



## **W. Todd Schoettelkotte, CPA, CVA**

**President, Managing Director**

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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

*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.*; 159<sup>th</sup> 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 Kanen 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 410<sup>th</sup> 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

*In the Matter of Certain UV Curable Coatings for Optical Fibers, Coated Optical Fibers, and Products Containing the Same*; U.S. International Trade Commission, Washington, D.C., Expert Report, Deposition, Hearing

*Cobalt Boats, LLC v. Sea Ray Boats, Inc. and Brunswick Corporation*; U.S. District Court, Eastern District of Virginia (Norfolk), Expert Report, Deposition, Trial

*Green Mountain Glass LLC, et al. v. Saint-Gobain Containers, Inc. dba Verallia North America*; U.S. District Court, District of Delaware (Wilmington), Expert Report, Supplemental Report, Trial, Declaration