



W. Todd Schoettelkotte, CPA, CVA

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Certifications

Certified Public Accountant, Texas
Certified Valuation Analyst

Professional Affiliations

State Bar of Texas' Grievance
Committee, Committee Member,
2004 – 2009

Federal Bar Association,
South Texas Chapter, Treasurer,
2007 – 2015

Institution for Law and Technology
Advisory Board Member

Associations

American Institute of Certified Public
Accountants

Texas Society of Certified Public
Accountants

Licensing Executives Society

National Association of Certified
Valuators and Analysts

Education

Master of Accounting
Rice University, Houston, TX

BS Management
Rice University, Houston, TX

W. Todd Schoettelkotte is President and a Managing Director of IPFC Corp. Mr. Schoettelkotte has more than 20 years of experience in the evaluation and quantification of economic damages arising from patent, copyright and trademark infringement, and trade secret misappropriation disputes. His clients have included numerous Fortune 500 companies in a wide variety of industries including semiconductor, telecommunication, energy, consumer products, life sciences and computers (hardware, software and the internet). Mr. Schoettelkotte has been recognized by Intellectual Asset Management Magazine as one of the leading patent damages experts in the United States. Mr. Schoettelkotte's background is in accounting, finance and economics, and he has a specific, focused understanding of those issues integral to the valuation and management of intellectual property.

Intellectual Property Valuation

Mr. Schoettelkotte has directed numerous valuation projects related to patents, trademarks and trade secrets. A significant portion of his practice is focused on the determination of royalty rates and terms for licensing agreements. Additionally, Mr. Schoettelkotte has conducted numerous studies involving lost profits and unjust enrichment.

In the process of assisting clients in the valuation of intellectual property assets, Mr. Schoettelkotte has participated in the identification and review of business plans, market studies, financial documents and other related information.

Patent, Copyright and Trademark Infringement

Mr. Schoettelkotte has performed market analyses/studies wherein the patented or copyrighted product is sold, assessed lost profits stemming from alleged infringements, evaluated the contribution of the patented process/method to the end product and established the economic value of the underlying intellectual property.

Mr. Schoettelkotte is skilled in the application of the Georgia-Pacific factors to the determination of reasonable royalty rates. He has determined reasonable royalty rates within patent infringement suits on many occasions in numerous industries. Over the course of his career, Mr. Schoettelkotte has reviewed hundreds of license agreements, providing a broad frame of reference for reasonable royalty damages analyses. Mr. Schoettelkotte has testified in federal and state court and arbitration proceedings on matters involving intellectual property valuation, lost profits, reasonable royalty and economic damages issues.

Articles and Presentations

"Intellectual Property Damages," Chicago-Kent College of Law, October 15, 2019

"Damages in Other Areas of Intellectual Property," The University of Arizona IP Conference, March 5, 2018

"Impact of Recent Court Cases on 'Real World' Royalty Rates," LES (USA & Canada) Houston Chapter, July 20, 2017

“What is Discoverable and Admissible for Damages, Willfulness and Other Purposes,” Intellectual Property Owners Association, March 21, 2011

“Strategies in Intellectual Property,” Chicago Kent, College of Law, Spring 2004 – 2010

Damages, Part II: “Litigation Strategies” – 15th Annual Advanced Patent Law Institute - University of Texas School of Law, October 28-29, 2010

“IP Damages and Valuation,” Global Intellectual Property Management, Georgetown University Law Center, July 2, 2008

“Keys for Effectively Working with Your Damages Expert Throughout the Litigation Life Cycle,” Houston Bar Association, March 22, 2007

“Advanced Evidence and Discovery – Working With Experts From Start To Finish” – Texas Bar Association, April-May 2006

“Trademarks – Financial Disclosure and Corporate Governance” – International Trademark Association, Emerging Issues in Trademark Law Forum, February 2-3, 2006

“Valuation of IP – A Licensing Perspective” – Lighthouse Seminar Group, IP Licensing Nuts & Bolts, March 3, 2005

“Measuring the Value of Damages in Trademark Infringement Claims” – DuPont’s 18th Annual CLE Intellectual Property Law Seminar, October 12, 2004

“Measuring the Value of Damages in Patent and Trademark Claims” – Houston CPA Society, September 2004

“Measuring Damages in Trademark Infringement and Related Claims in Light of Recent Court Decisions” – The 19th Annual Intellectual Property Law Conference – American Bar Association, April 1, 2004

“Intellectual Property Damages: Patents & Trademarks” – Houston CPA Society “Litigation and Valuation Services Committee,” January 28, 2004

Co-Author: “Accounting for Attorneys” – University of Oregon School of Law, November 12, 2003

“What are the Financial Stakes in Litigation? What are the Costs and the Return on Investment (ROI) That Can Be Expected? The Question of Intangible Returns?” – 2003 Fourth International Conference on Intellectual Property by CNCPI, October 7, 2003, Paris, France

“Current Issues in the Analysis of Reasonable Royalties in Patent Infringement Actions” – 2003 Licensing Executives Society Annual Meeting, September 24, 2003

Co-Author FTI Consulting Training Course: “Calculating Damages in Patent Infringement – A Lost Profits and Reasonable Royalty Case Study,” July 17, 2003

Testimony Experience

EcoFactor, Inc. v. Google LLC; U.S. District Court, Western District of Texas (Waco), Expert Report, Deposition

Kirsch Research and Development, LLC v. DuPont De Nemours, Inc., et al.; U.S. District Court, Eastern District of Texas (Texarkana), Expert Report, Deposition

Malvern PanAnalytical Inc. v. TA Instruments-Waters LLC and Waters Technologies Corporation; U.S. District Court, District of Delaware (Wilmington), Expert Report, Rebuttal Report, Reply Report, Deposition

Finalrod IP, LLC v. Endurance Lift Solutions, Inc.; U.S. District Court, Eastern District of Texas (Marshall), Expert Report, Deposition

Pierce Manufacturing, Inc. and Oshkosh Corporation v. E-One, Inc. and REV Group, Inc.; U.S. District Court, Middle District of Florida (Tampa), Declaration, Expert Report, Deposition, Trial

Polar Electro Oy v. Suunto Oy, et al.; U.S. District Court, District of Delaware Utah (Central), Expert Report, Deposition

Wonderland Switzerland AG v. Evenflo Company, Inc., et al.; U.S. District Court, District of Delaware (Wilmington), Expert Report, Reply Report, Deposition, Trial

Lufkin Industries, Inc. v. International Business Machines Corporation, et al.; 159th Judicial District Court of Angelina County, Texas, Expert Report #1, Supplemental Report #1, Expert Report #2, Supplemental Report #2, Deposition

The Hillman Group, Inc. v. KeyMe, LLC; U.S. District Court, Eastern District of Texas (Marshall), Expert Report, Deposition #1, Consolidated Report, Deposition #2

Team Worldwide Corporation v. Academy, LTD d/b/a Academy Sports + Outdoors, et al.; U.S. District Court, Eastern District of Texas (Marshall), Expert Report, Rebuttal Report, Deposition #1, Deposition #2, Supplemental Report

Nevro Corp. v. Boston Scientific Corporation, et al.; U.S. District Court, Northern District of California (San Francisco), Expert Report, Supplemental Report, Deposition, Declaration

Carnegie Institution of Washington, et al. v. Pure Grown Diamonds, Inc., et al.; U.S. District Court, Southern District of New York (Foley Square), Expert Report, Supplemental Report, Deposition

In the Matter of Certain High-Density Fiber Optic Equipment and Components Thereof; U.S. International Trade Commission, Washington, D.C., Expert Report, Deposition, Witness Statement, Hearing

Nissei ASB Co. and Nissei ASB Machine, Co., LTD. v. R&D Tool & Engineering Co.; U.S. District Court, Western District of Missouri (Western), Expert Report, Reply Report, Deposition

Jager Pro Incorporated v. Bull Creek Welding and Fabrication, Inc.; U.S. District Court, Eastern District of Arkansas (Central), Expert Report, Deposition

Gibson Brands, Inc. v. Armadillo Distribution Enterprises, Inc. and Concordia Investment Partners, LLC; U.S. District Court, Eastern District of Texas (Sherman), Expert Report, Deposition

CFA Institute v. American Society of Pension Professionals & Actuaries, et al.; U.S. District Court, Western District of Virginia (Charlottesville), Expert Report, Deposition

Legacy Separators, LLC, et al. v. Halliburton Energy Services, Inc., et al.; U.S. District Court, Southern District of Texas (Houston), Expert Report, Rebuttal Report, Deposition, Supplemental Report, Second Supplemental Report, Deposition #2, Trial

Saracen LLC, Saracen Energy Power Advisors LP, Saracen Energy Advisors LP, collectively d/b/a The Saracen Group of Companies v. Sylvain Ross and Marginal Unit, Inc.; U.S. District Court, Southern District of Texas (Houston), Expert Report, Supplemental Report, Second Supplemental Report, Third Supplemental Report, Revised Third Supplemental Report, Trial

Innovation Sciences, LLC v. HTC Corporation; U.S. District Court, Eastern District of Texas (Sherman), Expert Report, Deposition

In the Matter of Certain Digital Video Receivers, Broadband Gateways, and Related Hardware and Software Components; U.S. International Trade Commission, Washington, D.C., Expert Report, Deposition, Hearing

Under Armour, Inc. v. Battle Fashions, Inc. and Kelsey Battle; U.S. District Court, Eastern District of North Carolina (Western), Expert Report, Deposition, Supplemental Report

BlueRadios, Inc. v. Kopin Corporation, Inc.; U.S. District Court, District of Colorado (Denver), Expert Report, Deposition

Finalrod IP, LLC and R2R and D, LLC d/b/a Superod v. John Crane, Inc., et al.; U.S. District Court, Western District of Texas (Midland), Expert Report, Rebuttal Report, Supplemental Report, Deposition

In the Matter of Certain Wireless Mesh Networking Products and Related Components Thereof; U.S. International Trade Commission, Washington, D.C., Expert Report, Deposition, Witness Statement, Hearing

Liqwd, Inc. and Olaplex LLC v. L'Oréal USA, Inc., et al.; U.S. District Court, District of Delaware (Wilmington), Declaration, Deposition #1, Supplemental Declaration, Deposition #2, Expert Report, Deposition #3, Trial

Nevro Corp. v. Stimwave Technologies, Inc.; U.S. District Court, District of Delaware (Wilmington), Declaration, Deposition, Reply Declaration

XY, LLC v. Trans Ova Genetics, LC; U.S. District Court, District of Colorado (Denver), Expert Report, Deposition, Trial, Declaration

Maui Jim, Inc. v. SmartBuy Guru Enterprises, et al.; U.S. District Court, Northern District of Illinois (Eastern), Expert Report, Deposition

MPEG LA, L.L.C. v. Toshiba America Information Systems, Inc.; Supreme Court of the State of New York, County of New York, Expert Report, Deposition

Team Worldwide Corp. v. Intex Recreation Corp, et al.; Federal Arbitration, Inc., Hearing

Justice Laub and Daniel Kanes v. Nicholas Horbaczewski, Drone Racing League, Inc., et al.; U.S. District Court, Central District of California (Western), Expert Report, Deposition

ASM Holding B.V. v. Hitachi Kokusai Electric, Inc.; International Centre for Dispute Resolution, Hearing

Power Integrations, Inc. v. Fairchild Semiconductor International, Inc., et al.; U.S. District Court, District of Delaware (Wilmington), Expert Report, Deposition, Supplemental Report, Trial, Declaration

SKC Kolon PI, Inc. v. Kaneka Corporation; U.S. District Court, Central District of California (Southern), Expert Report, Deposition, Supplemental Report

Nucap Industries, Inc. and Nucap US Inc. v. Robert Bosch LLC, et al.; U.S. District Court, Northern District of Illinois (Chicago), Expert Report, Rebuttal Report, Deposition, Declaration

In the Matter of Certain Subsea Telecommunications Systems and Components Thereof; U.S. International Trade Commission, Washington, D.C., Expert Report, Deposition, Hearing

In the Matter of Certain Digital Video Receivers and Related Hardware and Software Components; U.S. International Trade Commission, Washington, D.C., Expert Report, Deposition, Hearing

Video Gaming Technologies, Inc. v. Castle Hill Studios LLC and Ironworks Development, LLC, et al.; U.S. District Court, Northern District of Oklahoma (Tulsa), Expert Report, Deposition

Princeton Digital Image Corporation v. Konami Digital Entertainment Inc., Harmonix Music Systems, Inc. and Electronic Arts, Inc.; U.S. District Court, District of Delaware (Wilmington), Expert Report, Deposition, Supplemental Report

In the Matter of Certain Submarine Telecommunication Systems and Components Thereof; U.S. International Trade Commission, Washington, D.C., Expert Report, Deposition

Tellus Oilfield, Inc., et al. v. Conroe Machine, LLC, et al.; In the 410th Judicial District Court, Montgomery County, Texas, Deposition

In the Matter of Certain LED Lighting Devices, LED Power Supplies, and Components Thereof; U.S. International Trade Commission, Washington, D.C., Expert Report, Supplemental Report, Deposition, Witness Statement, Hearing

Illinois Tool Works Inc., on behalf of its ITW Global Brands division v. Rust-Oleum Corporation; U.S. District Court, Southern District of Texas (Houston), Expert Report, Trial

Team Worldwide Corporation v. Walmart Inc., et al.; U.S. District Court, Eastern District of Texas (Marshall), Expert Report, Deposition

Marjam Supply Company of Florida, LLC and Marjam Supply Company v. Pliteq, Inc., Ultimate RB, Inc., and Paul Downey; U.S. District Court, Southern District of Florida (Miami), Preliminary Expert Report, Expert Report, Deposition, Trial

Viveve, Inc. v. ThermiGen, LLC, Thermiaesthetics, LLC, and Red Alinsod, M.D.; U.S. District Court, Eastern District of Texas (Marshall), Expert Report, Deposition

Sycamore IP Holdings LLC v. CenturyLink, Inc. and CenturyLink Communications, LLC; U.S. District Court, Eastern District of Texas (Marshall), Expert Report, Deposition

Rovi Guides, Inc., et al. v. Comcast Corporation, et al.; U.S. District Court, Southern District of New York (Foley Square), Expert Report, Deposition