



## **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  
Valuation 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**

"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

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

*Nevro Corp. v. Stimwave Technologies, Inc.*, U.S. District Court, District of Delaware, 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.*; Arbitration 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, Witness Statement, Arbitration

*Liqwd, Inc. and Olaplex LLC v. L'Oreal USA, Inc., et al.*; U.S. District Court, District of Delaware, Deposition #1, Deposition #2, Rebuttal Expert Report, Deposition #3

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

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

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

*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

*Under Armour, Inc. v. Battle Fashions, Inc. and Kelsey Battle*; U.S. District Court, District of Maryland, Expert Report, Deposition

*Video Gaming Technologies, Inc. v. Castle Hill Studios LLC and Ironworks Development, LLC, et al.*; U.S. District Court, Northern District of Oklahoma, 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, 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, Deposition, Witness Statement, Hearing

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

*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, Preliminary Expert Report, Expert Report, Deposition, Trial

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

*Viveve, Inc. v. Thermigen, LLC; Thermiaesthetics, LLC; and Red Alisod, 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, 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

*Baird, et al. v. Baird, et al.*; 270<sup>th</sup> Judicial District Court, Harris County, Texas, Deposition

*C&A Marketing, Inc. v. GoPro, Inc.*; U.S. District Court, District of New Jersey, Expert Report, Rebuttal Report, Supplemental Report, Deposition

*Green Mountain Glass LLC v. Saint-Gobain Containers Inc.*; U.S. District Court, District of Delaware (Wilmington), Expert Report, Supplemental Report, Trial

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

*Network-1 Technologies, Inc. v. Axis Communications, Inc., et al.*; U.S. District Court, Eastern District of Texas (Tyler), Expert Report, Deposition

*Noah Bank v. Noa Bank, et al.*; U.S. District Court, Southern District of New York (Foley), Expert Report, Deposition

*Signal IP, Inc. v. Fiat U.S.A. Inc., et al.*; U.S. District Court, Eastern District of Michigan (Southern), Expert Report, Deposition

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

*MiMedx Group Inc. v. Tissue Transplant Technology, Ltd. d/b/a Bone Bank Allografts, and Texas Human Biologics, Ltd.*; U.S. District Court, Western District of Texas (San Antonio), Expert Report, Deposition

*ABS Global, Inc. v. Inguran, LLC d/b/a Sexing Technologies and XY, LLC*; U.S. District Court, Western District of Wisconsin, Expert Report, Reply Report, Supplemental Report, Deposition, Amended Supplemental Report, Trial

*Parthenon Unified Memory Architecture LLC v. HTC Corporation and HTC America, Inc.*; U.S. District Court, Eastern District of Texas (Marshall), Expert Report, Deposition

*In the Matter of Certain Radiotherapy Systems and Treatment Planning Software, and Components Thereof*; U.S. International Trade Commission, Washington, D.C., Expert Report, Deposition, Witness Statement, Hearing

*Advanced Marketing Systems, LLC v. Hy-Vee, Inc.*; U.S. District Court, Western District of Wisconsin (Madison), Expert Report, Deposition

*Rembrandt Patent Innovations, LLC, et al. v. Apple, Inc.*; U.S. District Court, Northern District of California, Expert Report, Reply Report, Deposition

*Avintiv Specialty Materials Inc. and PGI Polymer, Inc. v. 3M Company and Target Corporation*; U.S. District Court, Western District of North Carolina (Charlotte), Expert Report, Deposition

*TorqueLock Corporation v. U.S. Steel Tubular Products Inc.*; 334<sup>th</sup> Judicial District Court, Harris County, Texas, Deposition

*Stryker Corporation, et al. v. Zimmer, Inc., et al.*; U.S. District Court, Western District of Michigan (Southern), Expert Report, Deposition

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

*Andover Healthcare, Inc. v. 3M Company*; U.S. District Court, District of Delaware, Expert Report, Deposition

*Signal IP, Inc. v. Subaru of America, Inc.*; U.S. District Court, Central District of California, Expert Report, Deposition

*Signal IP, Inc. v. Mazda Motor of America, Inc.*; U.S. District Court, Central District of California, Expert Report, Deposition

*In the Matter of Certain Wireless Standard Compliant Electronic Devices, Including Communication Devices and Tablet Computers*; U.S. International Trade Commission, Washington, D.C., Expert Report, Deposition, Witness Statement

*In the Matter of Certain Electronic Devices, Including Wireless Communication Devices, Computers, Tablet Computers, Digital Media Players, and Cameras*; U.S. International Trade Commission, Washington, D.C., Expert Report, Deposition, Hearing

*Flowers Bakeries Brands, LLC v. Earthgrains Baking Companies, Inc., et al.*; U.S. District Court, Middle District of Georgia (Valdosta), Expert Report, Deposition

*Koninklijke Philips N.V. v. Hunt Controls Systems, Inc., An Assumed Tradename for Caribe Corporation*; U.S. District Court, District of New Jersey, Expert Report, Opposing Report, Deposition

*Russell Minoru Ono, et al. v. Head Racquet Sports USA, et al.*; U.S. District Court, Central District of California, Deposition

*Afilias, PLC v. Architelos, Inc. and Alexa Raad*; U.S. District Court, Eastern District of Virginia (Alexandria), Expert Report, Deposition

*Microscan Systems, Inc. v. Cognex Corporation*; U.S. District Court, Southern District of New York, Expert Report, Supplemental Report, Deposition, Trial

*Motion Games, LLC v. Nintendo Co., Ltd; Nintendo of America Inc.; Retro Studios, Inc.; Rent-A-Center, Inc.; and Gamestop Corp.*; U.S. District Court, Eastern District of Texas (Tyler), Expert Report, Deposition

*Nippon Steel & Sumitomo Metal Corp. v. POSCO and POSCO America Corp.*; U.S. District Court, District of New Jersey, Expert Report, Deposition

*In the Matter of Certain Non-Volatile Memory Devices and Products Containing the Same*; U.S. International Trade Commission, Washington, D.C., Expert Report, Deposition, Hearing

*In the Matter of Certain Flash Memory Chips and Products Containing the Same*; U.S. International Trade Commission, Washington, D.C., Expert Report, Deposition, Hearing

*Mirowski Family Ventures, LLC v. Boston Scientific Corporation, et al.*; Circuit Court for Montgomery County, Maryland, Expert Report, Trial

*Kaneka Corporation v. SKC Kolon PI, Inc., et al.*; U.S. District Court, Eastern District Court of Texas (Beaumont), Expert Report, Deposition