

Represented Immersion in Microsoft's breach of contract action against Immersion in the Western District of Washington seeking a share of Immersion's recoveries in Immersion's patent infringement lawsuit against Sony. Immersion asserted breach of contract counterclaims against Microsoft. All claims and counterclaims were settled on mutually satisfactory terms.

***Trilogy Software v. Carsdirect.com*** (W.D. Texas)

Represented Carsdirect.com in patent infringement suit alleging infringement of business method patents relating to methods of configuring systems.

***Conner Peripherals v. Western Digital*** (N.D. California)

Represented Western Digital in patent litigation between Conner Peripherals and Western Digital, and between Conner Peripherals and IBM. The district judge presiding over the case, which involved 21 patents,

termed it the “largest patent case in the country.” After two years of litigation, Conner Peripherals dismissed all of its claims against Western Digital.

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### EXPERIENCE IN ARBITRATION

Handles and supports arbitration matters internationally and across the U.S. Examples of representative engagements for arbitration and dispute resolution include:

***British Petrochemical Co. v. Chinese Petrochemical Co.*** (Stockholm Chamber of Commerce)

Represented respondent Chinese Petrochemical Co. in a complex case of first impression involving issues of contract law, misappropriation and infringement before the Arbitration Institute of the Stockholm Chamber of Commerce. The hearing is completed. While parties were awaiting the arbitration tribunal’s decision, the case was settled on very favorable terms to the client.

***Unova, Inc. v. Compaq Computer Corp.*** (C.D. California) and ***Unova, Inc. v. Hewlett-Packard Co.*** (C.D. California)

Represented Compaq in the defense of an action alleging infringement of patents relating to smart batteries and removable disk drives by Compaq’s notebook computers and servers. Represented Hewlett-Packard in the defense of an action alleging infringement of patents relating to smart batteries by Hewlett-Packard’s notebook computers.

***Silicon Graphics, Inc. v. nVIDIA Corporation*** (D. Delaware)

Represented Silicon Graphics in a patent infringement action relating to Silicon Graphics’ 3-D computer graphics technology.

***Semitool, Inc. v. Novellus Systems, Inc.*** (N.D. California)

Represented Novellus Systems in the Northern District of California against Semitool in an action alleging patent infringement by Novellus’ copper plating semiconductor manufacturing equipment. The case was decided in favor of Novellus on summary judgment and twice affirmed by the Federal Circuit.

***Intel v. AMD, Cyrix*** (D. Delaware)

Represented Intel Corporation in the District of Delaware against Advanced Micro Devices and Cyrix in an action centering on Intel’s MMX™ media enhancement technology. AMD and Cyrix agreed to acknowledge Intel’s MMX™ mark and to cease infringing activities.

***Intel v. DEC*** (N.D. California)

Represented Intel Corporation in the Northern District of California against Digital Equipment Corporation in an action alleging trade secret violations and breach of nondisclosure agreements.

***Xerox v. Hewlett-Packard*** (W.D. New York)

Represented defendant Hewlett-Packard in a number of complex cases related to printing technology. The parties settled after a district court found on summary judgment that Hewlett-Packard does not infringe a Xerox patent.

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