



# FEATURED ENGAGEMENTS



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## BUSINESS UNIT CONTACTS

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### EXPERT OPINION

**Michael K. Milani**

Senior Managing Director  
+1 312 327 4417  
michael.milani@jsheld.com

### MANAGEMENT CONSULTING

**Gregory Campanella**

Managing Director  
+1 415 946 2605  
gregory.campanella@jsheld.com

### ADVISORY

**Ryan Zurek**

Managing Director  
+1 312 327 8006  
ryan.zurek@jsheld.com

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### STRATEGIC PARTNERSHIPS

**James E. Malackowski**

Senior Managing Director  
+1 312 327 4410  
james.malackowski@jsheld.com

**Andrew W. Carter**

Senior Managing Director  
+1 312 327 4420  
andrew.carter@jsheld.com

## EXPERT TESTIMONY

# DALMATIA IMPORT GROUP, INC. AND MAIA MAGEE V. FOODMATCH, INC., LANCASTER FINE FOODS, INC., EARTH PRIDE ORGANICS, LLC, AND MICHAEL S. THOMPSON

Case No. 2:16-cv-02767-EGS

## Engagement

Deposition & Trial Testimony

## Technology

Recipes, ingredient specifications, and production processes for fig spread

## Case Issues

Claims of misappropriation of trade secrets, breach of contract, trademark infringement, trademark counterfeiting, unfair competition, and conversion

Damages calculated as lost profits and unjust enrichment

## Results

On February 24, 2017 a Pennsylvania jury returned the first verdict under the Defend Trade Secrets Act, which was signed into law in 2016. The case, Dalmatia Import Group, Inc. v. FoodMatch Inc. et al. was heard in the United States Court for the Eastern District of Pennsylvania. The jury awarded Dalmatia \$2,567,000 in compensatory damages related to trade secret misappropriation, along with trademark infringement and counterfeiting. The final award was increased for statutory damages and trebling. Ocean Tomo Senior Managing Director James E. Malackowski opined as to the damages in the case.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)



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VALUATION  
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## VALUATION

# CRYPTOCURRENCY AND BLOCKCHAIN PATENT PORTFOLIO VALUATION

## Background

Ocean Tomo was engaged to analyze a major cryptocurrency exchange's patent portfolio from two perspectives: 1) value in-use by the company, and 2) value as part of a licensing and monetization campaign. Our work was performed to support the Company's internal IP management and transaction planning processes.

The patents protected technology across the crypto and blockchain ecosystem, including: transaction processing, digital assets, fiat-to-crypto asset transactions, graphical user interfaces (mobile and web-based), transaction clearing, displaying market prices, custody and lending solutions, and non-fungible tokens (NFTs).

Ocean Tomo worked collaboratively with the Company to map the patent portfolio to the Company's related technology and product offerings. This mapping formed the basis of our valuation of the patents in-use. Additionally, Ocean Tomo worked with the Company to identify potential licensees and infringers of the patents in order to quantify the potential value of a future monetization campaign.

## Engagement

Ocean Tomo's role as valuation advisor on this engagement included an assessment of both value in-use as well as the licensing value of the Company's patent portfolio related to various aspects of the cryptocurrency and blockchain ecosystems. The results of our analysis offered the Company comprehensive understanding of the value of its portfolio as it carried out its internal IP management and transaction planning processes.

## Results

Based on our analysis, the Company was successfully able to execute on its planned transaction related to key patents within its crypto IP portfolio.

## Contact

**Gregory Campanella**

Managing Director

+1 415 946 2605

[gregory.campanella@jsheld.com](mailto:gregory.campanella@jsheld.com)

# LITHIUM METAL BATTERY IP VALUATION AND TECHNICAL ANALYSIS



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## Background

Ocean Tomo was approached by a cutting edge battery design and manufacturing company looking to raise capital using its intellectual property (IP) portfolio as collateral. To support the Company's borrowing activities, management required an independent technical analysis and valuation of its patents and trade secrets related to lithium metal battery technology. The Company's battery technology demonstrated ultra-high energy density combined with a long-life cycle, making it ideally suited for electric vehicles (EVs), unmanned aerial vehicles, and numerous other markets.

Given the advanced nature of the Company's IP and management's desire for a robust valuation, the Ocean Tomo team collaborated with technical experts in EV battery technology. The subject matter expert provided an additional layer of insight into both the technical elements of the technology as well as its commercial viability and place within the ecosystem. This engagement demonstrates the benefit of our firm's multi-disciplinary approach to intellectual property client engagements, combining financial, scientific, and technical expertise, to provide clients with a holistic analysis of their IP.

## Engagement

Ocean Tomo's role as valuation advisor during this engagement included a financial, industry, and technical review of the Company's IP. This provided investors with the reassurance and peace of mind to invest in the Company. The multi-disciplinary team's ability to analyze the IP from multiple angles allowed us to provide a robust analysis to the Company and its investors.

## Results

Ocean Tomo's holistic analysis was instrumental in the Company's successful capital raising efforts, allowing it to continue its ongoing research, development, and manufacturing activities.

## Contact

**Gregory Campanella**

Managing Director

+1 415 946 2605

gregory.campanella@jsheld.com



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#### EXPERT TESTIMONY

# MILWAUKEE ELECTRIC TOOL CORP., ET AL V. SNAP-ON INC.

United States District Court for the Eastern District of Wisconsin  
Case No. 2:14-cv-01296

## Engagement

Patent Infringement Litigation

## Technology

Lithium-Ion Batteries in Cordless Power Tools

## Case Issues

Milwaukee Tool, a Wisconsin based power-tool company, is a major innovator in the cordless power tool industry. In 2005, Milwaukee Tool introduced the V28™ line of lithium-ion powered tools, the world's first high-current cordless handheld power tools powered by lithium-based battery packs. The V28™ provided the power of corded tools while being light and compact enough for cordless use. Milwaukee Tool's parent company, Tooltechnic Industries Co. Ltd., is headquartered in China and is a leading marketer, manufacturer and supplier of power tools and home improvement products. Defendant, Snap-on, Inc., like many toolmakers, introduced lithium-ion battery packs in its tools after Milwaukee Tool's launch of the V28™.

Plaintiffs alleged that Snap-on, Inc.'s use of the technology described in three of Milwaukee Tool's patents constituted infringement. Mr. Malackowski testified on behalf of the plaintiffs on the matter of financial damages resulting from the alleged patent infringement. The Ocean Tomo team assisting Mr. Malackowski on the engagement included Rich Lettiere and Chelsea Nacker.

## Results

Plaintiffs won on patent validity, infringement and willfulness. The jury awarded damages of \$27.8 million, matching Mr. Malackowski's opinion.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)

## VALUATION

# GLOBAL ENTERPRISE SOFTWARE COMPANY

## Background

A company with a significant portfolio of domestic and international patents and patent applications was considering a variety of M&A options, driven by a recent offer for the company. The portfolio of IP was clearly the most valuable asset of the business, however, it appeared to be significantly understated on the balance sheet. Due to the size of the portfolio and resource constraints, the company was unable to properly categorize its patent portfolio to its product line, and also had a keen interest in understanding the quality of its portfolio in relation to its top competitors.

## Engagement

Ocean Tomo produced comprehensive and timely deliverables, providing the company with an understanding of the quality and value of its portfolio, allowing it to meet stringent internal deadlines for formulating its near-term business strategy.

## Contact

### **Gregory Campanella**

Managing Director  
+1 415 946 2605  
[gregory.campanella@jsheld.com](mailto:gregory.campanella@jsheld.com)



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## EXPERT TESTIMONY

# IDENIX PHARMACEUTICALS INC. ET AL. V. GILEAD SCIENCES INC. ET AL.,

United States District Court for the District of Delaware Civil Action No.1:13-cv-01987

## Engagement

Deposition & Trial Testimony

## Technology

Patent pertaining of Hep C medication

## Case Issues

Patent Infringement, Idenix sought a 10% Gilead's US sales

## Results

Jury awarded Mr. Carter's claim for 10% (\$2.5 B) resulting in the largest patent verdict in history

## Contact

### **Molly Keelan**

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)



## VALUATION

# PUBLIC COMPANY PRIVATIZATION

## Background

A private equity group was considering the acquisition of a publicly-traded company for the immediate purpose of privatization and to then provide growth capital. The target company had established a very strong and large domestic and international patent portfolio, and had a heavily experienced management team in place that provided the foundation for accelerated growth opportunities.

## Engagement

Ocean Tomo was retained to provide merger and acquisition (M&A) support. With IP being the key asset in the business, Ocean Tomo performed a valuation analysis that provided the equity investor with the comfort of not only the short-term cash flow opportunities, but more importantly the long-term revenue opportunities due to the strength of the portfolios and the quality of the engineering team that showed consistent efficiency in its identification and acquisition of critical portfolios.

## Contact

### **Gregory Campanella**

Managing Director

+1 415 946 2605

[gregory.campanella@jsheld.com](mailto:gregory.campanella@jsheld.com)



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## VALUATION

# NORTEL NETWORKS – EMEA DEBTORS

## Background

Nortel Networks (“Nortel”) was a multinational telecommunications and data networking equipment manufacturer with global headquarters in Ontario, Canada. Nortel was regarded as a highly technologically innovative organization and at one point, was Canada’s largest publically traded company. Despite its past success, Nortel struggled to remain competitive in the early 2000s and by the 2008 recession it was clear the firm would no longer be able to continue servicing its debt. In early 2009 the company filed for creditor protection and subsequently auctioned off its assets. These assets included the company’s business lines and nearly 2,500 associated patents, and ultimately, the remaining Nortel IP portfolio consisting of over 7,000 patents which was sold to Rockstar, a consortium of technology companies including Apple and Microsoft. These sales generated over \$7 billion in proceeds while the claims submitted by creditor consortia from Canada, from the U.S., and from Europe, the Middle East, and Africa (“EMEA”) exceeded \$35 billion. After several years of failed attempts to negotiate the allocation of sales proceeds, the parties proceeded with litigation.

## Engagement

Ocean Tomo was hired in 2013 by the EMEA debtors to assist with all valuation and allocation issues related to Nortel’s IP. In order to determine the appropriate allocation of sales proceeds, Ocean Tomo:

- Performed an independent valuation of the ~2,500 patents and other IP which was sold along with Nortel’s various business lines;
- Performed an independent valuation of the 7,000+ patents sold to Rockstar;
- Determined the appropriate commercial life of Nortel’s IP portfolio;
- Determined the geographic distribution of the income expected from Nortel’s patents;
- Determined the relative inventive and financial contributions made by each debtor over a period spanning more than two decades;
- Determined the relative value of exclusive and non exclusive license rights to all Nortel patents in numerous jurisdictions;
- Analyzed and interpreted dozens of Nortel’s inter- and intra-company agreements including numerous IP licenses and transfer pricing agreements.

## Contact

**Gregory Campanella**

Managing Director

+1 415 946 2605

[gregory.campanella@jsheld.com](mailto:gregory.campanella@jsheld.com)

# CENGAGE LEARNING, INC.



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## Background

Cengage Learning, Inc. ("Cengage"), a private equity-backed education company, filed for bankruptcy protection on July 2, 2013 as part of an effort to shrink its \$5.8 billion debt load.

## Engagement

Ocean Tomo was hired by management of Cengage to serve as its lead intellectual property financial advisor and determine the value of certain intangible assets.

Our role as intellectual property advisors included participation in all aspects of the valuation of certain unperfected copyrights, as the value of these assets was an early variable between the creditors on how to allocate value under the plan of reorganization. In the case of Cengage, new copyrighted works were being generated so often that Cengage and its creditors chose to file security liens with the U.S. Copyright Office periodically (e.g., quarterly) rather than each time a new work was created. As a result, security interests in certain copyrights owned by Cengage had not been properly perfected under the U.C.C. at the time of the bankruptcy filing. Consequently, the challenge arose as to which creditor held the rights to these unperfected copyrights and how to allocate the value of those assets.

Ocean Tomo undertook a highly quantitative and nuanced approach to valuing these IP assets. In the course of this engagement, we:

- Performed an independent valuation of the 15,000+ subject copyrights by utilizing a hybrid analysis consisting of the Excess Earning and Relief from Royalty methodologies;
- Determined the appropriate economic life of the subject copyrights;
- Utilized complex content allocation factors to develop revenue projections that reflected the unique content that was created specifically for the subject copyrights;
- Developed revenue projections for future revisions of the subject copyrights to account for unique content that is carried from one textbook edition to the next;
- Analyzed and interpreted royalty rate data related to the subject copyrights, as well as data from dozens of third-party publishing license agreements.

## Results

On March 31, 2014, Cengage completed its financial restructuring and successfully emerged from its Chapter 11 reorganization.

## Contact

### Gregory Campanella

Managing Director

+1 415 946 2605

[gregory.campanella@jsheld.com](mailto:gregory.campanella@jsheld.com)



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EXPERT TESTIMONY  
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## EXPERT TESTIMONY

# MOTOROLA SOLUTIONS, INC. V. HYTERA COMMUNICATIONS CORPORATION LTD.

**Case No. 1:17-cv-01973**

## Engagement

Deposition & Trial Testimony

## Technology

Trade Secrets and source code for DMR two-way digital radios

## Case Issues

Claims of misappropriation of trade secrets and copyright infringement. Damages calculated as lost profits and unjust enrichment.

## Results

On February 14, 2020 a federal Jury returned a verdict in the case of Motorola Solutions, Inc. v. Hytera Communications Corporation Ltd. The jury awarded plaintiff Motorola Solutions over \$764 million in damages, including compensatory damages of \$345.76 million and punitive damages of \$418.8 million related to trade secret misappropriation and copyright infringement. This was the full amount sought by Motorola. The case was heard in the United States District Court for the Northern District of Illinois. Ocean Tomo Senior Managing Director James E. Malackowski opined as to the damages in the case.

In what may have been the first application of extraterritoriality under the Defend Trade Secrets Act, on March 5, 2020, the Court entered an award following a jury verdict of \$764.6 million, which included Hytera's profits from accused radios and components sold both within and outside of the U.S.

The \$764 million damages award for the plaintiff Motorola Solutions included compensatory damages of \$345.76 million and punitive damages of \$418.8 million related to trade secret misappropriation and copyright infringement. This was the full amount sought by Motorola. The Ocean Tomo trial team for Motorola Solutions included Robert McSorley, Richard Lettiere, and James E. Malackowski.

## Contact

### **Molly Keelan**

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)

EXPERT TESTIMONY

# SUNOCO PARTNERSHIP MARKETING & TERMINALS L.P. V. U.S. VENTURE, INC., U.S. OIL, AND TECHNICS, INC.

Case No. 1:15-cv-08178

## Engagement

Trial and Deposition Testimony

## Technology

Fuel Blends

## Case Issues

Patent infringement. Plaintiff damages calculated as lost profits (and a reasonable royalty alternative). Defendant damages calculated as reasonable royalty only.

## Results

On January 29, 2020, Judge Rebecca R. Pallmeyer returned a bench trial opinion and order in the case of Sunoco Partnership Marketing & Terminals L.P. v. U.S. Venture, Inc., U.S. Oil, and Technics, Inc. Sunoco's expert sought lost profits damages of \$31.59 million, or alternatively, a reasonable royalty ranging from \$17.1 to \$25.7 million. Judge Pallmeyer agreed with U.S. Venture that lost profits damages were not appropriate in this case, and awarded Sunoco with a reasonable royalty of \$2 million, the exact amount calculated by U.S. Venture's expert. The case was heard in the United States District Court for the Northern District of Illinois. Ocean Tomo Senior Managing Director James E. Malackowski opined as to the damages in this case on behalf of U.S. Venture.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)



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INNOVATION MANAGEMENT  
FEATURED ENGAGEMENTS

## INNOVATION MANAGEMENT

# MID-CAP INTERNET SOFTWARE AND SERVICES COMPANY

## Background

A mid-cap internet software and services company retained Ocean Tomo to help the firm both generate value from a particular subset of their IP portfolio and – more broadly – with their overall IP/innovation strategy relating to their future goals. In the first phase of this assignment Ocean Tomo provided a series of strategic options for the company, and the second phase structured to implement, at the company's election, the chosen option(s).

## Engagement

Ocean Tomo initiated the engagement with a high-level business review to further develop our understanding of the company's market position, business strategy and goals, technology road map, and historical ability to execute its IP and business strategy. Ocean Tomo not only reviewed the company documents and product markets, but also conducted interviews with key company product development, corporate development, and C-suite personnel to gain the requisite understanding of the company's business.

We analyzed the individual assets within the patent portfolio to distinguish the most valuable and commercially viable patents. Applying our thorough comprehension of the technology, we then classified the patent portfolio into discrete sub-technology buckets to develop patent landscapes, which allowed us to both identify third party entities with related IP and assess a high-level relative positioning of the sub-portfolios in their relevant markets.

Ocean Tomo then conducted an external review, leveraging years of director level management consulting and IP strategy expertise to consider and evaluate the successful IP strategies of other companies and industries to determine the appropriate fit as it particularly related to the company. Armed with an in-depth understanding of existing external market strategies and the company's high-level business position and objectives, patent quality, and patent landscapes, we synthesized the results of our analyses to develop a set of tailored options, next steps, and requirements for leveraging the portfolio.

## Results

The Phase I deliverable included strategic options beyond the commonplace shield and sword approaches to IP value generation, also including IP strategies to facilitate self-funding innovation cycles, outsourced innovation platforms, and the development of ecosystems.

The company has gravitated toward a few of the more creative approaches to leveraging their portfolio within their broader innovation strategy, and is awaiting internal approval to commence a Phase II engagement with Ocean Tomo.

## Contact

**James E. Malackowski**

Senior Managing Director

+1 312 327 4410

[james.malackowski@jsheld.com](mailto:james.malackowski@jsheld.com)

VALUATION

# PORTFOLIO COMPANY MERGER

## Background

A private equity group was considering the merger of two portfolio companies; one the developer of the IP and the second being the first commercial implementer of the technology.

## Engagement

Ocean Tomo was retained to provide merger and acquisition (M&A) support. Ocean Tomo completed a valuation of the early stage technology where our analysis was an integral contributor to the completion of the merger and also helped establish the accurate opening balance sheet of the consolidated entity.

## Contact

**Gregory Campanella**

Managing Director

+1 415 946 2605

[gregory.campanella@jsheld.com](mailto:gregory.campanella@jsheld.com)



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STRATEGY – IP DEPARTMENT OPERATIONS  
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## STRATEGY - IP DEPARTMENT OPERATIONS

# FORTUNE 500 MEDICAL DEVICE COMPANY

## Background

A Fortune 500 medical device company in the process of changing its innovation culture hired new intellectual property (IP) management to restructure the IP law group.

## Engagement

Ocean Tomo was retained to assist the company in redefining its IP strategy. Ocean Tomo provided strategic consulting focused on an:

- Assessment of its current IP management practices;
- Inventory of its IP holdings;
- Alignment of its products to its patents;
- Analysis of its competitors across multiple product segments, with periodic updates of those competitors' activities.

## Results

Ocean Tomo encouraged increased internal patenting efforts through engineer training, jump-start disclosure sessions, and by developing an innovation reward program. Particular emphasis was placed on patenting in key long-term business lines. Further, Ocean Tomo identified mismatches in the client's patent portfolio where the patents did not appear to be in line with their business objectives. Since these patents did not appear to contribute to their bottom line and forward looking strategic vision, Ocean Tomo recommended selling these assets not essential to particular businesses.

## Contact

### **Gregory Campanella**

Managing Director

+1 415 946 2605

[gregory.campanella@jsheld.com](mailto:gregory.campanella@jsheld.com)



# MIPS TECHNOLOGIES, INC.



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STRATEGY + TRANSACTIONS  
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## Background

MIPS Technologies, Inc., a leading provider of industry-standard processor architectures and cores for home entertainment, networking, mobile and embedded applications, retained Ocean Tomo for the purpose of advising the company in connection with its desire to effectuate and maximize this IP driven transaction and to evaluate whether the consideration was fair to MIPS from a financial point of view.

## Engagement

Ocean Tomo was retained by MIPS at the very beginning of the IP monetization process to advise on strategy. Over the course of about 18 months we helped identify the key assets and shape the type and value of the deal that was ultimately consummated. MIPS demonstrates what is possible when companies consider IP as a strategic business asset: a dramatic increase in shareholder value and an efficient transfer of technology.

MIPS and Ocean Tomo devised an atypical IP strategy early on in the monetization process, built around maximizing value, while keeping litigation and ecosystem risks to a minimum. The deal consummated closely followed the strategy and value forecasts that Ocean Tomo developed.

## Results

The resulting transaction involved the sale for \$350 million by MIPS to Bridge Crossing, LLC of all of its rights, title and interest in 498 active issued U.S. and foreign patents and patent applications. Bridge Crossing, LLC is a special purpose vehicle formed by Allied Security Trust I, a member-based defensive patent aggregator.

## Contact

### Ryan Zurek

Managing Director

+1 312 327 8006

ryan.zurek@jsheld.com



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## STRATEGY

# HIGH PERFORMANCE COMPUTING MANUFACTURER

## Background

A leader in the high performance computing industry was undergoing operational restructuring. The company desired to better understand the types of technologies covered by its patent portfolio, the portfolio's strengths and weaknesses relative to other industry participants, and how the portfolio could be used to support current and future business lines, including through monetization and acquisition of IP rights.

## Engagement

The company retained Ocean Tomo to assist in developing and executing a strategic assessment of its IP. To help the client meet its goal, Ocean Tomo analyzed the client's patent portfolio, its corporate strategy, and the market environment in which it operated. First we provided an assessment of the quality of the patents in the client's portfolio and other related patent portfolios which was based on an analysis utilizing Ocean Tomo's proprietary Ocean Tomo Ratings™ system, other tools and expert review. We then provided an analysis of the IP environment around the client's patents, including a survey of IP litigation in the related technology areas, and assessment of relevant licensing and IP-driven M&A transactions. Taking a step back from IP, we provided an analysis of the markets in which the client operated, including market research to gauge the approximate market size of the products related to the potential monetization strategies we developed. Finally, we provided an analysis of various risks involved in potential monetization strategies (litigation blowback, client, vendor, ecosystem, reputation and other risks).

## Results

Ocean Tomo developed three options that would generate revenue and realign the portfolio with the corporate strategy, creating opportunity for more focus on certain product lines important to the client's growth. Ultimately the client opted to execute the option focused on divesting non-core assets in order to utilize the revenue to support development of key product lines.

## Contact

**Gregory Campanella**

Managing Director

+1 415 946 2605

[gregory.campanella@jsheld.com](mailto:gregory.campanella@jsheld.com)

## EXPERT TESTIMONY

# FUJITSU LTD. V. TELLABS, INC., TELLABS OPERATIONS, INC. AND TELLABS NORTH AMERICA, INC.

United States District Court for the Northern District of Illinois, Eastern Division  
Civil Action No. 09-cv-04530

## Engagement

Trial and Deposition Testimony

## Technology

Optical Network Signal Amplification and Routing

## Case Issues

Patent Infringement and Reasonable and Non-Discriminatory ("RAND") Royalties

## Results

Ocean Tomo prepared expert reports on both traditional and RAND royalties and testified as an expert in the field of damages and patent licensing, including the economics of RAND obligations. The jury found in favor of Ocean Tomo's opinions.

## Contact

### **Molly Keelan**

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)



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## STRATEGY

# PRIVATE EQUITY FIRM FOR GLOBAL LIFE SCIENCES CORPORATION

## Background

A leading global life sciences corporation was exploring strategic alternatives including a possible company sale. A private equity firm interested in acquiring the company engaged Ocean Tomo to perform due diligence on the potential target company's patent portfolio. To support the bid price calculation, the client required an understanding of the content and quality of the company's intellectual property assets and their impact on the company's business.

## Engagement

Ocean Tomo provided a series of qualitative and quantitative analyses of the target company's patent portfolio and market environment.

## Results

Ocean Tomo quantified the top intellectual-property related risks to revenue build and market share due to patent expirations. We identified patents expiring in key patent families and the vulnerabilities created by those expirations. Further, we identified numerous high quality recently issued or pending patents that could offset the key expirations. The client made the determination not to pursue the acquisition.

## Contact

**Gregory Campanella**

Managing Director

+1 415 946 2605

[gregory.campanella@jsheld.com](mailto:gregory.campanella@jsheld.com)

EXPERT TESTIMONY

# PETTER INVESTMENTS, INC. V. HYDRO ENGINEERING, INC.

United States District Court for the Western District of Michigan  
Civil Action No. 1:2007-cv-01033

## Engagement

Trial and Deposition Testimony

## Technology

Wash Racks and Wastewater Recycling Systems

## Case Issues

Patent Infringement

## Results

Dispute involving two direct competitors in the heavy machinery wash rack industry. Ocean Tomo determined damages including lost profits and reasonable royalties. After Ocean Tomo's deposition, the case settled favorably to the client.

## Contact

### **Molly Keelan**

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)



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## EXPERT TESTIMONY

# SAINT GOBAIN AUTOVER U.S.A., INC. ET AL V. XINYI AUTOMOBILE GLASS CO. ET AL

United States District Court for the Northern District of Ohio (Cleveland)  
Civil Action No. 1:06-cv-02781

## Engagement

Trial and Deposition Testimony

## Technology

Automotive Windshields

## Case Issues

Patent Infringement

## Results

Ocean Tomo testified as a damages expert for the plaintiff, St. Gobain, in a patent infringement action concerning automotive windshields, demonstrating why St. Gobain should be awarded both lost profits and price erosion damages. The jury awarded the exact damages figure requested by Ocean Tomo, which was in excess of \$10 million.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)

EXPERT TESTIMONY

# FIRST AMERICAN CORELOGIC, INC. V. FISERV, INC. ET AL

United States District Court for the District of Texas (Marshall)  
Civil Action No. 2:10-cv-00132

## Engagement

Trial and Deposition Testimony

## Technology

Automated Real Estate Software

## Case Issues

Patent Infringement

## Results

Ocean Tomo testified in Marshall, Texas as the damages expert for the defendant in this patent infringement action related to internet services. Ocean Tomo's testimony rebutted CoreLogic's claim of \$26 million in damages, demonstrating that the patent-in-suit had minimal value as used by the defendant. Interthinx was found to not infringe.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)



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#### EXPERT TESTIMONY

# CONCEPTUS, INC. V. HOLOGIC, INC.

United States District Court for the Northern District of California  
Civil Action No. 3:09-cv-02280

## Engagement

Trial and Deposition Testimony

## Technology

Permanent Birth Control System

## Case Issues

Patent Infringement

## Results

In Conceptus v. Hologic, the plaintiff accused the defendant of infringing the patent for a revolutionary method of permanent birth control. At trial, Ocean Tomo's expert successfully presented a case for 100% lost profits, resulting in award of the full amount calculated. In a post-trial settlement, the defendant agreed to remove its infringing product from the market.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)



EXPERT TESTIMONY

# LUCENT TECHNOLOGIES, INC. V. EXTREME NETWORKS, INC.

United States District Court for the District of Delaware  
Civil Action No. 03-508 (JJF)

## Engagement

Trial and Deposition Testimony

## Technology

Improvements to Router Technology

## Case Issues

Patent Infringement, Reasonable Royalty

## Results

Lucent alleged infringement on virtually all of Extreme Networks' sales and determined a royalty of 1% for each of the 5 patents allegedly infringed for a total of 5%. Ocean Tomo conducted a thorough analysis of all Extreme Networks' sales channels and, with additional technical analysis of the actual use and set-up of the alleged improvements, reduced the royalty base by 20 fold. Ocean Tomo further opined a royalty rate that included stacking considerations. The jury found in favor of Ocean Tomo's damages opinion and the parties settled soon thereafter.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

molly.keelan@jsheld.com



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#### EXPERT TESTIMONY

# OMEGA PATENTS, LLC V. FORTIN AUTO RADIO, INC.

United States District Court for the Middle District of Florida (Orlando)  
Civil Action No. 6:05-cv-01113

## Engagement

Trial and Deposition Testimony

## Technology

Electrical Connectors and In-Vehicle Car Alarm Systems

## Case Issues

Patent Infringement

## Results

Ocean Tomo testified as a damages expert for the defendant in a patent infringement action concerning electrical components. The plaintiff claimed damages of approximately \$20 million. Ocean Tomo demonstrated to the jury why the damages should be only roughly \$400,000. Although the infringement was found to be willful, the jury substantially agreed with Ocean Tomo and awarded roughly just \$600,000 in damages.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)

## EXPERT TESTIMONY

# LIGHTING BALLAST CONTROL, LLC V. ADVANCE TRANSFORMER CO., FULHAM CO., INC., GENERAL ELECTRIC CO. AND UNIVERSAL LIGHTING TECHNOLOGIES, INC.

United States District Court for the District of Texas, Wichita Falls Division  
Civil Action No. 7:09-cv-00029-0

## Engagement

Trial Testimony

## Technology

Electronic Lighting Ballasts

## Case Issues

Patent Infringement and Lump Sum Royalties

## Results

In a trial relating to the infringement of several patents, plaintiff's expert opined to a running royalty ranging from \$9.3 - \$15.6 million, plus additional post-trial royalties. Ocean Tomo testified that the proper form and amount of the reasonable royalty was a fully paid up lump-sum royalty of \$1.5 million, and no post trial royalties. Following findings of validity and infringement, the plaintiff was awarded a fully paid-up lump sum royalty of \$3.0 million and no post-trial royalties.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)



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## EXPERT TESTIMONY

# EXTREME NETWORKS, INC. V. ENTERASYS NETWORKS, INC.

United States District Court for the Western District of Wisconsin  
Civil Action No. 07-C-0229-C

## Engagement

Trial and Deposition Testimony

## Technology

Enterprise Switches and Routers

## Case Issues

Patent Infringement

## Results

Ocean Tomo testified that Extreme Networks was due reasonable royalty damages due to Enterasys Networks' infringement of three Extreme Networks patents relating to switch and router technology. Extreme Networks was awarded over \$200,000 in reasonable royalty damages consistent with Ocean Tomo calculations. Enterasys Networks was permanently enjoined from selling the infringing products.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)

EXPERT TESTIMONY

# CARTER BRYANT V. MATTEL, INC. AND CONSOLIDATED ACTIONS

United States District Court for the Central District of California, Southern Division  
Case No. CV 04-9049-DOC (RNBx) Consolidated with Nos. CV 04-9059 and CV 05-2727

## Engagement

Trial and Deposition Testimony

## Technology

Dolls and Children's Toys

## Case Issues

Trade Secret Misappropriation, Copyright Infringement

## Results

In the second trial regarding Mattel's claim of ownership of rights to Bratz dolls, Ocean Tomo testified that MGA had suffered \$85 million in damages due to Mattel's misappropriation of MGA's trade secrets. MGA was awarded \$85 million in trade secret misappropriation damages and the jury rejected all of Mattel's claims to the Bratz dolls and did not award Mattel any copyright damages. MGA was also awarded punitive damages and legal fees and costs.

## Contact

### **Molly Keelan**

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)



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#### EXPERT TESTIMONY

# ST. CLAIR INTELLECTUAL PROPERTY CONSULTANTS V. FUJI PHOTO FILM CO., LTD., FUJI PHOTO FILM U.S.A., INC., FUJIFILM AMERICA, INC. ET AL.

United States District Court for the District of Delaware  
Civil Action No. 03-241 JJF

## Engagement

Trial and Deposition Testimony

## Technology

Digital Cameras

## Case Issues

Patent Infringement

## Results

Ocean Tomo represented Fuji in a patent case involving the type of file formats used by digital cameras to store images and movies. Ocean Tomo Testified that, assuming the patent is valid and infringed, Fuji should pay damages based on a reasonable royalty ranging from 0.5% - 0.75% of sales and the opposing expert opined to a royalty of 3.0%. Ultimately the jury award damages based on a 0.5% royalty, based on the low end of the royalty rate range testified to by Ocean Tomo.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)

STRATEGY + TRANSACTIONS

# ENTERPRISE + TELCO EQUIPMENT COMPANY



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## Background

A group of Fortune 500 technology companies purchased the intellectual property portfolio of a multinational telecommunications and data networking equipment manufacturer out of bankruptcy. The technology assets, foundational to telecommunication services, network infrastructure equipment, mobile handsets, internet search and social networking, were placed into the joint-venture managed by experience technologist and licensing professionals. The owners, each with competing interests, decided that it was best to pursue strategic alternatives for the firm.

## Engagement

Ocean Tomo advised management on a prospective buyout. Our team conducted extensive diligence of the opportunity, including detailed technical and financial analysis, and assisted with capital advisory. Our evaluation drove discussions around the portfolio's value and the internal rate of return available to investors.

## Results

The transaction garnished interest among various strategic and financial groups. As a result of our efforts, the portfolio sold for a 300% premium to the initial bid – having advised on two fully funded management buyout offers, initially unsolicited and then at the behest of the board.

## Contact

**Ryan Zurek**

Managing Director

+1 312 327 8006

[ryan.zurek@jsheld.com](mailto:ryan.zurek@jsheld.com)



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## EXPERT TESTIMONY

# IN THE MATTER OF SEMICONDUCTOR CHIPS WITH MINIMIZED CHIP PACKAGE SIZE AND PRODUCTS CONTAINING SAME (III)

**United States International Trade Commission**

**On behalf of Respondents Acer, Nanya and Powerchip Investigation No. 337-TA-630**

## Engagement

Hearing and Deposition Testimony

## Technology

Specific Technology Related to the "Packaging" of DRAM Chips

## Case Issues

Determining the Number of the Unlicensed Chips Imported into or Sold in the U.S. by the Defendants Versus Remaining Suppliers and Licensees.

## Results

Ocean Tomo opined that the majority of units sold in or imported into the U.S. by defendants were purchased from suppliers or subcontractors directly licensed by Tessera. The Administrative Law Judge, in agreement with Ocean Tomo, found that all chips Defendants purchased from Tessera licensees were authorized thus, Tessera's rights in those chips were subject to exhaustion, and that none of Tessera's patents had been infringed. The ITC made a final determination that there was no violation of Section 337.

## Contact

**Molly Keelan**

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)



## TRANSACTIONS

# STERLING FUND MANAGEMENT – MOSAID PRIVATIZATION

## Background

Understanding the value of the MOSAID patent portfolio was central to this transaction and required Ocean Tomo to interface directly with deal capital partners. The MOSAID transaction represents an important milestone in the evolution of IP into a discreet asset class. It is the first leveraged buyout driven exclusively by IP asset value.

## Engagement

Ocean Tomo's role as IP advisor on the transaction included participation in all aspects of IP due diligence and valuation.

## Results

Ocean Tomo served as intellectual property (IP) advisor, supporting the acquisition of MOSAID Technologies Inc. by Sterling Fund Management, LLC, for a cash payment of \$46.00 per share.

## Contact

### **Ryan Zurek**

Managing Director

+1 312 327 8006

[ryan.zurek@jsheld.com](mailto:ryan.zurek@jsheld.com)



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INNOVATION MANAGEMENT  
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## INNOVATION MANAGEMENT

# GLOBAL MEDIA PROTECTION TECHNOLOGY COMPANY

## Background

A global media protection technology company was seeking to increase its global footprint by bringing two of its seminal innovations to the U.S. market. Rather than pursue an aggressive intellectual property assertion strategy or sale to a non-practicing entity – both of which could alienate potential partners in the U.S. – their goal was to take a more creative approach, using their intellectual property to forge new relationships.

## Engagement

Aware of Ocean Tomo's reputation as a thought leader in multiple aspects of IP management, the company engaged us to assess both patent portfolios and develop custom monetization strategies for each. Ocean Tomo provided both Opinion and Management Services leveraging a senior team members from Innovation Management, Intellectual Property Strategy, and Valuation.

Our process began with a thorough investigation of the technologies in question, as well as the markets within which these technologies were most applicable. Subsequently, our technical experts characterized and rated the patents within the portfolios and identified additional patents issued to the company that would make the offering more attractive in the U.S. market. We then determined the value of the portfolios under several different scenarios, including acquisition by an operating company for defense, an industry-wide licensing campaign, and the formation of a technology-based consortium. Finally, we developed two custom monetization strategies: a pure asset sale for one portfolio and a commercialization / venture development strategy for the other.

## Results

The company, pleased with our work product, further engaged Ocean Tomo to execute the recommended monetization strategies.

## Contact

**James E. Malackowski**

Senior Managing Director

+1 312 327 4410

[james.malackowski@jsheld.com](mailto:james.malackowski@jsheld.com)

EXPERT TESTIMONY

# BROCADE COMMUNICATIONS SYSTEMS, INC. AND FOUNDRY NETWORKS, LLC V. AIO NETWORKS, INC. ET AL.

United States District Court for the Northern District of California, San Jose Division  
Case No. 10-cv-03428 LHK

## Engagement

Trial and Deposition Testimony

## Technology

Application Delivery Controllers, Load Balance Servers

## Case Issues

Patent Infringement, Copyright Infringement, Trade Secret Misappropriation, Breach of Contract, Intentional Interference with Contract

## Results

In a trial regarding Brocade and Foundry's allegations against A10 Networks regarding broad-based intellectual property infringement and unfair competition, Ocean Tomo testified that Brocade and Foundry had suffered damages resulting from patent infringement, copyright infringement, trade secret misappropriation and unfair interference with contract. The jury found for Brocade and Foundry on each of these claims and awarded Brocade and Foundry \$112 million in damages equal to the amount determined by Ocean Tomo.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

molly.keelan@jsheld.com



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## EXPERT TESTIMONY

# IN THE MATTER OF CERTAIN POCKET LIGHTERS

**Investigation No. 337-TA-1142**

## Engagement

Hearing and Deposition Testimony

## Technology

Disposable Lighters

## Case Issues

BIC brought suit against several respondents who were accused of infringing certain trademarks relating to the well-known BIC lighter. Ocean Tomo offered testimony relating to the existence of a domestic industry, remedy, and bond.

## Results

Consistent with Ocean Tomo's opinions, the ALJ granted summary determination regarding the existence of a domestic industry. The investigation later settled, prior to a hearing.

## Contact

### **Molly Keelan**

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)

# MOBILE/CLOUD SERVICES + SECURITY FIRM



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## Background

A privately-held cloud networking/optimization and mobile security firm sought to sell the business, including its foundational patent portfolio of 400+ assets. The technology developed by the selling entity over a 15-year span represented highly scalable and high reliability elements of network traffic optimization for carriers and had proven track records of deployment in mobile applications in massive scale.

## Engagement

Ocean Tomo advised a prospective buyer through the process where the acquiring management team sought to create a highly integratable products and technology firm focused on cloud networking and cloud services, mobile applications and security/privacy services, and mobile device and network operations. Specifically, the new team intended to:

- Continue developing and selling the software services;
- License the technology to device manufacturers and service providers, including makers of smartphones, laptops and tablets; cloud and mobile application service providers; and network operators.

## Results

Over the course of six months Ocean Tomo managed the process for the acquirer, which resulted in an offer to acquire the assets of the firm. Our team advised on all aspects of the transaction, from capital advisory to transaction diligence and valuation.

## Contact

**Ryan Zurek**  
Managing Director  
+1 312 327 8006  
[ryan.zurek@jsheld.com](mailto:ryan.zurek@jsheld.com)



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## VALUATION

# DEPARTMENT OF ENERGY ("DOE") LOAN HOLDER - FISKER AUTOMOTIVE

## Background

Fisker Automotive, Inc. ("Fisker") is an American auto maker and creator of one of the world's first production plug-in hybrid electric vehicles, the Fisker Karma. The company ceased production in November 2012 due to financial difficulties and eventually declared bankruptcy in November 2013.

## Engagement

Ocean Tomo was retained by the purchaser of a defaulted Department of Energy ("DOE") loan who succeeded the DOE as the senior secured lender. In February 2014, the assets of Fisker were successfully sold for a bid of almost six times what Fisker was seeking when it filed for bankruptcy. The various creditor groups were in dispute about the allocation of the proceeds from the sale of the company's assets. In particular, the value contribution of the IP assets was a significant consideration as certain parties believed the international non-perfected IP rights to be of material value. Ocean Tomo provided initial valuation and advisory services related to Fisker's IP portfolio of utility and design patents, outstanding patent applications, and trademarks.

## Contact

### **Gregory Campanella**

Managing Director

+1 415 946 2605

[gregory.campanella@jsheld.com](mailto:gregory.campanella@jsheld.com)

# PRIVATELY-HELD UNIFIED COMMUNICATIONS PROVIDER

## Background

Ocean Tomo was approached by the owners of a privately-held unified communications product and service company. The company had a large intellectual property (IP) portfolio of mobile, teleconferencing, security, endpoint and management software technologies and sought to monetize these assets.

## Engagement

As part of a two-phase engagement, we first provided an in-depth evaluation and valuation of the portfolio and then assisted management with finding the optimal monetization structure.

Ocean Tomo began the project by conducting an independent technical review, categorizing and rating each individual patent in the portfolio. Concurrent with the categorization and ranking of each patent, we also reviewed relevant markets, product road maps, and the competitor landscape to better understand and assess the value of the portfolio as a whole. Our independent, phase one evaluation and valuation process deemed the portfolio to be market-ready.

As part of the second phase of the project, Ocean Tomo ran a targeted sales process for the portfolio of unified communication technologies.

## Results

The company successfully monetized its portfolio, reaching numerous eight figure settlements with high-profile industry members. The company was recently acquired by a competitor, driven in part by the value of its IP.

## Contact

**Ryan Zurek**  
Managing Director  
+1 312 327 8006  
[ryan.zurek@jsheld.com](mailto:ryan.zurek@jsheld.com)



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ANALYTICS & VALUATION  
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## ANALYTICS & VALUATION

# FINANCIAL SERVICES COMPANY

## Background

A major financial services company began a program to regularly review its IP portfolio to establish monetization strategies to generate annuity revenue.

## Engagement

Ocean Tomo's analytics team was first retained to assess the quality of specified patents, as well as relevant competitors in terms of comparability of their IP portfolio using its proprietary Ocean Tomo Ratings™ system. The client then utilized the output of Ocean Tomo reports to make a determination as to which patents had the strongest licensing potential. Following this Ocean Tomo's valuation group was retained in order to complete current fair market value assessments.

## Results

The company was able to directly utilize Ocean Tomo's deliverables to assist in the structure of license agreements, and were quickly able to demonstrate to senior management that a successful monetization strategy had commenced.

## Contact

### **Gregory Campanella**

Managing Director

+1 415 946 2605

[gregory.campanella@jsheld.com](mailto:gregory.campanella@jsheld.com)



EXPERT TESTIMONY

# COMMONWEALTH SCIENTIFIC AND INDUSTRIAL RESEARCH ORGANIZATION V. LENOVO ET AL.

United States District Court for the Eastern District of Texas, Tyler Division  
Civil Action No. 6:09-cv-00400-LED

## Engagement

Testimony

## Technology

WiFi

## Case Issues

Patent Infringement, Multi-Defendant, Standards-Based Technology

## Results

Ocean Tomo determined the damages related to the widespread infringement of CSIRO's essential WiFi patent against multiple defendants across multiple industries. After depositions were completed, all parties settled the case totaling over \$220 million.

## Contact

### **Molly Keelan**

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)



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## EXPERT TESTIMONY

# SELEX GALILEO, INC. v. NOMIR MEDICAL TECHNOLOGIES, INC.

American Arbitration Association International Centre for Dispute Resolution  
Case No. 01-17-0003-0930

## Engagement

Submittal of Opinions to Arbitration Tribunal and Testimony at Hearing

## Technology

Laser device intended for use by healthcare providers on patients to combat MRSA and other superbug infections.

## Case Issues

In 2014, Selex agreed with Nomir to develop and commercialize Nomir's proprietary laser device intended for use by healthcare providers on patients to combat MRSA and other superbug infections. Nomir terminated the agreement in 2017, contending that Selex had ceased to materially develop the technology. Selex sued for wrongful termination, and Nomir countersued, seeking the recovery of the alleged lost value of its technology.

At the arbitration hearing, Mr. Malackowski addressed the appetite of Venture Capital ("VC") firms for life science and medical device investments during the 2014 to 2017 time period. Mr. Malackowski also addressed the opportunity for Nomir to secure alternative VC funding to continue development, assuming the viability of the technology. Mr. Malackowski contended that the failure of the VC market to recognize the viability of Nomir's technology undermined the annual sales forecasts and risk factors within Nomir's damages calculations. Mr. Malackowski also asserted that, were Nomir's technology viable, Nomir could have mitigated its losses by securing VC funding within a short period of time.

## Results

The Arbitration Tribunal ruled in favor of Selex, holding that Nomir had failed to prove its technology was "safe and effective" or commercially viable, making its damages claim too speculative. The Tribunal awarded Selex Galileo \$7.4 million in damages, interest, and costs, upholding Selex's claim that Nomir had wrongfully terminated the 2014 agreement.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)

EXPERT TESTIMONY

# IN THE MATTER OF CERTAIN AUDIO PLAYERS AND, CONTROLLERS, COMPONENTS, THEREOF, AND PRODUCTS CONTAINING THE SAME

Investigation No. 337-TA-1191

## Engagement

Report, Deposition, and Hearing Testimony

## Technology

Music Streaming, Playback, and Distribution

## Case Issues

Sonos brought suit against Google for infringing several patents relating to music streaming, playback and distribution. Ocean Tomo offered testimony relating to the existence of a domestic industry, remedy, and bond.

## Results

Consistent with Ocean Tomo's opinions, the ALJ granted summary determination that the domestic industry requirement had been satisfied. That ruling was later affirmed by the Commission, which also affirmed Ocean Tomo's opinions relating to remedy and the amount of a bond.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)



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## EXPERT TESTIMONY

# IN THE MATTER OF CERTAIN BOTULINUM TOXIN PRODUCTS, PROCESSES FOR MANUFACTURING OR RELATING TO SAME AND CERTAIN PRODUCTS CONTAINING SAME

**United States International Trade Commission Investigation  
Civil Action No. 337-TA-1145**

## Engagement

Hearing and Deposition Testimony

## Technology

Trade secrets including the manufacturing process and bacterium strain used in manufacturing certain botulinum toxin products.

## Case Issues

Determining whether a domestic industry exists in the United States for botulinum toxin products, including BOTOX® Cosmetic, determining whether such domestic industry will be harmed by the importation of a competing botulinum toxin product, Jeuveau®, and determining the appropriate remedy and bond

## Results

Ocean Tomo opined that a domestic industry existed for the domestic industry products, including BOTOX® Cosmetic alone, due to Allergan's substantial, significant, and extensive investments and activities in the United States and that Respondents' importation and sale of the accused Jeuveau® product has the threat and effect of substantially injuring the domestic industry that exists for the domestic industry products. In the ITC's Final Initial Determination, dated July 6, 2020, the ITC determined that the domestic industry requirement had been satisfied, confirming Ocean Tomo's analysis.

## Contact

### **Molly Keelan**

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)

## TRANSACTIONS

# BASF OLED INTELLECTUAL PROPERTY DIVESTITURE

## Background

German chemical company, BASF, was exploring options to divest approximately 15 years of research and development in phosphorescent materials and technologies resulting in a portfolio of approximately 500 issued and pending patents related to OLED.

## Engagement

BASF retained Ocean Tomo to monetize its extensive R&D efforts resulting in a portfolio of 500 issued and pending patents related to OLED. Ocean Tomo was charged with running a sales process for BASF, narrowing a list of prospective acquirers to a key group of potential strategic acquirers. Ocean Tomo packaged the portfolio, engaged companies in due diligence and managed the offer submission process.

## Results

The portfolio sold for approximately \$96 million USD to a wholly-owned subsidiary of Universal Display Corporation, UDC Ireland.

## Contact

**Ryan Zurek**  
Managing Director  
+1 312 327 8006  
[ryan.zurek@jsheld.com](mailto:ryan.zurek@jsheld.com)



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## VALUATION

# PRIVATE EQUITY FIRM

## Background

A private equity group was considering the acquisition of a publicly-traded company for the immediate purpose of privatization and then to provide growth capital. The target company had established a very strong and large domestic and international patent portfolio, and had a heavily experienced management team in place that provided the foundation for accelerated growth opportunities.

## Engagement

Ocean Tomo was retained to provide merger and acquisition (M&A) support. With IP being the key asset in the business, Ocean Tomo performed a valuation analysis that provided the equity investor with the comfort of not only the short-term cash flow opportunities, but more importantly the long-term revenue opportunities due to strength of the portfolios and the quality of engineering team that showed consistent efficiency in its identification and acquisition of critical portfolios.

## Contact

### **Gregory Campanella**

Managing Director

+1 415 946 2605

[gregory.campanella@jsheld.com](mailto:gregory.campanella@jsheld.com)

## TRANSACTIONS

# INTELLECTUAL PROPERTY ADVISOR IN ADVANCE ACQUISITION

## Background

Verizon Communications Inc. Retained Ocean Tomo to Provide Intellectual Property Advisory Services focused on Yahoo! Intellectual Property Assets.

## Engagement

"Our retention by Verizon represents yet another example demonstrating the relevance of IP in an industry with converging technology" explained Roy D'Souza Ocean Tomo's Managing Director responsible for IP valuations.

## Results

"Ocean Tomo's client base continues to rely upon the experienced insight of our team in the most significant and noteworthy of transactions. Coming on the heels of our announcement last week where Ocean Tomo served as transaction advisor to BASF-SE on the sale of more than 500 patent assets, the Verizon purchase illustrates the full range of Ocean Tomo's Advisory assignments, from asset driven sales to whole company acquisitions", reported Ocean Tomo's Senior Managing Director James E. Malackowski.

## Contact

### **Gregory Campanella**

Managing Director

+1 415 946 2605

[gregory.campanella@jsheld.com](mailto:gregory.campanella@jsheld.com)



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## EXPERT TESTIMONY

# APPIAN CORPORATION V. PEGASYSTEMS INC., AND YOUYONG ZOU

Circuit Court of Fairfax County, Virginia, Case No. 2020 – 07216

## Engagement

Deposition & Trial Testimony

## Technology

Low-code software development platform

## Case Issues

Corporate espionage and trade secret misappropriation related to low-code software development platform.

## Results

Ocean Tomo was retained in October 2021 by counsel for plaintiff, Appian Corporation ("Appian") to determine the measures and amounts of monetary recovery due Appian in the event one of its primary competitors, Pegasystems Inc. ("Pegasystems") was found to have misappropriated its trade secrets. Appian alleged that Pegasystems illicitly retained Dr. Youyong Zou, a software developer then working for an Appian contractor, to steal proprietary technical data relating to Appian's low-code software development platform as well as proprietary commercial information concerning Appian's contractual arrangements with its clients/business partners.

At trial, Ocean Tomo's expert provided the jury with two alternative measures of Pegasystems' unjust enrichment. The first – in the amount of \$479.0 million – was based on Pegasystems' profits from contracts pursued by both Appian and Pegasystems, which Pegasystems won due in part to the use of Appian's commercial trade secrets. The second – in the amount of \$3.0 billion – was based on Pegasystems' profits from revenues generated through Pegasystems' incorporation of Appian's technical trade secrets into its software development platform.

Following the trial, the jury returned a verdict for Appian in an amount exceeding \$2.0 billion, representing 67.16 percent of Ocean Tomo's second alternative measure of unjust enrichment, making it one of the largest awards for trade secret misappropriation in U.S. history. The Ocean Tomo trial team for Appian included Robert McSorley, Frank Vido, and James E. Malackowski.

## Contact

### Molly Keelan

Senior Director, Strategic Accounts

+1 312 622 3471

[molly.keelan@jsheld.com](mailto:molly.keelan@jsheld.com)



## TRANSACTIONS

# FINANCIAL ADVISOR TO ARES ACQUISITION CORPORATION – X-ENERGY TRANSACTION

## Background

Understanding X-energy's nuclear reactor technology, its technological advantages, and the related risks and market opportunities for the organization was central to this engagement. Given the specialized nature of this engagement, the Ocean Tomo team recognized this as an opportunity to collaborate with several technical experts from our parent company, J.S. Held. Our technical experts in nuclear, energy markets, and small modular reactors (SMRs) made significant contributions to this engagement; and the X-energy transaction demonstrates the benefit of our firm's multi-disciplinary approach to client engagements, combining our financial, technical, and intellectual property expertise.

## Engagement

Ocean Tomo's role as financial advisor on this transaction included not only a strategic assessment of X-energy's go-to-market plans, but also an analysis of the Company's technology and intellectual property. The multi-disciplinary team's ability to analyze both the technology and strategy allowed us to provide a robust Fairness Opinion to the Board of Directors of Ares Acquisition Corporation.

## Results

Ocean Tomo, a part of J.S. Held, served as financial advisor to the Special Committee of the Board of Directors of Ares Acquisition Corporation, supporting the acquisition of X-energy at a pre-money valuation of approximately \$2B.

## Contact

### **Gregory Campanella**

Managing Director

+1 415 946 2605

[gregory.campanella@jsheld.com](mailto:gregory.campanella@jsheld.com)



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## About Ocean Tomo

Ocean Tomo LLC provides Expert Opinion, Management Consulting, and Advisory services focused on matters involving intellectual property (IP) and other intangible assets. Practice offerings address economic damage calculations and testimony; business licensing strategy and contract interpretation; trade secret reasonable measures; asset and business valuation; strategy and risk management consulting; merger and acquisition advisory; debt and equity private placement; and IP brokerage.

Ocean Tomo experts are routinely qualified in U.S. District Courts, U.S. Bankruptcy Courts, U.S. Tax Court, U.S. Court of Federal Claims, state courts, the U.S. Patent and Trademark Office Patent Trial and Appeal Board, international courts, and arbitration tribunals on questions relating to intellectual property economics. The firm's professionals have provided expert opinions on IP valuation, reasonable royalty, lost profits, price erosion, commercial success, corrective advertising, creditor allocations, Hatch-Waxman Act market exclusivity, business licensing terms including RAND obligations, venture financing, and equities of a potential injunction. The firm's experience extends to general business valuation and commercial disputes, domestic and foreign, as well as policy issues affecting international technology transfer and economic matters before the International Trade Commission.

Intangible assets comprise 90 percent of business value but are also subject to significant impairment due to enterprise and regulatory compliance risk. Our services are built upon more than three decades of experience assessing intellectual property in the most rigorous of venues. Our financial, market, scientific, and technical experts have deep experience with tangible and intangible assets protected by intellectual property. We bring a unique understanding of the contributory value of proprietary innovation to every engagement. This is the cornerstone of our business.

Subsidiaries of the firm include Ocean Tomo Investments Group, LLC, a registered broker-dealer. As a part of J.S. Held, Ocean Tomo works alongside more than 1500 professionals globally and assists clients – corporations, insurers, law firms, governments, and institutional investors – on complex technical, scientific, and financial matters across all assets and value at risk.

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## About J.S. Held

J.S. Held is a global consultancy providing technical, scientific, and financial expertise across all assets and value at risk. Our professionals serve as trusted advisors to organizations facing high-stakes events demanding urgent attention, staunch integrity, clear-cut analysis, and an understanding of both tangible and intangible assets. The firm provides a comprehensive suite of products, data, and services that enable clients across industries to navigate complex, contentious, and often catastrophic situations.

In 2022, Ocean Tomo joined J.S. Held, continuing the strategic growth of the firm. Leveraging the J.S. Held team of more than 1,500 professionals around the world, our clients will now have access to J.S. Held's suite of specialized services, including:

- Construction Advisory Services
- Corporate Finance
- Economic Damages and Valuation Services
- Environmental, Health, and Safety Services
- Equipment Consulting
- Forensic Accounting
- Forensic Architecture and Engineering
- Global Investigations
- Property and Infrastructure Damage Consulting
- Surety Services

Headquartered in New York, J.S. Held has offices across the United States, Canada, Latin America, Europe, Asia Pacific, and the Middle East.

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