

# Sky-Skan Named Winner — 2010 Product of the Year



Five years, for some products, is a lifetime. That's how long the NHHTC's Product of the Year event has been around, and judging from the reaction of the 300 plus attendees, it has just begun.

A great deal of work goes on getting ready for this unique event, which was held on November 15. Any New Hampshire company that introduced a new or major upgrade to an existing product within the past 12 months may enter. This year, there were 18 entries. The judges review the application and select up to 10 semi-finalists, who are asked to make a 10-minute presentation before them. And what is the classic "Apples and Dogs" comparison – products so different that "Apples and Oranges" are too similar to describe the differences – the judges select five – the Judges Award winners.

Those five were the stars for the 2010 event: New Hampshire companies; New Hampshire people; New Hampshire ideas.

## The Finalists

The Product of the Year is primarily a networking event. The first part of the evening consumes half of the Radisson's banquet room, where people can gather to talk, catch up with old friends or confirm yesterday's conversations, while taking in the five tradeshow displays, staffed by people from each of the finalist companies.

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## Connecting NHHTC Members Together

*and a lesson  
in how  
datacenter  
virtualization  
could crash  
your network*



Tom Daly  
NHHTC Chairman

For those of you not familiar, the new leviathan in the information technology (IT) sector is the concept of server virtualization and cloud computing. Server virtualization, at its core, is a way to do more with less. More specifically, it is a means of consolidating physical servers that run IT infrastructure (file sharing, collaboration tools, websites, e-mail) from discrete, individual physical systems, onto consolidated, larger hardware systems. Generally speaking, individual servers tend to have idle resources, not using all of the disk space, memory, or CPU. Virtualization lets you share the idle resources amongst distinct systems, allowing you to consolidate machines, saving on hardware costs, power to run the servers, and cooling.

The sleeping giant in virtualization is also one of the greatest features of these systems – the ability to recover from system failures by migrating live, running virtual servers among different physical pieces of server hardware, without ever missing a beat. Doing this requires a

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significant amount of network infrastructure in terms of devices such as routers and switches. Many times, the live migration of virtual servers between physical hardware can consume a magnitude more of network resources than the typical data center has provisioned, and has the potential to cause a network crash.

Still with me? This is where the NH High Tech Council membership comes into play: if you're thinking of utilizing a technology such as this in your company, I'm happy to report that a recent study of the NHHTC member database shows that there are roughly 25 software and IT services firms in the state that could help you. Maybe this IT problem isn't your thing, but hardware and integration is. There are over 10 firms in NH producing systems hardware and integrations. Advanced manufacturing, another 10 firms. Medical, advertising, education, and media, another 20. Legal, accounting, consulting, and business services, around 50. With over 200 members and growing, NHHTC is the largest business association in the State.

As the economy recovers and companies begin to invest in expansion and projects, new, locally developed technologies and support services can help drive your business in the right direction. As tightly woven as the New Hampshire economy is, it can be challenging at times to find local businesses capable of supporting your needs. This is where our NHHTC member database, made available via our website (<http://nhhtc.org/index.php/member-directory.html>) is able to help. Simply pop online, type in your search, and a number of other members ready to do business with you will appear.

Listing in this database is just one of the reasons why I am encouraging all current NHHTC members to renew their memberships for 2011. As we saw through our recent SwIX Software Awards, NHHTC Entrepreneur Forum, and most recently, the Product of the Year, being a member of NHHTC has its benefits – in these cases, immediate and direct contact with other companies looking to do business in the State, just like you. Other benefits include sponsorship opportunities at these events, access to the Kocher Technology Scholarship, and access to a network of NH-focused businesses.

With 2010 rapidly winding down to a close, and planning for the coming year in full speed, I encourage all of our members to continue to engage with NHHTC for 2011. More importantly, on behalf of the Board of Directors, would like to wish everyone a happy, safe, and enjoyable holiday season. As always, please contact me anytime at [tdaly@nhhtc.org](mailto:tdaly@nhhtc.org) or 603-296-1537 if I or the Council can be of assistance.

Tom Daly  
Chairman, NHHTC

## Just Pick Up The Phone

The one thing I've learned about "technology" is that tomorrow will be unimaginably different. When I was appointed Executive Director of the NHHTC more than a decade ago, the latest thing was the Palm Pilot – the Blackberry and iPhone didn't even exist ... except in the imagination of some very special people. Over the past decade, I've had the privilege of meeting and working with some of those "people" – the entrepreneurs that can imagine what tomorrow will be like and live and breathe to make it happen.



Carol Stephens  
Executive Director

I started out at the NHHTC as a volunteer when Founder Gene Scribner asked me to help out with PR in the late 90s. The Council was fun and events and PR were right up my alley. After a few volunteer years, Fred Kocher asked me to become the Council's Executive Director, a job that turned into a decade of adventure. For an ad agency, it was an unusual contract, but I believed in NHHTC's mission and was always looking for diversity. The journey began with a spreadsheet, a small board of a dozen, a list of about 75 members, a newsletter, the shell of a website design, three scheduled events - NHHTC/MIT Forum (currently named Entrepreneur Forum), The HR Forum Exchange, and the annual Entrepreneur of the Year Banquet, NHHTC's signature event. Today, the Council has over 250 members, it hosts many small events and three biggies, and a mission to increase support of high tech, education and NH businesses. The challenge, opportunity and satisfaction for this "job/adventure" has been more than one could have dreamed. It would not have been possible without my sounding board Fred Kocher, my right hand support Judy Davidson, and my partner Dick.

But now, it's time for me to do something different. And I'm pleased to pass the baton to a very capable Matt Cookson.

Some have asked me what I will do now that I've retired from the Council and my agency. I say to them... "Retire? You have to be kidding. I have a list of adventures that have been awaiting my time."

I think a new adventure is in many ways like a new technology – one must be able to imagine it before being able to do it. I'll give you an example: Today's smartphones are still evolving – the latest trend is toward the inclusion of a 2-D barcode – the Mobile Tag. Take a picture of the Tag on your phone, process it with the right App, and go directly to the new content. The Mobile Tag provides ultra-fast access to a specific and dynamic source of information via the mobile phone. There is no longer a need to remember and enter a frequently long and complex WAP/WEB address on an ill-suited keypad – the mobile tag takes you there directly and simply. As for my next adventure, read all about it, just shoot the tag. ■

A bientôt,  
Carol Stephens



*PS: More on this code and how to get a reader are located on page 14.*

# NH Businesses May Have Won in Mid-Term Elections — An Entrepreneurial State Senate



**Fred Kocher**  
NHHTC President

The mid-term election results are history, and there's already some talk and an expectation in the NH business community that the NH Legislature will be more business and economy oriented. Consider this one fact: Of the 24 state senators, 17 are, or have been, business owners. Incoming Senate President, Peter Bragdon of Milford (a business owner), told the *Union Leader* that his business colleagues will know the consequences of their actions with respect to small business taxes and burdensome regulations.

NH's mid-term election brought the GOP into control of both the NH House and the NH Senate. Republicans will hold at least a 297 to 103 edge in the NH House, and perhaps more, depending on recounts. Republicans will hold a 19 to 5 majority in the State Senate.

Those House and Senate members who will likely end up as leaders in both chambers have already indicated that their priorities will be the state budget, the economy and job creation. It's expected that social issues will take a back seat, even though bills are already being drafted to repeal the gay marriage statute and to make changes to the controversial parole reform from the last legislature. Among priorities with the state budget are three major items that threaten to derail it: 1) a budget deficit that is estimated at between \$600 million and \$700 million, depending on the source; 2) education funding; 3) and reforming the state retirement system, which is looking at a sizable underfunding of its obligations.

Republicans vying for the Speakership in the NH House were former House Speaker Gene Chandler of Bartlett, John Reagan of Deerfield, and William O'Brien of Mont Vernon, with O'Brien chosen by the GOP caucus as their nominee for Speaker. The full House vote is scheduled for this month, and O'Brien is expected to become the next Speaker of the House. O'Brien says he will work with Republicans and Democrats to fulfill the mandate for a new direction that he says the people of New Hampshire voted for on November 2<sup>nd</sup>.

Governor Lynch takes office in January for an historic fourth term. No NH Governor has ever served four terms. The popular Democratic Governor faces a Republican controlled Legislature, so the question is whether or not they can work together on major issues facing the State, or whether it will add up to some degree of gridlock. Governor Lynch has said that he is committed to working with the new Legislature, regardless of party, to get results for the people of NH.

The President of the Josiah Bartlett Center for Public Policy, Charles Arlinghaus, is quoted as saying that Governor Lynch will be relevant if he wants to cut spending, and will not be relevant if he doesn't.

UNH Survey Center Director Andrew Smith, who predicted the election outcomes better than anyone in NH, is quoted as saying the election was about the budget and taxes and the state of the economy, and not social issues such as gay marriage.

Overall, NH appears to be on the economic comeback trail with one of the lowest unemployment rates in the U.S. at 5.0%, unadjusted for October (adjusted rate is 5.4%).

And, major economic projects are getting underway across the state, including the recent

announcement that an Albany, NY company is moving to Rochester, NH to make composite parts for the next generation of jet aircraft and creating over 500 new jobs.

The economic trend is up. Our public policy and business and education leaders will need to work together to keep that trend alive and improve it as we go forward. ■

Fred Kocher is NHHTC President and Chair of the Legislative Committee. He is host of NH Business - WMUR and is owner of Kocher & Co. - If you have any question, just give him a call at 498-5221.

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# Human Resources Exchange



Jim Reidy

## Employer Alert from NH High Tech Council HR Exchange Breaking News from the Department of Labor (NH and US)

Autumn in New England means cooler temperatures, falling leaves

and, this year, stepped up guidance and enforcement from the US and NH Departments of Labor. In recent months, the US DOL has issued new guidance on H1B visas, changes to youth employment regulations, military leave, and drug testing in the workplace. Cindy Flynn and her inspectors have been busy too. They have updated the NH DOL website, they have been all over the state conducting (and assessing civil penalties/wage adjustments), inspections and they have been conducting employer compliance seminars.

**Here are some of the more recent issues discussed by state and federal officials.**

**I. Pay Cards.** Oh, but they have to be voluntary and checks still have to be an option.

A few years ago employers and payroll vendors tried to offer pay cards and debit cards instead of pay checks. NH DOL opposed these pay cards claiming that they were not permitted under state law. As you know, state law now permits these pay cards but NH DOL insists on strict compliance with the statute below.

Every employer shall pay all eight wages due to employees within eight days including Sunday after expiration of the week in which the work is performed, except when permitted to pay wages less frequently as authorized by the commissioner pursuant to paragraph II, on regular paydays designated in advance by the employer and at no cost to the employee:

(a) In lawful money of the US;  
(b) By electronic fund transfer;  
(c) By direct deposit with written authorization of the employee to banks of the employee's choice;

(d) By a payroll card provided that the employer shall provide to the employee at least one free means to withdraw up to and including the full amount of the employee balance in the employee's payroll card or payroll card account during each pay period at a financial institution or other location convenient to the place of employment. None of the employer's costs associated with a payroll card or payroll card account shall be passed on to the employee; or ...

(e) With checks on a financial institution convenient to the place of employment where suitable arrangements are made for the cashing of such checks by employees for the full amount of the wages due; provided, however, that if an employer elects to pay employees as specified in subparagraphs (b), (c), or (d), the employer shall offer employees the option of being paid as specified in subparagraph (e), and further provided that all wages in the nature of health and welfare fund or pension fund contributions required pursuant to a health and welfare fund trust agreement, pension fund trust agreement, collective bargaining agreement, or other agreement adopted for the benefit of employees and agreed to by the employer shall be paid by every such employer within 30 days of the date of demand for such payment, the payment to be made to the administrator or other designated official of the applicable health and welfare or pension trust fund.

**If an employer offers its employees the option of receiving wages by a payroll card, the employer shall:**

(a) Provide to the employee written disclosure in plain language of all the employee's wage payment options. The written disclosure shall state the terms and conditions of the payroll card account option, including, but not limited to, the requirements set forth in this section and a complete itemized list of all known fees that may be deducted from the employee's payroll card account by the employer or card issuer. The disclosure shall also state whether third parties may assess transaction fees in addition to the fees assessed by the employee's payroll card issuer or issuers. In no event shall the employer provide payment of wages to a payroll card that has an expiration date, unless the employer agrees to provide a replacement payroll card before the expiration date at no cost to the employee.

(b) Initiate payment of wages to an employee by electronic fund transfer to a payroll card account only after the employee has voluntarily consented in writing to that method of payment. Consent to payment of wages by electronic fund transfer to a payroll card account shall not be a condition of hire or of continued employment. The written consent signed by the employee shall include the terms and conditions of the payroll card account option.

(c) Provide written notice of any change to any of the terms and conditions of the payroll card or payroll card account, including but not limited to an itemized list of all fees that may have changed, and obtain written assent from the employee that the employee voluntarily consents to receive

wages to a payroll card or payroll card account subject to the changes. The employer shall be responsible for any increase in fees charged to the employee before the employer provides written notice of such changes to the employee.

(d) Provide the employee the option to discontinue receipt of wages by a payroll card or payroll card account at any time, without penalty to the employee.

## II. US Department of Labor approves standards for direct support professional occupation under national Registered Apprenticeship system

The U.S. Department of Labor's Employment and Training Administration recently announced that it approved national guidelines for apprenticeship standards for the occupation of direct support professional. These standards will enable employers to use ETA's Registered Apprenticeship program to train workers for careers in the long-term care sector of the health care industry.

"The direct support professional occupation represents an important segment of the health care workforce, providing assistance and support to persons with disabilities, the elderly and individuals with long-term illnesses," said Assistant Secretary for ETA Jane Oates. "The establishment of these new guidelines creates a career pathway for health care workers that can be implemented throughout the country."

The standards were developed through ETA's Office of Apprenticeship

at the request of the National Alliance for Direct Support Professionals and the American Network of Community Options and Resources. NADSP and ANCOR are partnering with ETA on addressing the need for quality, competency-based instruction models to help establish career pathways for the direct support professional occupation. The Registered Apprenticeship program utilizes a competency-based model that allows apprentices to earn interim credentials based on the demonstration of specific skills.

Under the new standards, the Registered Apprenticeship program will provide direct support professional apprentices with on-the-job instruction to develop competencies in assisting people in need. The credentials and competencies to be achieved are based upon criteria for the NADSP national voluntary direct support credentialing program. Apprentices will have the opportunity to complete both the Registered Apprenticeship program and the NADSP credentialing program. For more information on the apprenticeship guideline standards approved for the direct support professional occupation by ETA's Office of Apprenticeship, see [http://www.doleta.gov/oa/bul10/Bulletin\\_2010\\_31\\_NADSP\\_ANCOR.pdf](http://www.doleta.gov/oa/bul10/Bulletin_2010_31_NADSP_ANCOR.pdf).

## III. NH DOL updates their website – offers web accounts and online form filing

Last week the NH DOL took its website ([nhdol.gov](http://nhdol.gov)) offline for maintenance and upgrades. When the website came back online, the NH DOL announced that effective October 25th, 2010 it is now a requirement to log in

using a NH Department of Labor Web Account to submit the above online form. This change only affects those employers who submit any of the following online forms through the New Hampshire Department of Labor website: Safety Summary Form, Wage Claim Form, Whistleblower Claim Form, and Permission to Pay Differently Form. The NH DOL website will prompt you to log in using your web account or instruct you on how to obtain a web account. They claim that obtaining an active web account is fast and easy. The process requires employers to complete an online registration that NH DOL sends out as an email with a link. Employers are instructed to open the email and click on the link to verify the email address they provided. This is also supposed to complete the registration process and activate your web account.

**Note:** *If you try this system you will find it fairly easy and straightforward. Reportedly, however, even though employers receive email confirmations from NH DOL of receipt of online filed forms, this new system isn't actually operational yet, and may not be for a few months. In the meantime, even though you are registered with an online account with NHDOL, you may still have to file a paper response/form.*

Stay tuned. ■

Jim Reidy is a labor and employment lawyer (representing management) with the law firm Sheehan Phinney Bass + Green, PA. He is also the Chair of the NH High Tech Council Human Resources Exchange.

## EARLY BIRD MEMBERSHIP RENEWAL

**Pay for your membership before December 31 to lock in 2010 Rates.**

**Membership Packets Now Available.**

Do you know of a company that would be interested in membership? Let us know. We'll send them a membership packet. If they sign up, you'll receive a FREE pass to the Entrepreneur Forum slated for February.

**603-924-8324 • [www.NHHTC.org](http://www.NHHTC.org)**



## Intellectual Property Forum *Protecting IP from the Start*

The first IP Forum for 2011 will be held on January 19th beginning at 4:00 p.m. to provide time for networking after the meeting. The meeting will be at the offices of Devine, Millimet & Branch, P.A., 111 Amherst Street, Manchester, New Hampshire.

The presentation for this meeting is entitled "Present at the Creation – Protecting Your Company's IP from the Start." It will be a discussion of the step-by-step actions to take, starting at the creation of the company, to protect the company's patents, trademarks, copyrights and trade secrets.

Please call Paul Remus at 669-1000 with any questions or suggestions for other topics that you would like to be covered. ■

Register online: [www.NHHTC.org](http://www.NHHTC.org)



Fred Kocher, President, Carol Stephens, Executive Director, Tom Daily, Chair

Surprise Thank You for retiring Executive Director Carol Stephens. "Carol Stephens is retiring as NHHTC's Executive Director after 12 years and 2 years as a volunteer. She now passes the baton to Matt Cookson, incoming Executive Director.

Fred Kocher hired Carol back in 1998. She began working with founder Gene Scribner and the EOY committee in 1996.

We wish her well.



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## Product of the Year 2010, continued from page 1

### Hypertherm's HFL015 Fiber Laser

Hypertherm has been a leader in the metal cutting business for 40 years. They are known for their plasma torch cutting, and have offered CO<sub>2</sub> laser cutting, but the new HFL015 is their first venture away from the equipment intensive mirror and table requirements of CO<sub>2</sub> lasers and into the world of fiber optics. Fiber optics is used in telecommunications and optical disks, but all at low power. The HylIntensity Fiber Laser combines the output of several fiber cables to achieve the power density required to cut metal. The result is higher resolutions and greater cutting depth, significant energy savings and in some applications, significantly higher cutting speed.

### Ektron's CMS400.net v8

Ektron introduced the CMS400 in 2005, adapting their enterprise targeted Web Content Management System to run on Microsoft's .Net framework. In v8, the company maintains its leading edge with the introduction of the Marketing Optimization Suite to track customers in real time, adding better insight and an opportunity to better optimize a company's website for better business results. Version 8 also added the Social Software Suite that allows companies to better engage customers, prospects and employees through social media channels.

### Warner Power's SmarTran

Transformers, even by Warner Power's own admission, are a bit boring. But saving \$2.2 billion in

wasted energy is not. Conventional transformers consume operating energy even when they are doing nothing. The SmarTran splits the transformer into three channels, allowing it to operate at 1/3, 2/3 or full power, shutting off the other parts (no energy consumption) when not required. The product is targeted to medium or large commercial users and boosts a three year payback for most applications.



### Vgo Communication's Vgo

Why commute offsite when you can send your Avatar. Cisco Systems has been promoting their video conferencing rooms at up to one million dollars per installation. The Vgo puts you at the table for only \$4995. The company has built the intimacy of video chat into a sleek looking remote guided robot to allow the controller to chat or observe, roam the halls, watch the work in progress or have a seat at

the table, from anywhere in the world that supports a Wi-Fi connection.

### Sky-Skan's Definiti 3D 8K

Planetariums aren't what they used to be – evolving from million dollar light projectors to laser shows, and now High Definition 3D projection. It isn't an easy task. The Definiti 3D 8K requires 48 HDTV resolution video streams to cover the 360° dome roof, seamlessly splicing the 48 video streams into one single image, resulting in the highest 2D resolution now available. The 3D aspect adds another layer of complexity and another opportunity to innovate – 3D films used polarized glasses to feed each eye with a slightly different view. Imax uses rapidly oscillating shutter lenses, but the Difiniti uses an even more advanced interference filtering.

The McAuliffe-Shepard Discovery Center in Concord has the Difiniti 2D 4K system; the product on display doubles that to an incredible 38 million unique pixels requiring six separate projectors.

### The Balloting

The unique aspect of the Product of the Year is that the attendees make the final choice. Everyone gets to cast a ballot, but for just one product. The top vote getter gets five points; the bottom gets one. Add that to the judges' selections,





# Product of the Year

Photo Credits: Matthew Lomanno



scored the same way, and the top combined score receives the 2010 Product of the Year award, gets their name engraved on the crystal trophy, designed by Pepi Herrmann, and has their product placed on display at the Manchester Boston Regional Airport in NHHTC's Hall of Fame display.

## Governor Lynch

Governor John Lynch was on hand, as he has been for all of the Product of the Year events. Governor Lynch, a business owner himself, said "it is fascinating to go around and meet all of you." Marveling at the innovation and talent that the five winners represented, the governor also found some commonality, listing three points:

1. "Unwavering commitment to customers" – which includes defining quality in terms of the customer's view"

2. "Strong appreciation for employees;"

3. "Your commitment to New Hampshire."

Lynch asked, "what can the State do to help?" Very high on his own list, in response to many in the high tech community that he visits, is "be sure the workers are here," Lynch outlined several State initiatives, including efforts to cut New Hampshire's drop out rate and to provide training opportunities to those transitioning to new careers. He announced that Albany International has decided to locate in New Hampshire; the primary reason he was told was, in fact, that "the workers are here." New Hampshire has done better than most states in the down economy, primarily due to its heavy concentration of knowledge based workers and the entrepreneurial economy that they spawn.

The Governor concluded: "I want you to be successful! I want you to make lots of money! And I want you to hire a lot of people, right here in New Hampshire!"

## And... The Award goes to ...

Sky-Skan's Definiti 3D 8k, the world's most advanced planetarium projection system. If you want to see what it's like, visit the McAuliffe-Shepard Discovery Center in Concord or the Hayden Planetarium at the Boston Museum of Science, early next year. Both have the absolutely breath-taking Definiti 3D 4K system ... the Definiti 3D 8K, this year's winner, is available in Hawaii and other parts of the world, and, if one can imagine, it's even better.

"We're honored to receive this recognition and I want to express my



gratitude to the whole Sky-Skan team that has helped develop and bring this innovative product to market," said Michelle Ouellette, director of business development of Sky-Skan, who made the company presentation.

The eligibility window for Product of the Year for 2011 has already opened. Next year's entries will be just as innovative, the event will be just as much fun, and the opportunity to network with this community will be just as valuable. Be sure to be there. ■



*Congratulations Sky-Skan Team!*

# “PEZ Dispenser, anyone?”



The Entrepreneur Forum always engages its attendees

As the legend goes, eBay started when one young man wanted to impress his fiancée, a PEZ collector. When he couldn't find any through traditional means, he launched the idea that became eBay in 1995. What do PEZ dispensers and the Entrepreneur Forum have in common? It was the “sizzle vs. steak” panel discussion about our two recent presentations from iPlayerHD and Securlytics. It turns out, you need a savory balance of both (steak and sizzle, that is.)! And a ground breaking idea.

iPlayerHD's goal is to corner the market as the most affordable high definition video publishing platform. Unlike others, iPlayerHD's strength is their high fidelity, and clear, crisp video quality at high bit rates. They provide uninterrupted video content without the trailer ads, pop-ups, and other branded messages that can distract the viewer from the intended message. iPlayerHD's competitive edge is huge storage

(30 GB) capacity, and high bandwidth (40 GB) at an affordable monthly recurring fee. With video, the quality correlates to the “broadcaster's” horsepower. If you're watching from a souped-up computer and the video is being broadcast from a bow-wow, the video quality will look fuzzy and unprofessional. The trick is to broadcast with as much horsepower as you can muster for close-to-TV quality. For \$30 per month, you can broadcast away,



Kate Luczko, executive director of Stay Work Play, makes her Sky Dive pitch.

and video is the number one content type that SEO tools look for to stoke your inbound marketing campaign. iPlayerHD was founded by Wes Moore, serial entrepreneur and inventor. His presentation was robust, well architected, and masterfully delivered within the 15 minute time frame. No doubt he's the guy to make this happen – he's the type of CEO you can imagine on the morning news in Studio

One delivering the goods without skipping a beat. Wes is Sampson fighting Goliath, YouTube. Can he do it? His premise is that YouTube takes you elsewhere when you're trying to sell something from your website. Ideally you want people to stay on your site and not deviate into YouTube land keeping your message and your content pure and focused.

Our distinguished panel for both presentations was Edward Bender, Special Ops, Dyn Inc., David Cutler, President of Creative Business Development, and Bill McCullen, Director for LaunchCapital in Boston. The panel's comments started with David Cutler who immediately made the steak vs. sizzle analogy. He advised that iPlayerHD needs lots of sizzle (marketing) on their

## Join us on February 9 at FIRST for the next Entrepreneur Forum

rock solid steak. He also said, “the only way to go is up,” meaning that customers are willing to pay for the right combination of features at a low cost without the overhead of features they don't want. David's advice was to find a tribe of passionate people, such as recording artists, who will create pull-through demand. (Oh, by the way, it runs on iPlayerHD.)

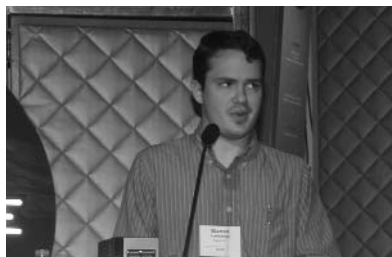
Bill McCullen made the point that if price is the only differentiator, then iPlayerHD could “own the industry.” Wes presented a nice, neat competitive analysis grid that demonstrated that his plan vetted not just YouTube, but others charging for this service and providing various iterations of quality, bandwidth, and add-ons. Bill added that he loves to see bootstrapped companies who are

making it happen and gaining market share before asking for investment. This demonstrates traction (customers) and revenue (or proof) that the concept is functioning and viable. Cha ching. Ed Bender of Dyn made the



Wes Moore, founder of iPlayer HD

suggestion to plug into platforms such as WordPress to become the ubiquitous HD platform of choice. The masses will follow particularly if you grab the mobile market, hmm. Ed, who recently moved to New Hampshire from New York City and joined Dyn, had the brilliant suggestion to hook your star to a strategic VC firm. Here the cross pollination of strategy, best practices, and doing



Vasu Ram, CEO of Securlytics

what works will buzz from firm to firm in the portfolio to iPlayerHD. Safety in numbers, perhaps or is it a rising tide mentality? We're glad Ed's back in New Hampshire. I like his brain.

Our second presenter was Vasu Ram, CEO for Securlytics, a firm specializing in securing IP content. According to IDC this year, "electronic content will grow 44 times in volume and 67 times in file count by 2020." Content is vulnerable to hackers who can destroy a business or threaten to take down a government agency. Securlytics' Lytica™ Framework

provides usage analytics, security, and access control to secure, share, and track your content no matter what file type or format. This platform also tracks who is using the content and for what purpose. Their initial target application is eLearning and testing where more remote education and testing are happening. With accreditation, eLearning is susceptible to audits due to unethical behavior. Securlytics' Lytica™ can provide an audit trail that could solve potential student issues and revenue losses for an education provider.

Just this year, Cornell University reported that "failing to secure content reduces Major eTraining Company's Revenue by \$2.8M." The eLearning market alone is projected at \$520 million and is growing at 12% per year. This is a logical place to focus.

Securlytics came to the presentation with a question to solve: should they attack vertical markets serially or in parallel and then to raise between \$ 1–5 million depending on the strategy? From the panel, Ed Bender of Dyn questioned if eLearning is the market to focus on when you have other opportunities like government, legal, scientific research, and pharmaceuticals. He also suggested that rather than trying to sell to data storage companies such as EMC as a customer, that this offering should be packaged as an OEM offering with EMC's products.

Bill McCullen suggested that the marketing should be all about scaring prospects into investing in this service. This can be done through education, statistics, and very dynamic marketing programs. He also recommended that requesting \$5 million in investment might be better after they have built the product and have a portfolio of customers. "Create smaller milestones, and nail them" to show investors measurable success, he said.

David Cutler noted, "it's all steak" without the sizzle. His advice was to better define sales channels, clarify differentiators, and then come up with a sizzling scary story that goes viral. For example, diplomas are being sold on Craig's List because your university's eLearning program has been hacked. Can you imagine the video? Priceless!

For iPlayerHD, I mentioned to Wes that the "i" in the name was genius. He can ride the coat tails of you know who. In fact, maybe these are just the people he should be talking to. Securlytics needs to attach itself to a killer app, like patient records, to become a defacto standard.

Just remember, when these



Networking at the Entrepreneur Forum

guys are all over the *Wall Street Journal*, you saw them here first! It was another fun and educational night at the NHTC Entrepreneur Forum – same great people, just a different show. Will you join us on February 9th for our next Entrepreneurial Forum? Join us, bring a friend, or make a new one. And don't forget your PEZ dispenser. See you then! ■



Catherine Blake  
President

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# The NHHTC Education Committee: A Look Back on Our First Year

The New Hampshire High Technology Council's Education Committee is heading into month three of the 2010-2011 year with new additions to the team, forward progress on current initiatives, and additions of new programs that we are working to fuel. We have happily added Tammi Pirri, Vice President of Human Resources for Black Duck Software, to the committee (Black Duck Software's CEO is Tim Yeaton - a member of the Board of Directors for the High Technology Council). The committee has taken on the administration of the Kocher Scholarship and Tammi will be leading the administration and coordination efforts. The committee's second new addition is Heidi Edwards-Dunn, statewide Education Program Manager for the New Hampshire Small Business Development Center. Heidi will be representing the SBDC's interests within the committee.

Our last committee meeting was kindly hosted by Mark Galvin and the New Hampshire Innovation & Commercialization Center (special thanks to Mark and his team). The

NH-ICC is a joint effort between private investors and the University of New Hampshire whose purpose is to drive innovation and business incubation in the New Hampshire business community. During our meeting, committee members and leadership learned how to best position and promote the center in an effort to drive attention among the populations of many New Hampshire K-12 and higher education institutions.

While we would be much more excited to announce a formal launch, it is worth mentioning that a number of talks are under way to develop and launch a NH-only internship job board where employers can freely post internships and better collaborate with students and new graduates seeking employment in the state.

Finally, and not to be passed over, Norm Messa, Computer Department Head for the Seacoast School of Technology and Education Committee member, is in the process of vetting a competition where he intends to lead his students through an initiative to build an actual, functioning

submarine. This effort will require the cooperation of technology and engineering resources and will receive the committee's full support. Norm brings a tremendous value to aspiring students across the state and we look forward to further details.



The next meeting will be in mid-December and we look forward to providing updates on new details of progress.

Happy Holidays. ■

Jason Alexander

Jason Alexander serves as Chair of NHHTC's Education Committee, NHHTC Director, and owner of Alexander Technology Group, a technology staffing firm focusing on contract, interim, and contract-to-hire placement services.

## *Ektron Named Software Company of the Year and Nashua Community College Named Software Educator of the Year*



Chip Underhill of FairPoint Communications (left) and Tom Daly, chair of the NH High Tech Council Board (right), congratulate Chris Crombie, Ektron VP of Global Sales and Bill Rogers, CEO of Ektron on winning the Software Company of the Year Award.



Chip Underhill of FairPoint Communications (left) and Tom Daly, chair of the NH High Tech Council Board (right), congratulate Nashua Community College Professor David Hubbs, who accepted the award on behalf of the college for winning the Software Educator of the Year Award.

# KOCHER SCHOLARSHIP - Deadline Feb 15, 2011

The Council's objective in providing scholarships is to encourage students to study for technical degrees and to stay and work in New Hampshire after graduating from college. The Council annually provides up to five \$2,000 scholarships to students pursuing a technology degree at the associate or baccalaureate degree level. The awards will be made each year for up to four years of study. The Council has chosen to partner with the New Hampshire Charitable Foundation, who administers the scholarship program. Questions about the scholarships should be directed to the New Hampshire Charitable Foundation's Student Aid office at 1-800-464-6641.

## ELIGIBILITY

To be eligible for consideration, students must meet ALL the following criteria — be:

- a NH resident
- between the ages of 17 and 24

- a dependent of an employee of a NHHTC member company
- pursuing a degree at an accredited NH post-secondary educational institution
- plan to stay and work in NH after graduation

## CRITERIA

Applications will be reviewed by the NH Charitable Foundation. Recipients will be chosen based upon the following criteria:

- academic performance
- community involvement
- participation in school activities that relate to technology
- employment or internships in the field
- financial need

## DEADLINE

Applications including all attachments are due to the New Hampshire High Tech Council's office by 5:00 p.m. on February 15, 2011. Incomplete or late applications will

NOT be reviewed. Students will be notified of their application status no later than April 10, 2011.

## AWARDS

Awards are more than just a monetary recognition. The Council is very interested in connecting recipients to the network of high tech employers in the State. As part of that commitment, students are expected to attend the NHHTC Entrepreneur of the Year annual dinner on May 9, 2011, to be formally presented with their award. There may be other opportunities for formal and informal training as part of the award. It is the intention of the Council to provide internship opportunities in the future. ■

**Application for the 2011 Scholarship available online at: [www.NHHTC.org](http://www.NHHTC.org)**

## HAYES SOLOWAY

### INTELLECTUAL PROPERTY WORLDWIDE

HAYES SOLOWAY P.C. is a law firm specializing in all aspects of intellectual property law, with offices in Manchester, New Hampshire and Tucson, Arizona. Our firm is currently celebrating twenty-five years of assisting clients in protecting their nationwide and worldwide intellectual property rights. Our worldwide client base ranges from individuals and small startup companies to large multinational corporations, universities, hospitals and government agencies. Our practice includes procurement and protection of patents, trademarks, and copyrights in the United States and abroad, as well as licensing, litigation, and counseling in the areas of patents, trademarks, copyrights and trade secrets. The firm is sized to take advantage of efficient and superior internal communications and organization. Teamwork, value, and efficiency are our standards.

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# Patent Reexamination: A Defense Against Patent Infringement



Paul Remus

If a competitor or a patent troll has a patent that you think may accuse you of infringing, you cannot seek a declaratory judgment until it threatens you with infringement. If a patent holder threatens to sue, or does sue you for infringing the patent, you may not want to incur the costs of a full-blown trial. In both cases, a patent reexamination proceeding may provide an attractive alternative to resolve the issue.

There are two types of reexaminations: *ex parte* and *inter partes*. Both types provide for an examination by the US Patent and Trademark Office (the "USPTO") of an issued patent based on a claim that it is invalid because of prior art patents or printed publications. Other grounds to challenge the validity of a patent cannot be raised in a reexamination.

An *ex parte* reexamination request is filed with the USPTO to start the proceeding. If the request is granted, the remainder of the proceeding is, for the most part, between the USPTO and the patentee. A patent examiner examines the claims of the patent in view of the prior art and sends an "office action" to the patentee, confirming, cancelling, or changing one or more of the claims, and the patentee responds. *Ex parte* reexaminations do not preclude any prior art defenses in litigation.

An *inter partes* reexamination is

also started with a request to the USPTO. If the request is granted, the party challenging the patent plays a larger role. The challenging party may submit comments on each of the patentee's responses to the USPTO. *Inter partes* reexaminations are only available for patents that issue from applications filed on or after November 29, 1999. The challenging party is barred from raising in litigation any invalidity grounds that were, or could have been, raised in the reexamination.

The Patent Office's published statistics from August 2009 show that 92% of *ex parte* requests and 95% of *inter partes* requests were granted. Additionally, of the *ex parte* requests granted, 25% resulted in all claims being confirmed, 11% resulted in all claims being cancelled, and 64% resulted in claims being changed. For *inter partes* requests granted, 5% resulted in all claims being confirmed, 60% resulted in all claims being canceled, and 35% resulted in claims being changed. The Patent Office also reports that an *ex parte* reexamination takes an average of 25 months and an *inter partes* reexamination takes an average of 35 months.

The cost of both types of reexamination proceedings is generally less than the cost of litigation. Moreover, the cost of an *ex parte* reexamination is considerably less than that of an *inter partes* reexamination. The cost differential is due to the

limited role of the requester in an *ex parte* reexamination. Counterbalancing the cost differential is the fact that in 60% of *inter partes* reexaminations, but only in 11% of *ex parte* reexaminations, all the claims were canceled.

A presumption of validity does not apply to claims in either type of reexamination as it does in litigation. Consequently, claims in reexaminations are judged by a preponderance of the evidence standard, which is significantly easier to meet than the clear and convincing evidence standard used in litigation.

Finally, if litigation has been started, it is important to consider whether the litigation will be stayed until the reexamination has been completed. In general, courts are inclined to grant motions to stay pending a reexamination if the motions are filed early in the litigation.

A reexamination proceeding may be a favorable way to resolve an infringement issue. Whether or not it is in a specific case is dependent on the weighing of the factors outlined above, which should be undertaken with some care as a reexamination cannot be stopped by the parties once it is started. ■

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## What is this square bar code? Many call it a *Mobile Tag*.

The two 2D barcodes in this issue were generated using the QR Code Generator, which is part of ZXing (pronounced "zebra crossing") project, an open-source, multi-format 1D/2D barcode image processing library implemented in Java.

The Reader app allows a user to photograph and decode barcodes using the built-in camera on their mobile phone, without communicating with a server. For more information or to find the Reader App for your smart phone, visit <http://code.google.com/p/zxing/wiki/GetTheReader>. ■



## Member News

The **Sadler Insurance Agency** has announced Debra Green was promoted to Employee Benefit Manager, Rick DeRosa joined Sadler Insurance as an Employee Benefit Specialist, and Fran McEvoy joined Sadler Insurance as a Commercial Account Representative.

**Sales Protocol International** sponsored the 15TH ANNUAL NH ECONOMIC DEVELOPMENT SUMMIT for The NH Division of Economic Development in cooperation with along with Public Service of NH, and the *NH Business Review*. Catherine Blake, president, emceed the panel discussion, "Innovation and Inspiration – the New Hampshire Entrepreneur with panelists Jackie Eastwood, founder of TissueLink, now Salient Surgical, Paula Long, co-founder of EqualLogic, now Dell, and Evan Bontemps, founder of Holase. The event took place on December 1st at SNHU.

Big and positive changes are underway at **CC Stephens & Co.** Effective November 27, we became **Cookson Stephens Corporation** ([www.cooksonstephens.com](http://www.cooksonstephens.com)) and are very excited about this change. Matt Cookson has been an integral part of CC Stephens & Co. for the past year and he was named president of CC Stephens in July. Matt has played a leadership role in refining the strategic focus and direction of the company under this new name, and his 25 years of experience in communications are a true asset as we work to continue to provide top notch marketing and communications services to our customers. Matt is taking over the management of the company, while Carol Stephens takes on a more focused role of directing key accounts. Our contact information has not changed, but stay tuned for information on our impending move to downtown Manchester.

### **Matt Cookson Becomes Executive Director of the NHHTC**

The NHHTC Board of Directors has named Matt Cookson as the new executive director of the NHHTC, effective November 27th. He will take over from Carol Stephens, who held this position for 12 years until her retirement (see her column in this newsletter). Matt was named deputy executive director in the spring and served on the NHHTC Board for several years. He is a former chair of the NHHTC Education Committee. His background includes senior management roles in the private sector, higher education, and government. Most recently, he served as the associate vice chancellor for external relations with the University System of NH.

## Welcome to Our New Members

### **James Kelly**

200C East Mountain Road  
Peterborough, NH 03458  
508-904-1353

Consulting work focused on managing the transformation of complex organizations.

### **Techsquire**

340 Central Avenue, Suite 20, Dover, NH 03820  
Andrew Most, 603-479-2963 [www.techsquire.net](http://www.techsquire.net)  
Techsquire is a blend of top tier legal expertise and unparalleled technical understanding. Our core skill set is focused on technical audits and contractual reviews of work product, intellectual property, copyright, trademark, and litigation services.

### **PoKos Communications**

254 Highland Drive, Henniker, NH 03079  
Tim Platt, 603-491-9792 [www.pokos.biz](http://www.pokos.biz)  
PoKos Communications Corp is a company dedicated to creating modern communications products that enable people to make new connections and enrich their lives.

### **ProQueSys**

16 Cavenish Court, Lebanon, NH 03766  
Vince Berk, 603-727-4477 [www.proquesys.com](http://www.proquesys.com)  
ProQueSys develops and sells software for network monitoring, security and forensics in complex network environments.

## Job Postings

**Captivating Talent** — QC Associate II, Salem, NH - The Quality Control Associate is responsible for biological and chemical evaluation of raw materials, in-process production intermediates, finished components and final immunoassay based kits resulting from the company's manufacturing operations. Contact: Jamie Rajotte-Tremblay at 603-324-3115 or [jamie@captivatingtalent.com](mailto:jamie@captivatingtalent.com).

**Good Leads**, a technology focused outsourced business development firm in Salem, NH is hiring for 2011. Three regional sales managers will be hired to support the Northeast, Southeast and Silicon Valley geographies as well as three inside sales/lead generator positions will be recruited for the corporate headquarters location in Salem, NH. Interested parties: [HR@GoodLeads.com](mailto:HR@GoodLeads.com).

**Simbex** — Post-Graduate/Post-Doctoral Researcher. Strong experimental research background (bioinformatics / impact biomechanics). Multivariate statistical techniques, data visualization techniques, relational databases, C/C++ programming & MatLab desired. Strong record of scientific excellence, independent research, collaboration. Resume/letter of interest [info@simbex.com](mailto:info@simbex.com).



23 Elm Street, Suite 2  
Peterborough, NH 03458

## 2010/11 NHHTC Calendar

### Human Resources Exchange

Jan. 12	Topic - Qualifying Events Sheehan Phinney Bass + Green, Manchester	8:00-9:30 am
Feb. 3	Topic - Saying No to Cupid Sheehan Phinney Bass + Green, Manchester	8:00-9:30 am

### Kocher Scholarship Applications

Feb. 15	Student Application Deadline	4 pm
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### Entrepreneur of the Year Banquet

May 9	Center of NH, Radisson Hotel, Manchester	5:30-8:30 pm
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### 2010 Spring NHHTC Entrepreneur Forums

Feb. 9	FIRST, Manchester	5:30-8:30 pm
May 18	FIRST, Manchester	5:30-8:30 pm

For more information call 603-924-8324 or email [info@NHHTC.org](mailto:info@NHHTC.org)

## Sponsorships Available!

## NEW HAMPSHIRE HIGH TECH NEWS

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**New Hampshire High Technology Council**

### OUR MISSION

Founded in 1983, the New Hampshire High Technology Council's mission is to encourage the development and success of technology-based businesses in New Hampshire.

Membership in the New Hampshire High Technology Council is open to high tech companies and their service companies. Companies wishing to join, or who want more information on the Council, should go to [www.NHHTC.org](http://www.NHHTC.org) and register or call the New Hampshire High Technology Council.

**For more information, call or go online:  
New Hampshire High Technology Council**

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### Submitting NHHTC Materials

All articles or ads should be sent to [info@NHHTC.org](mailto:info@NHHTC.org)