

Overview

The ability to successfully patent ideas, protect trade secrets and enforce copyrights significantly affects investment capital and profits for many corporations. Damage awards for intellectual property infringement depend to a great extent on the fact analysis to demonstrate any loss to the owner. The issues can span many fields of business expertise – accounting, economics, finance, operational research, marketing and statistics. Intellectual property cases typically require a working knowledge of some or all of these areas to establish evidence of a reasonable royalty or lost profits.

Specific Services

We possess the necessary accounting, financial, economic and valuation skills to effectively evaluate damage claims in patent infringement, copyright or trademark cases. Specific services we provide include:

- Accounting expertise and fact-finding
 - Identification of key business issues
 - Identification of needed information and data
 - Analysis of business trends and operations
- Economic Analysis
 - Market projections
 - Effects of competition
 - Effects of pricing on sales forecasts
- Financial Analysis
 - Projection of lost profits
 - Statistical analysis
 - Modeling of costs/revenues
 - Capacity analysis
 - Mitigating sales analysis
- IP Valuation
 - Other licenses as benchmarks
 - Reasonable royalty analysis
 - Market and legal case research for reported royalty rates

Relevant Experience

The depth and variety of our intellectual property experience are illustrated by the following examples:

- Evaluated alleged damages including lost profits, lost value of publicity and unjust enrichment related to purported theft of a trade secret.
- Assessed damages resulting from patent infringement of specialized manufacturing test equipment, including alternative analyses of lost profits and reasonable royalties.
- Computed damages for loss of patent protection in a foreign country, which would result in considerable lost royalties for drug sales.
- Analyzed the value of a business plan developed by an employee that was used to obtain venture capital financing and form a new company. The business ultimately attained a value of \$250 million.