

## Exhibit 27

## Exhibit 27

From: McNutt, Jan (HQ-MC000)  
Sent: Monday, October 06, 2008 11:18 AM  
To: Rotella, Robert F. (HQ-MA000)  
Cc: Borda, Gary G. (HQ-MC000)  
Subject: FW: Optima Technology Group - Margolin Patents

First attorney.

-----Original Message-----

From: krukar@olpatentlaw.com  
Sent: Friday, October 03, 2008 5:13 PM  
To: Mike Abernathy  
Cc: McNutt, Jan (HQ-MC000);  
Subject: RE: Optima Technology Group - Margolin Patents

b(6)

Hi Jan,

Richard Krukar, the guy that prepped the reexam request here.

Another issue we found is that Rapid Imaging Software (RIS) is not infringing either directly or indirectly.

...richard

On Fri, October 3, 2008 2:48 pm, Mike Abernathy wrote:

> Privileged and Confidential

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>  
>  
>

> Dear Jan,

>  
>  
>  
>

> We will of course be happy to help however possible. Our company  
> prepared a request for re-examination of these patents based on prior art  
> and would have used it had OTG not gone away.

>  
>  
>

> These patents are defective because the invention is both obvious and  
> non-novel as evidenced by numerous printed published works. (We can  
> provide these references if needed). Ironically, they claim patent on  
> work already published by NASA over a decade earlier.

>  
>  
>

> The attached NASA technical publication by Shahan Serrafian, Simulator  
> Evaluation of a Remotely Piloted Vehicle Lateral Landing Task Using a  
> Visual

> Display, dates from 1984 and fully anticipates both Margolin patents, and  
> is referenced by neither one.

>  
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>  
> [http://en.wikipedia.org/wiki/Highly Maneuverable Aircraft Technology](http://en.wikipedia.org/wiki/Highly_Maneuverable_Aircraft_Technology)  
>  
>  
>  
>

> In other words, OTG is attempting force NASA to pay for a patent  
> infringement on something that NASA in fact invented and published more  
> than a decade prior to the patent filing.  
>  
>  
>

> Would Wednesday at 10AM MT be convenient for you?  
>  
>  
>  
>

> Mike Abernathy  
>  
>

> Rapid Imaging Software, Inc.  
>  
>  
>

> [REDACTED]

b(6)

> [REDACTED]  
>  
>  
>

> [www.landform.com](http://www.landform.com)  
>  
>  
>

> From: McNutt, Jan (HQ-MC000) [REDACTED]  
> Sent: Friday, October 03, 2008 1:37 PM  
> To: mikea@landform.com  
> Subject: Optima Technology Group - Margolin Patents  
>  
>  
>  
>

b(6)

> Dear Mr. Abernathy,  
>  
>

> I am a new attorney working on Intellectual Property and Commercial Law  
> matters at NASA and have been assigned to handle a long outstanding claim  
> against the agency for patent infringement due to NASA's collaboration  
> with your company in the late 90s. Mr. Ed Fein of the Johnson Space  
> Center  
> suggested I contact you to discuss the infringement action brought against  
> us by the Optima Technology Group regarding a patent they own by the  
> inventor Jed Margolin. I would like to set up a conference next week  
> sometime for this purpose. Please let me know if you are inclined to  
> speak with NASA on this and if so, when would be a good time for you.  
>

> Regards,

>

>

> Jan S. McNutt

> Senior Attorney (Commercial)

> Office of the General Counsel

> NASA Headquarters

> [REDACTED]

>

>

>

>

>

>

b(6)

[Redacted]

**From:** McNutt, Jan (HQ-MC000)  
**Sent:** Monday, October 06, 2008 11:18 AM  
**To:** Rotella, Robert F. (HQ-MA000)  
**Cc:** Borda, Gary G. (HQ-MC000)  
**Subject:** FW: Optima Technology Group - Margolin Patents

Second attorney.

---

**From:** Benjamin W. Allison [Redacted] b(6)  
**Sent:** Friday, October 03, 2008 5:46 PM  
**To:** Mike Abernathy; McNutt, Jan (HQ-MC000)  
**Cc:** krukar@olpatentlaw.com  
**Subject:** RE: Optima Technology Group - Margolin Patents

Jan,

We're assisting RIS in the Optima matter as well, and I would like to participate in the call Wednesday. Let me know call-in information when you can.

Regards,

Ben

Benjamin Allison  
Sutin Thayer & Browne PC

[Redacted] b(6)

---

**From:** Mike Abernathy [Redacted] b(6)  
**Sent:** Friday, October 03, 2008 2:49 PM  
**To:** 'McNutt, Jan (HQ-MC000)'  
**Cc:** Benjamin W. Allison; krukar@olpatentlaw.com  
**Subject:** RE: Optima Technology Group - Margolin Patents

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These patents are defective because the invention is both obvious and non-novel as evidenced by numerous printed published works. (We can provide these references if needed). Ironically, they claim patent on work already published by NASA over a decade earlier.

The attached NASA technical publication by Shahan Serrafian, *Simulator Evaluation of a Remotely Piloted Vehicle Lateral Landing Task Using a Visual Display*, dates from 1984 and fully anticipates both Margolin patents, and is referenced by neither one.

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In other words, OTG is attempting force NASA to pay for a patent infringement on something that NASA in fact invented and published more than a decade prior to the patent filing.

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Mike Abernathy  
Rapid Imaging Software, Inc.

 b(6)  
[www.landform.com](http://www.landform.com)

---

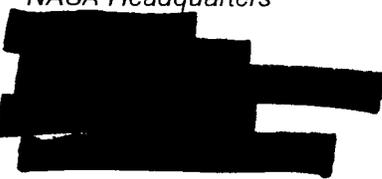
**From:** McNutt, Jan (HQ-MC000)  b(6)  
**Sent:** Friday, October 03, 2008 1:37 PM  
**To:** mikea@landform.com  
**Subject:** Optima Technology Group - Margolin Patents

Dear Mr. Abernathy,

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Regards,

Jan S. McNutt  
Senior Attorney (Commercial)  
Office of the General Counsel  
NASA Headquarters

 b(6)

01664

[REDACTED]  
**From:** McNutt, Jan (HQ-MC000)  
**Sent:** Monday, October 06, 2008 11:19 AM  
**To:** Rotella, Robert F. (HQ-MA000); Fein, Edward K. (JSC-AL)  
**Cc:** Borda, Gary G. (HQ-MC000)  
**Subject:** FW: patent  
**Attachments:** HiMAT Claims Analysis of Patent 5904724.doc; HIMAT\_Kempel\_1988\_0006558\_1989006558.pdf

Second email from Abernathy.

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**From:** Mike Abernathy [REDACTED]  
**Sent:** Saturday, October 04, 2008 7:08 PM  
**To:** McNutt, Jan (HQ-MC000)  
**Cc:** [REDACTED]  
**Subject:** patent

b(6)

Privileged and confidential

Hi Jan,

Richard is quite correct to point out that we did not infringe. Our software license in fact prohibits this use of our software.

I have attached a claims chart regarding NASA research fully anticipating the patent, to help you become familiar with the patent in question. Please keep this information confidential for now.

Mike Abernathy  
Rapid Imaging Software, Inc.

[REDACTED]  
[www.landform.com](http://www.landform.com)

b(6)

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**Sent:** Friday, October 03, 2008 1:37 PM  
**To:** mikea@landform.com  
**Subject:** Optima Technology Group - Margolin Patents

b(6)

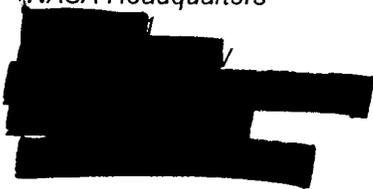
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Regards,

Jan S. McNutt  
Senior Attorney (Commercial)

Office of the General Counsel  
NASA Headquarters



b(6)

[REDACTED]  
**From:** McNutt, Jan (HQ-MC000)  
**Sent:** Tuesday, October 07, 2008 9:27 AM  
**To:** Mike Abernathy  
**Cc:** [REDACTED]  
**Subject:** Edward K. (JSC-AL)  
RE: patent

b(6)

Hello Mike,

I've set up a telephone conference for 10:00 AM MT (12:00 PM EDT), Wednesday, October 15th. The call in number is Toll Free: (866) 459-3154 and the Passcode is: 3230932. I think I have the time right. Please check this (Arizona??).

Mr. Bob Rotella from HQ and Mr. Ed Fein with JSC will be joining us.

Thanks and looking forward to talking to you.

Regards,  
Jan

This document, including any attachments, contains information that 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.

**From:** Mike Abernathy [REDACTED]  
**Sent:** Saturday, October 04, 2008 7:08 PM  
**To:** McNutt, Jan (HQ-MC000)  
**Cc:** ballison@sutinfirm.com; krukar@olpatentlaw.com  
**Subject:** patent

b(6)

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Mike Abernathy  
Rapid Imaging Software, Inc.

[REDACTED]  
[www.landform.com](http://www.landform.com)

b(6)

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*Jan S. McNutt*  
*Senior Attorney (Commercial)*  
*Office of the General Counsel*  
*NASA Headquarters*

[REDACTED]

b(6)

[REDACTED]

**From:** [REDACTED] b(6)  
**Sent:** Wednesday, October 08, 2008 12:59 PM  
**To:** McNutt, Jan (HQ-MC000)  
**Cc:** Rotella, Robert F. (HQ-MA000); Fein, Edward K. (JSC-AL)  
**Subject:** RE: patent

It was a pleasure to hear your viewpoints on the Margolin patent. I'm just shooting a side email to mention how thankful I am for NASA's work over the last 50 years and for how much of it is searchable online. I've actually used some NASA reports from the '60s (Apollo program) in filing a reexamination request for another client.

all for now  
Richard Krukar  
Ortiz and Lopez, PLLC

[REDACTED]  
**From:** Mike Abernathy [REDACTED]  
**Sent:** Wednesday, October 08, 2008 1:29 PM  
**To:** McNutt, Jan (HQ-MC000) b(6)  
**Cc:** [REDACTED] Rotella, Robert F. (HQ-MA000); Fein, Edward K. (JSC-AL)  
**Subject:** RE: patent

Privileged and confidential

Dear Jan,

After speaking with Richard and Ben RIS, Inc. has decided to honor your request to provide NASA with our research regarding the subject patent.

We sincerely appreciate your interest in protecting NASA's important published work in synthetic vision research for the benefit of the American people.

I will begin forwarding the subject research papers and Richard's claims charts in several emails.

Mike Abernathy  
Rapid Imaging Software, Inc.

[REDACTED] b(6)  
[www.landform.com](http://www.landform.com)

**From:** McNutt, Jan (HQ-MC000) [REDACTED]  
**Sent:** Tuesday, October 07, 2008 7:27 AM  
**To:** Mike Abernathy b(6)  
**Cc:** [REDACTED] Rotella, Robert F. (HQ-MA000); Fein, Edward K. (JSC-AL)  
**Subject:** RE: patent

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[REDACTED] b(6)  
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Office of the General Counsel  
NASA Headquarters

[REDACTED] b(6)

[Redacted]

**From:** McNutt, Jan (HQ-MC000)  
**Sent:** Wednesday, October 08, 2008 2:30 PM  
**To:** Mike Abernathy  
**Cc:** [Redacted]; Rotella, Robert F. (HQ-MA000); Fein, Edward K. (JSC-AL)  
**Subject:** RE: patent b(6)

Hi Mike,

I'm sorry we were cut off earlier when you called. I must have pushed the wrong button when I put on my headset.

Thank you also for taking the time and effort and to allow us to benefit from your years of dealing with this technology. A quick look confirms that I have received all the attachments that you sent, so we will spend a little time looking them over. It's nice to know NASA technology has been of such benefit for all of you. NASA tries hard to make technology available to the world without restrictions unless absolutely necessary. In fact, my main job is to assist the efforts of technology transfer, rather than have it locked up in our agency. See: <http://www.ipp.nasa.gov/>.

I will let you know the development of this in as much as I can. Hopefully, we will find a solution that everyone can share in.

Regards,  
Jan

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**To:** McNutt, Jan (HQ-MC000)  
**Cc:** [Redacted] Rotella, Robert F. (HQ-MA000); Fein, Edward K. (JSC-AL)  
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Rapid Imaging Software, Inc.

[Redacted]

www.landform.com

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**Sent:** Tuesday, October 07, 2008 7:27 AM  
**To:** Mike Abernathy  
**Cc:** ballison@sutinfirm.com; krukar@olpatentlaw.com; Rotella, Robert F. (HQ-MA000); Fein, Edward K. (JSC-AL)  
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**From:** Mike Abernathy [Redacted]  
**Sent:** Saturday, October 04, 2008 7:08 PM  
**To:** McNutt, Jan (HQ-MC000)  
**Cc:** [Redacted]  
**Subject:** patent

b(6)

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Rapid Imaging Software, Inc.

[Redacted]

b(6)

www.landform.com

01966

**From:** McNutt, Jan (HQ-MC000) [mailto:jan.mcnutt@nasa.gov]  
**Sent:** Friday, October 03, 2008 1:37 PM  
**To:** mikea@landform.com  
**Subject:** Optima Technology Group - Margolin Patents

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Jan S. McNutt  
Senior Attorney (Commercial)  
Office of the General Counsel  
NASA Headquarters

[REDACTED]

b(6)

01967

[REDACTED]

**From:** Mike Abernathy [REDACTED] m] b(6)  
**Sent:** Wednesday, October 08, 2008 4:18 PM  
**To:** McNutt, Jan (HQ-MC000)  
**Cc:** [REDACTED] Rotella, Robert F. (HQ-MA000); Fein, Edward K. (JSC-AL)  
**Subject:** draft article  
**Attachments:** REVISED AUVS I column v5 clean.doc

Hi All,

The attached article is one written by myself and Dr. Mark Draper and Gloria Calhoun of the Air Force Research Lab about the history of synthetic vision naturally with particular focus on the USAF and with an eye toward UAVs. This is a draft technical journal article which has not yet been published, but which will be submitted for publication in the near future as soon as it is approved through AFRL channels.

I am sending it to you because it tells the story of how NASA and USAF developed this powerful technology called synthetic vision. The article is entitled "Synthetic Vision Technology for Unmanned Aerial Vehicles: Historical Examples and Current Emphasis". I hope you find it interesting and useful.

Mike Abernathy  
Rapid Imaging Software, Inc.

[REDACTED] b(6)  
www.landform.com

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[redacted] b(6)

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[REDACTED]

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Senior Attorney (Commercial)  
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NASA Headquarters

[REDACTED]

b(6)

## Exhibit 28

## Exhibit 28

[REDACTED]  
From: McNutt, Jan (HQ-MC000)  
Sent: Monday, November 24, 2008 1:48 PM  
To: Borda, Gary G. (HQ-MC000); Rotella, Robert F. (HQ-MA000)  
Subject: FW: Emailing: newsdetail

[REDACTED] (b)(5)  
-----Original Message-----  
From: Mike Abernathy [REDACTED] (b)(6)  
Sent: Monday, November 24, 2008 1:09 PM  
To: McNutt, Jan (HQ-MC000)  
Cc: FEIN, EDWARD K. (JSC-HA) (NASA); [REDACTED]  
[REDACTED] (b)(6)  
Subject: Emailing: newsdetail

Privileged and Confidential

This is just an FYI regarding Optima's patent trolling.

Jan,

From this it appears Honeywell may have paid Optima to attack Universal Avionics in order to help Honeywell in their suit with UA.

Shortcut to: <http://www.uasc.com/marketing/newsdetail.asp?newsid=119>

But that clearly backfired and both Honeywell and Adams lost to UA.

<http://www.uasc.com/marketing/newsdetail.asp?newsid=115>

This makes much more sense in light of these two stories.

Mike Abernathy

RIS