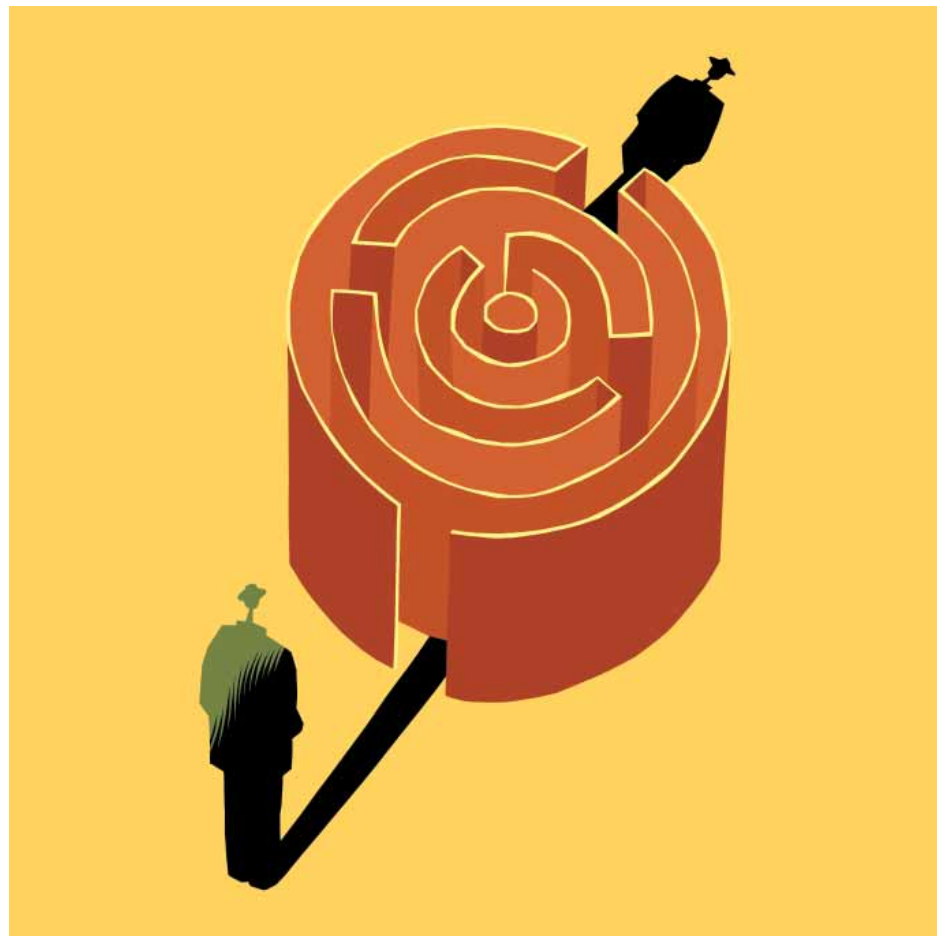


Damages Assessment  
Expert Testimony  
Valuation  
Licensing Support  
Royalty Recovery  
Tax/Transfer Pricing

The success and value of businesses competing in today's marketplace are driven by their ability to strategically leverage and maximize the value of their intellectual property (IP). Consequently, claims alleging IP infringement are increasing in frequency, visibility and complexity and the financial risks for all parties involved in such disputes are escalating. Experienced litigators in the IP realm know that the standards of proof regarding financial impact (i.e., damages) are rigorous. The need for functional expertise and analytical depth often manifests when parties need to address the benchmarks typically required by the courts. That is where we come in.

For over 20 years, the professionals of Navigant Consulting have provided consulting services to IP owners, corporations and their counsel involved in patent, copyright, trademark, trade secret and trade dress disputes. We provide clients with royalty, licensing, valuation and damages expertise and support.

We can construct or evaluate economic damages models of various complexities and can address all forms of monetary compensation, including lost sales or profits, reasonable royalties, unjust enrichment, lost value and statutory damages, among others. We develop credible theories, analyses and conclusions and communicate them in an understandable and concise manner.



## How Navigant Consulting Can Help

### Adaptive Approach

At Navigant Consulting, we provide companies and their counsel with objective and comprehensive analyses regarding the potential value of a dispute. We believe this emphasis best equips counsel to pursue strategies that will both manage outcome risk and help ensure a beneficial financial conclusion for the client.

We recognize that it is very often of strategic importance or necessity to present affirmative and/or rebuttal testimony regarding damages. Accordingly, our IP Litigation Consulting team comprises many individuals who are experienced at serving in a testifying expert role. In addition, strong affiliations with other leading experts in various professional fields ensure that we can provide the right team for the engagement, no matter how the dispute might evolve.

### Comprehensive Experience

Our IP Litigation Consulting team offers comprehensive knowledge and experience in handling a wide spectrum of cases and damages issues. Our knowledge base includes accounting, economics, finance, tax, statistics, engineering, valuation and information technology capabilities, which allow us to develop theories and models to address or rebut a variety of damages issues, such as:

- » Lost sales/profits
- » Reasonable royalty determination
- » Unjust enrichment
- » Price erosion
- » Convoyed sales
- » Corrective advertising
- » Lost value
- » Incremental margin analysis
- » Accelerated market entry
- » Capacity constraints
- » Market identification and analysis
- » Statutory damages
- » Interest and attorneys' fees

Navigant Consulting has a 20-year history of serving clients involved in financial claims and disputes in a broad range of commercial settings, which we draw upon as IP disputes appear with increasing frequency across every major industry sector. Our IP litigation experience spans industries where IP challenges are most common, such as high technology, media/entertainment, communications, electronics, pharmaceutical, biotechnology and manufacturing, among others. We serve organizations of all sizes and structures, including individual patent holders, universities, privately-held firms and large multinational corporations.

Additionally, companies need to address a variety of IP issues outside the legal arena. We offer the following services to meet a wide range of client needs:



## Expert Testimony

We have extensive experience in the courtroom presenting and rebutting IP damages and valuation. This experience has been in State and Federal court, bankruptcy court and before administrative boards.

## Valuation

We value all types of IP for a variety of purposes, including litigation, licensing, donation, mergers & acquisition, internal business decisions, transfer pricing and tax purposes.

## Licensing Support

We provide analysis and support for the assessment of licensing issues, including development of licensing strategies, valuation of IP, evaluation of licensing proposals, royalty rate determination, and assessing potential royalties from licensing opportunities.

## Royalty Recovery

We perform royalty audits to help maximize royalty recoveries and ensure compliance with licensing agreements, as well as advise on process improvements and license terms to enhance future compliance and increase licensing income.

## Tax/Transfer Pricing

Our professionals have assisted multinational companies in determining "arm's length" rates for the transfer and use of various categories of IP, including patents, trademarks and copyrights.

## Underlying IP Fact Investigations

Navigant Consulting provides clients with a wide range of investigative services regarding the protection of their intellectual assets. Our professionals employ the most up-to-date forensic techniques to uncover and analyze critical data for taking action in IP disputes.

## Representative Industries

- » Agricultural equipment
- » Apparel and footwear
- » Automotive equipment
- » Biotechnology
- » Building products
- » Computer hardware
- » Cosmetics
- » Dental technology
- » Disk drives and storage products
- » eCommerce
- » Electric power quality products
- » Electronic engine controls
- » Entertainment
- » Flash memory
- » Foods and nutritional supplements
- » Gaming
- » Integrated circuits
- » Internet service providers
- » Medical devices
- » Network equipment
- » Nuclear power technology processes
- » Office equipment
- » Petroleum products and chemicals
- » Pharmaceuticals
- » Semiconductors
- » Software
- » Sporting goods and sports merchandise
- » Telecommunications equipment
- » Toys
- » Video and personal computer games

## Contact »

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## Why Navigant Consulting

- » Extensive experience consulting on valuation, licensing and damages for all forms of IP
- » Scalable project teams to handle projects of any size and scope
- » Broad industry experience
- » Experience in highly visible national IP cases
- » Proven testifiers in high stakes patent and other IP litigation

Navigant Consulting has the largest practice in the nation focused solely on litigation and investigations. Our Disputes & Investiga-

tions professionals provide financial, economic and data analysis and risk consulting in complex investigations and disputes.

Navigant Consulting, Inc. (NYSE: NCI) is an independent consulting firm, providing professional services to assist clients in addressing the challenges of risk, uncertainty, distress and significant change. Our professionals offer dispute and investigations, business and financial advisory services to legal counsel, governmental agencies and large companies in a variety of industries, including construction, energy, financial services, healthcare and government contracting.



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