



Donald E. Rickert, Ph.D., IDSA¹

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Summary

I am a **Professional Industrial Designer** and experienced **Patent Litigation Expert Witness**. I possess deep expertise in **Product Design, Design Research, User Interface Design, New Product Development (NPD), Human-Factors-Ergonomics** and **Human-Computer Interaction**. I have more than 30 years' experience as thought-leader, researcher, designer/inventor and manager in research, product design and product development for the technology, consumer electronics, telecommunications, retail, medical, entertainment, and banking industries, as well as others.

My experience includes significant work in the areas of engineering, software development, human factors analysis, ergonomics, user research, human-computer interface design, survey research, usability evaluation and statistical analysis applied to products such as secure websites (e.g. online banking), wireless browser-enabled mobile devices, hand-held remote control devices, interactive television, bank branch systems (e.g. teller workstation), banking operations systems (e.g. check sorting and imaging), ATMs, consumer self-checkout point-of-sale equipment, to name a few.

I have served as the **Director of Product Research, Design & Development** and as **Chair of the Standards & Practices Committee for User Interface Design and Software Development** of an internet software company geared toward the financial and banking industries. Reporting directly to the Chief Technology Officer (CTO) and serving as Special Advisor to the Senior Vice President of Engineering, I was responsible for **company-wide human-computer interface standards & practices, user interface design** and associated **software development standards & practices**.

In addition to extensive practical experience, I have served as an **Adjunct Faculty Member in the School of Industrial Design** at a top research university, where I taught **New Product Development (NPD), Design Research, and Research Methodology**. I also held an appointment of **Professorial Lecturer** in the **Statistics, Computer & Information Systems** department of another prestigious university, where I taught **computer programming, research methodology** and **statistical analysis**.

Currently, I am the **Managing Partner (Owner)** of **Wiederholt & Rickert Partners, LLC**, a unique New Product Development, User Research, Design Research & Patent Litigation Expert Services firm, serving a variety of industries engaged in new product development of a wide range of product types. The firm generally does business under the names **Don Rickert Research & Design™ (DBA), Rickert Expert Group™ (DBA)** and **Don Rickert Musical Instruments™ (DBA)**, all of which are described in the **EXPERIENCE** section below.

¹ Designation for a Professional Member of the Industrial Designers Society of America



Education

George Washington University, School of Business (Washington, DC)

Ph.D., Information & Decision Systems (Specialization in Human-Computer Interaction [HCI] & Human Factors), May 1997

Dissertation: A THEORY-GROUNDED EMPIRICAL EVALUATION OF SPECIAL-PURPOSE AND GENERIC INTERACTION DEVICES FOR INTERACTIVE TELEVISION

Note: First known Doctoral Dissertation dealing with the multimodal interactive television user interface, consisting of a physical remote control device, a set-top box and an on-screen VOD (*Video-on-Demand*) interactive system, from a Cognitive Psychology perspective.

Activities and Societies: Member of the Doctoral Students Association Leadership Council; Doctoral Students Association representative to the Dean's Search Committee

Johns Hopkins University (Baltimore, MD)

M.S., Planning & Policy Management, May 1982

- Specialized in design research, field research methods (e.g. ethnography), advanced statistics and information systems.

Loyola University (Baltimore, MD)

B.A., Psychology, June 1974



Experience

Managing Partner

Don Rickert Research and Design™ (www.donrickertdesign.com)—February 2006 – Present

Don Rickert Research & Design™, a division of **Wiederholt & Rickert Partners, LLC** focuses on:

MANAGEMENT CONSULTING: Focus on the areas of New Product Design (NPD), User Experience (UX) and Human Factors/Ergonomics. [Learn more...](#)

DESIGN RESEARCH: Qualitative & Quantitative Research (Usability evaluation, Customer and Market Research, Observational Methods, Depth Interviewing, etc.), including statistical analysis of quantitative metrics, such as customer satisfaction, consumer preference and quality assurance data. [Learn more...](#)

PRODUCT DESIGN: Experience and expertise spans a variety of industries, with a good mix of digital media and other digital interactive products (e.g. ***PC browser-based and wireless mobile device-based online banking, CRM, eCommerce***), as well as physical products (***including their underlying electronic, electro-mechanical and software components***) such as internet-enabled mobile devices, screen user interfaces and remote controls for interactive television. [Learn more...](#)

- **The Primary Vertical Industries:** Legal, Entertainment, Retail, Insurance, eCommerce, Pharmaceuticals, Consulting (the industry), Defense, Enterprise Software, Financial & Banking, Shipping/Supply Chain/Logistics, Medical, Interactive TV, Telecommunications, Video-on-Demand, Musical Instruments, Music Industry and Adventure/Extreme Sports Gear.
- **Product Types²:**
 - **Physical Things** (General types): Hand-Held and Related Devices (e.g. Wireless Mobile Devices, Remote Controls), Interactive TV, Telephony Equipment, Special Purpose Terminals, Audio/Sound Reinforcement, Adventure Gear, Musical Instruments and Musical Instrument Accessories
 - **Interactive Online Systems** (General types): Customer-Facing Websites (including those with streaming audio and/or video content), Customer-Facing Web-enabled Applications, Internal Interactive Systems for Customer-Facing Jobs, “Back Room” Operations Online Systems, Enterprise Software (Financial Industry)

² Dr. Rickert has expert knowledge sufficient to qualify as an Expert Witness in IP litigation involving all of the product types listed



Managing Partner & Principal Expert Witness

Rickert Expert Group™: Patent Litigation Expert Services

(www.RickertExpertServices.com)—February 2006 – Present

The **Rickert Expert Group™**, a division of **Wiederholt & Rickert Partners, LLC**, focuses on:

PATENT LITIGATION EXPERT SERVICES: Provide the full spectrum of Testifying Expert Witness and associated case work services to Legal Counsel involved in Patent infringement cases, including prior art analysis, infringement analysis, analysis of USPTO Patent Prosecution Histories, writing “Rule 26” Expert Reports³ and related Expert Declarations and Rebuttals (e.g. to opposition Expert Reports) for U.S. District Court, as well actually testifying as an Expert Witness in cases that go to trial.

Expert Witness Experience

- Patent litigation experience, both as a Consulting Expert and as Testifying Expert Witness on a landmark patent infringement case culminating in trial with jury.
- Experience in prior art analysis, infringement analysis, patent prosecution history analysis, writing Rule 26 Expert Reports, Rebuttals and various Expert Declarations
- Deposition and trial testimony experience, including preparation of 100s of exhibits

Special Expert Witness Skills

- In my first professional job as Juvenile Case Worker with the State of Maryland, Dept. of Health & Mental Hygiene, I testified on more than 150 occasions (Civil as well as Criminal trials), in Circuit Court (Judge presiding) as well as Magistrate Courts...I developed my testimony skills, especially “confident grace under pressure”.
- Deep familiarity and experience with U.S. District Court Patent infringement lawsuit rules of evidence, procedures, expert reports, and the overall role of the Testifying Expert Witness, including testimony in deposition as well as trial (e.g. FRCP 26; Title 35 U.S.C., particularly § 102 and § 103)
- Authoritative and confident demeanor, but likeable (e.g. by Juries) and cool under attack (Described by one client as “*a powerful presence, mellowed by his well-mannered Southern charm.*”)
- Well-developed ability to synthesize seemingly unrelated social, legal, political and technological historical time-lines and weave these threads into the real story of how well-known disruptive innovations like web-enabled “smart phones”, as well as more obscure (to the average person) technologies such as device and data encryption requirements for mobile devices (e.g. FIPS 140-2 Verification), came about and how they work. I can tell the story so that all (e.g. members of a Jury) can understand.

³ “Rule 26 Expert Report” is an abbreviated reference to Federal Rule of Civil Procedure (FRCP) 26(a)(2)(B), which specifies the required content and timing of the initial written report of a Testifying Expert Witness to the Court



Managing Partner

Don Rickert Musical Instruments™ (www.RickertMusicalinstruments.com)—February 2006 – Present

Don Rickert Musical Instruments™, a division of **Wiederholt & Rickert Partners, LLC**, focuses on:

- Design and fabrication high-end custom and experimental musical instruments, primarily advanced acoustic, electric and electronic (i.e. synthesizers) bowed string (i.e. violin-type) instruments and guitars.
- I am one of the preeminent designers of acoustic, electric and electronic (synthesizers) stringed musical instruments (violins, guitars, mandolins, basses etc.) and internationally-recognized authority on musical instrument design and associated intellectual property issues.
- In addition to past and present entries in prestigious musical instrument design competitions, many of my custom commissioned instruments are played by well-known recording artists in live performance and on their recordings.

Noteworthy Recent Competitions and Shows Include:

- 2013 Guthman Musical Instrument Design Competition (semi-finalist)
 - 2012 Guthman Musical Instrument Design Competition (semi-finalist)
 - 2013 Fellowship of European Luthiers Electric Guitar Design Competition (submissions in progress...judging in June 2013)
 - IDEA (the IDSA International Design Excellence Award Competition)
 - Musikmesse Frankfurt (exhibitor)
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Adjunct Instructor of Industrial Design

Georgia Institute of Technology –2007 – 2011

In addition to extensive practical experience, I have served as an Adjunct Faculty Member in the School of Industrial Design of the Georgia Institute of Technology (aka Georgia Tech)

- Taught New Product Development (NPD), Design Research and Research Methodology
 - Guest lecturer in seminars on electric guitar design
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Director, Product Research, Design & Development and Chair of the Standards & Practices Committee for User Interface Design and Software Development

S1 Corporation, the leading provider of secure Internet solutions for the financial industry
(www.S1.com) – October 1998 – November 2005 (7 years 2 months)

Reporting directly to the Chief Technology Officer (CTO) and serving as Special Advisor to the Senior Vice President for Engineering, I was responsible for:

- Directing technical architecture and engineering aspects of a variety of enterprise software systems for the financial industry, including **web-based personal and business banking**, banking on **wireless mobile devices**, **CRM** and **bank branch systems** (e.g. teller workstations)
- Consistent TOTAL CUSTOMER EXPERIENCE across all product lines
- Company-wide **human-computer interface standards & practices**
- Directing **user interface design** of ALL products
- **Software development standards & practices**
- Oversight of **Use Case** development
- Approval of **Functional Requirements** and **Marketing Requirements** Documents (MRDs)
- Advising the CTO and Sr. VP of Engineering on such matters as new client-server architecture technologies (usually formalized in the form of white papers)

Some Select Specifics

- I was frequently designated as Product Design Lead on high-stakes strategic projects, including banking apps for **wireless browser-enabled mobile devices**, **software quality** evaluation of off-shore software development contractors, **voice recognition technology**, and **scientifically valid measurement of customer satisfaction** with new product lines such as CRM and bank branch systems.
- Organized collaboration of diverse UI design & software development teams in locations around the world (Atlanta, Austin, Charlotte, Los Angeles, Boston, Ireland, U.K. and India) for the purpose of formalizing **software design patterns** (involved 25+ individuals)
 - **Outcome:** EXTREMELY effective in establishing **consistency** across product lines
- Extensive work with several **Content Management Systems** typically used in conjunction with RUP (IBM's **Rational Unified Process**, a **Agile Methodology** predecessor)
- Collaborated with the Project Office to formalize scientifically robust **User Research** in the **Product Development Process**, a version of the Rational Unified Process (RUP, an early Agile Methodology)
 - **Outcome:** Dramatic improvement in software quality and reduction in change requests
- Introduced a **Pattern-Based** approach to software development
 - **Outcome:** "Packaged" years of customer satisfaction research findings into a specific, actionable form; usable consistency and visual appeal across product lines
- Established **visual attractiveness** and **emotional appeal** as **quality** criteria
 - **Outcome:** **Increased attribution of quality** by prospective customers



Principal/Owner

Don Rickert, Ph.D., Design Research & User Interface Consultant – February 1996 – October 1998

Consultancy Specializing in—

- User Interface Design, including experimental mobile devices and web-based systems incorporating streaming digital media (video and audio)
- Usability Evaluation and testing
- Qualitative User Research (e.g. Ethnography; Depth Interviewing)
- Quantitative User Research and Statistical Analysis
- Information Architecture
- User Interface prototyping

Primary Consulting Engagements

- **NCR Human Interface Technology Center (HITC)**—1996-1998.
 - Work with NCR clients included— The NCR Financial Center in London; NCR product design group in Dundee, Scotland; NCR Industrial Design Group in Dayton, Ohio; NCR Teradata Division; Carnegie-Mellon University; The Software Engineering Institute (SEI); AT&T; National Institute of Standards & Technology (NIST); Allegheny General Hospital; Medical College of Pennsylvania.

A particularly noteworthy project (among many) was my role as Team Leader on the “*The Brain Attach Virtual Conference.*”

- This was a web-based "virtual conference" on stroke (a.k.a. Brain Attack). As Project Lead, I was responsible for ALL aspects of this project.
 - ***The Brain Attach Virtual Conference*** was the first documented commercially viable website to include embedded streaming digital media (video and audio)
- **iXL and many of its clients**—Highlights include: ...
 - Established foundation for the Information Architecture & User Experience (UX) consulting practice. Introduced observational field work (ethnography) as a routine aspect of all user research. Offered the position as first Director of the UX and Usability group (*accepted position at S1 Corp. instead*).
 - **Information Architecture:** The method I developed for documenting Information Architecture was adopted as the company standard.

A particularly noteworthy project (among many) was my role as User Interface Design Lead on the very first release of *WebMD* (www.WebMD.com).



Director, Human Factors & Design Research

Bell Atlantic Video Services – December 1993 – February 1996

Consumer research for new product and service development (ethnography and other field studies, focus groups, surveys, usability testing)—Defined the total customer experience for Bell Atlantic’s Stargazer Interactive Television service, including—

- Packaging and the consumer “out-of-the-box” experience
- User interface design
- Design, evaluation and manufacture of remote control devices
- Training procedures for cable installers and Customer Support
- Collateral materials (e.g. “quick guides”) for consumers

Bell Atlantic’s Stargazer was among the first commercial implementations of Interactive TV, which incorporated an interactive program guide and streaming Video-On-Demand (VOD) over ADSL (simply called DSL today).

Senior Product Manager

James Martin & Co. – February 1990 – December 1993

Directed all aspects of the user interface design and customer experience for top-selling online reference and computer-based training offerings related to the Information Engineering Methodology, including—

- Packaging and consumer “out- of-the-box” experience
- Information architecture
- User interface design
- Creation of installation programs
- Installation instructions for consumers
- Directed production of graphical illustrations

These were hypermedia-based digital media product documentation products that incorporated several thousand graphical illustrations, distributed initially on diskettes and eventually on CD-ROM. More details on individual products on my *LinkedIn Profile* (www.linkedin.com/in/donrickert/).

Independent Consultant

Surveys, Statistical Analysis and Training (Sole Proprietorship) – August 1984 – August 1990

Clients included:

- American Institute of Architects (Questionnaire design, statistical analysis and staff training)



- IBM (trained System Programmers in the REXX programming language)
- Planning Council of Chattanooga, TN (Research, including surveys and interviews for community needs assessment)
- Systems Center (Human Factors/Ergonomics/Usability of mainframe operating system software)

Director, Academic Computing

The George Washington University – August 1986 – February 1990

- Served as Chair of the University Technology Committee (*included Department Chairs, Faculty and students from the School of Business, College of Arts & Sciences, School of Engineering, Law School, Medical School, the University Librarian and library department heads, the Medical School Librarian, the Law Librarian, Managers of school-level computer centers, Management of the University Administrative Computer Center, representatives of the Provost, VP for Academic Affairs and a host of others...there were almost as many agendas as there were members!*)
- Managed technical support (i.e. “help desk”) and training for the entire University (25,000+ clients) and directed technology strategy
- Faculty appointment (Professorial Lecturer) in the Statistics/Computer & Information Systems Dept.—taught computer programming, research methodology and statistical analysis
- Produced a number of hypertext-based digital media products, which are detailed in my LinkedIn Profile (www.linkedin.com/in/donrickert/)

The primary products, produced using HyperCard for Macs and IBM Linkways for Intel-based computers, were:

- ***Help Desk Assistant***
- ***Problem and Solution Knowledge Base for Help Desk Personnel***
- ***Electronic Brochure for the George Washington University***
- ***Computer Purchase Configuration Assistant for Students***

Senior Research Associate

United Way of America – August 1983 – July 1987

- Managed and implemented quantitative and qualitative marketing/satisfaction research to help the national office of United Way best serve its 2000+ local United Way organizations.
- Created '***Quest: A Tool for Listening to People in the Workplace***', a PC-based survey tabulation package for local United Ways—a top-seller among the 2,200 independent United Way organizations for over a decade.



Planning & Research Analyst

Johns Hopkins University – August 1979 – August 1983

- Carried out basic and advanced statistical analysis, using SPSS and SAS, on a wide variety of data related to social science research (under contract to the U.S. Dept. of Justice)
 - Planned all logistics and conducted large-scale, multi-year (with respondent matching) survey research related to school climate and effectiveness (> 26,000 respondents per year) and advanced statistical analysis.
 - I was responsible for all aspects of developing and administering special language versions, including Brazilian Portuguese, Puerto Rican and Cuban Spanish, as well as Mexican Spanish.
 - Supervised a staff of 5 Research Assistants.
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Juvenile Counselor

State of Maryland, Dept. of Health and Mental Hygiene – September 1974 – August 1979
Baltimore, Maryland

- Served as Counselor/Advocate and sometimes official guardian (in loco parentis) for children who were wards of the State of Maryland
- During my tenure, I testified in well over 150 hearings (in Magistrate Court) and trials (in Circuit or Superior Court). My role was to testify to the State's position on the appropriate outcome for these hearings and trials.
- In cases that were transferred to the adult criminal courts, I was often called to testify at criminal trials with juries. Judges generally always wanted testimony re: the reason(s) for prosecuting a child as an adult criminal on the record.

Professional Groups and Associations, and Related

- Industrial Designers Society of America (IDSA Professional Member), the Product Development & Management Association (PDMA) and the Association for Computing Machinery (ACM) and the American Marketing Association (AMA)
 - IDSA Mentor for Young Professionals
 - Served as judge, referee or reviewer for numerous product design competitions and student portfolio reviews sponsored by the IDSA, PDMA, ACM and UPA (Usability Professionals Association)
 - Member of the Computer Science Advisory Board (Faulkner University)
 - Executive Boards (ACM and PDMA Atlanta Chapters)
 - Founding member of CHI-Atlanta, the Atlanta chapter of the Special Interest Group for Computer-Human Interaction of the Association for Computing Machinery (ACM)
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**Donald Rickert, Ph.D., IDSA: Select Papers, Articles, Lectures and
Technical Reports**

(Available upon Request)