



## **Mark B. Taylor**

**Managing Director**

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### **Professional Affiliations**

Licensing Executives Society  
Member

Information Systems Audit and  
Control Association  
Member

### **Education**

The University of Texas at Austin  
Bachelor of Business  
Administration in Management  
Information Systems  
(Concentration in Finance)  
May 1993

University of Texas Tennis Team  
Captain  
1991–1992

University of Texas Tennis Team  
Member  
1988–1992

### **Previous Employment**

Taylor & Lindsay Partners  
Jan 2007 – Jan 2008

FTI Consulting  
Jan 2002 – Dec 2006

Technology & Financial Consulting  
Mar 1999 – Dec 2001

Arthur Andersen  
Sep 1993 – Feb 1999

Mark B. Taylor is a Co-Founder and Managing Director of IPFC Corp., an independent consulting firm that provides a variety of consulting services, including financial analyses and valuation assessments for companies relating to technology assets such as patents, trademarks, trade secrets, copyrights, and other forms of intellectual property. The firm also provides financial analyses relating to damages assessments and evaluations for corporate disputes, litigation, acquisitions, and divestitures.

### **Financial and Litigation Consulting Experience:**

More than 25 years of experience providing financial consulting services to law firms and companies of all sizes involved in litigation, ITC Section 337 investigations, and other disputes. Matters have involved intellectual property, contract, oil and gas royalty, environmental, and insurance coverage issues, among others. Areas of expertise include damages calculations, reasonable royalty analyses, lost profits analyses, economic domestic industry and remedy/bonding analyses, financial and damages scenario modeling, and database analysis and programming. Significant experience analyzing sales, costs, profits, industry competition, license agreements, and other data for purposes of assessing and calculating damages.

### **Sample Industry Experience:**

Experienced in the following industries, among others:

- Cable Television
- Computers
- Consumer Products
- Energy
- Financial Services
- Internet
- Medical Products
- Oilfield Services
- Petrochemicals
- Semiconductors
- Software
- Steel
- Telecommunications
- Wireless Networking

### **Selected Litigation Engagements:**

#### ***Le-Vel Brands, LLC v. DMS Natural Health, LLC***

C.A. No. 4:20-cv-398 (SDJ) (E.D. Tex., Sherman Div.)

Trademark infringement matter involving the JUST THRIVE name and mark.

#### ***CFA Institute v. American Society of Pension Professionals & Actuaries, et al.***

C.A. No. 3:19-cv-12 (NKM) (W.D. Va., Charlottesville Div.)

Trademark infringement matter involving the CPFA mark.

#### ***KeyMe, LLC v. The Hillman Group, Inc.***

C.A. No. 1:19-cv-1539 (LPS) (D. Del.)

Patent infringement matter involving systems and methods for duplicating keys.

Le-Vel Brands, LLC v. Thrival Nutrition, LLC

C.A. No. 4:19-cv-698 (SDJ) (E.D. Tex., Sherman Div.)

Trademark infringement matter involving the THRIVAL and THRIVAL NUTRITION names and marks.

Nissei ASB Co. and Nissei ASB Machine, Co., Ltd. v. R&D Tool & Engineering Co.

C. A. No. 4:19-cv-42 (DGK) (W.D. Mo.)

Patent infringement, trade secret misappropriation, breach of contract, and tortious interference with business relations matter involving injection blow molding machines and related molding equipment.

The Hillman Group, Inc. v. KeyMe, LLC

C.A. Nos. 2:19-cv-209 and 2:20-cv-70 (JRG) (E.D. Tex., Marshall Div.)

Patent infringement matter involving self-service key duplicating kiosks.

Innovation Sciences, LLC v. HTC Corporation

C.A. No. 4:18-cv-476 (ALM) (E.D. Tex., Sherman Div.)

Patent infringement matter involving methods and systems for efficient communication.

Illinois Tool Works Inc. v. Rust-Oleum Corporation

C.A. No. 4:17-cv-2084 (S.D. Tex., Houston Div.)

False advertising matter involving automobile windshield glass water repellents.

Liqwd, Inc. and Olaplex LLC v. L'Oréal USA, Inc., et al.

C. A. No. 1:17-cv-14 (JFB) (D. Del.)

Patent infringement, trade secret misappropriation, and breach of contract matter involving methods of bleaching hair.

Tellus Oilfield, Inc. and C&J Spec-Rent Services, Inc. v. Conroe Machine, LLC and Murray Touchette

Cause No. 17-07-08646 (Montgomery Cty., Tex., 410<sup>th</sup> Judicial Dist.)

Trade secret misappropriation matter involving a mud motor transmission assembly design.

Healthbox Global Partners, LLC v. Under Armour, Inc.

C.A. No. 1:16-cv-146 (SLR) (D. Del.)

Trademark infringement matter involving the  HEALTHBOX mark.

Rovi Guides, Inc., et al. v. Comcast Corporation, et al.

C.A. No. 1:16-cv-9278 (JPO) (S.D.N.Y.)

Patent infringement matter involving interactive program guides.

SKC Kolon PI, Inc. v. Kaneka Corporation

C.A. No. 2:16-cv-5948 (AG) (C.D. Cal., Southern Div.)

Patent infringement matter involving polyimide films.

*Advanced Marketing Systems, LLC v. CVS Pharmacy, Inc.*

C.A. No. 6:15-cv-134 (E.D. Tex., Tyler Div.)

Patent infringement matter involving a promotion processor and management system.

*Advanced Marketing Systems, LLC v. Walgreen Co.*

C.A. No. 6:15-cv-137 (E.D. Tex., Tyler Div.)

Patent infringement matter involving a promotion processor and management system.

*C&A Marketing, Inc. v. GoPro, Inc.*

C.A. No. 1:15-7854 (RMB) (D.N.J.)

Design patent infringement matter involving cubic action cameras.

*Actifio, Inc. v. Delphix Corp.*

C.A. No. 1:14-cv-13247 (DJC) (D. Mass.)

Patent infringement matter involving a system and method for creating deduplicated copies of data.

*Polyzen, Inc. v. RadiaDyne, L.L.C.*

C.A. No. 5:14-cv-323 (E.D.N.C., Western Div.)

Patent infringement matter involving immobilizer treatment device products.

*Rembrandt Patent Innovations, LLC, et al. v. Apple Inc.*

C.A. Nos. 3:14-cv-5093 and 5094 (WHA) (N.D. Cal.)

Patent infringement matter involving a secure and reliable bootstrap architecture.

*Andover Healthcare, Inc. v. 3M Company*

C.A. No. 1:13-cv-843 (LPS) (D. Del.)

Patent infringement matter involving cohesive tape and bandage product technology.

*Black & Decker Inc. and Black & Decker (U.S.) Inc. v. Positec USA, Inc. and RW Direct, Inc.*

C.A. No. 1:13-cv-3075 (N.D. Ill., Eastern Div.)

Patent infringement matter involving a multi-purpose motor mounting system for a string trimmer.

*Freight Tracking Technologies, LLC v. Virginia International Terminals, LLC, et al.*

C.A. Nos. 2:13-cv-708 and 2:14-cv-105 (AWA) (E.D. Va., Norfolk Div.)

Patent infringement matter involving a system and method for determining freight container locations.

*Network-1 Technologies, Inc. v. Axis Communications AB and Axis Communications, Inc.*

C. A. No. 6:13-cv-80 (RWS) (E.D. Tex., Tyler Div.)

Patent infringement matter involving power over ethernet (PoE) technology.

*Russell Minoru Ono v. Head Racquet Sports USA and Head USA, Inc.*

C.A. No. 2:13-cv-4222 (FMO) (C. D. Cal.)

Class action matter involving marketing practices concerning professional players' use of tennis racquets.

*Masimo Corporation and Masimo International SARL v. Shenzhen Mindray Bio-Medical Electronics Co., Ltd.*

C. A. No. 8:12-cv-2206 (CJC) (C.D. Cal., Southern Div.)

Patent infringement matter involving a medical monitoring system that limits the duration and/or number of uses of an associated sensor device.

*Nippon Steel & Sumitomo Metal Corporation v. POSCO and POSCO America Corporation*

C. A. No. 2:12-cv-2429 (SLC) (D.N.J.)

Patent infringement and false advertising matter involving methods for manufacturing grain-oriented electrical steel.

*Trek Bicycle Corporation v. Subaru of America, Inc.*

C.A. No. 1:12-cv-9542 (E.D. Ill., Eastern Div.)

Trademark infringement matter involving the CROSSTREK and XV CROSSTREK marks.

*Wi-LAN USA, Inc. and Wi-LAN Inc. v. Toshiba Corporation, et al.*

C.A. No. 1:12-cv-23744 (S.D. Fla.)

Patent infringement matter involving a method for de-interlacing video data.

*Baker Hughes Incorporated and Baker Hughes Oilfield Operations, Inc. v. Daniel S. Homa, et al.*

C.A. No. 4:11-cv-3757 (S.D. Tex., Houston Div.)

Trade secret misappropriation and breach of contract matter involving fiber optics technology in the oil and gas industry.

*Effingo Wireless, Inc. v. Motorola Mobility, Inc.*

C.A. No. 5:11-cv-649 (HLH) (W.D. Tex., San Antonio Div.)

Patent infringement matter involving a wireless earpiece assembly.

*Kaneka Corporation v. SKC Kolon PI, Inc. and SKC, Inc.*

C.A. No. 2:11-cv-3397 (JGB) (C.D. Cal., Western Div.)

Patent infringement matter involving polyimide films.

*Polyzen, Inc. v. RadiaDyne, L.L.C.*

C.A. No. 5:11-cv-662 (E.D.N.C., Western Div.)

Patent infringement, trade secret misappropriation, and breach of contract matter involving immobilizer treatment device products.

*Vasudevan Software, Inc. v. MicroStrategy, Inc.*

C.A. No. 3:11-cv-6637 (RS) (N.D. Cal., San Francisco Div.)

Patent infringement matter involving business intelligence software technology.

Vasudevan Software, Inc. v. TIBCO Software Inc.

C.A. No. 3:11-cv-6638 (RS) (N.D. Cal., San Francisco Div.)

Patent infringement matter involving business intelligence software technology.

Oasis Research, LLC v. AT&T Corp., et al.

C.A. No. 4:10-cv-435 (E.D. Tex., Sherman Div.)

Patent infringement matter involving commercial online backup and storage services.

PalTalk Holdings, Inc. v. Sony Computer Entertainment America Inc., Activision Blizzard, Inc., et al.

C.A. No. 2:09-cv-274 (DF) (E.D. Tex., Marshall Div.)

Patent infringement matter involving online gaming technology.

Personal Audio, LLC v. Apple, Inc., et al.

C.A. No. 9:09-cv-111 (RC) (E.D. Tex., Lufkin Div.)

Patent infringement matter involving an audio player that can download or receive navigable playlists.

Tyco Healthcare Group LP and United States Surgical Corporation v. Applied Medical Resources Corporation

C.A. No. 9:09-cv-176 (E.D. Tex., Lufkin Div.)

Patent infringement matter involving trocar access devices.

Nuance Communications, Inc. v. ABBYY Software House, et al.

C. A. No. 3:08-cv-2912 (JWS) (N.D. Cal., San Francisco Div.)

Patent and trade dress infringement matter involving optical character recognition (OCR) software.

TQP Development, LLC v. Merrill Lynch & Co., Inc., et al. (TD Ameritrade Holding Corporation and TD Ameritrade, Inc.)

C.A. No. 2:08-cv-471 (E.D. Tex., Marshall Div.)

Patent infringement matter involving a method for transmitting encrypted data.

Chevron Phillips Chemical Company LP v. INEOS Group Ltd., et al.

Case No. 57,541 (Galveston Cty., Tex., County Court at Law No. 2)

Trade secret misappropriation and breach of contract matter involving the loop slurry process used to manufacture polyethylene.

Soverain Software LLC v. CDW Corporation, et al.

C.A. No. 6:07-cv-511 (E.D. Tex., Tyler Div.)

Patent infringement matter involving E-commerce technology.

SuperSpeed LLC v. IBM Corp.

C.A. No. 2:07-cv-89 (E.D. Tex., Marshall Div.)

Patent infringement matter involving methods and systems for coherently caching I/O devices across a network.

*The Western Union Company v. MoneyGram Payment Systems, Inc.*

C.A. No. 1:07-cv-372 (W.D. Tex., Austin Div.)

Patent infringement matter involving methods and systems for performing money transfer transactions.

*Alcatel USA Sourcing, Inc. v. Microsoft Corporation*

C.A. Nos. 6:06-cv-499 and 500 (E.D. Tex., Tyler Div.)

Patent infringement matters involving network authentication and streaming media technologies.

*Grantley Patent Holdings, Ltd. v. Clear Channel Communications, Inc., et al.*

C.A. No. 9:06-cv-259 (E.D. Tex., Lufkin Div.)

Patent infringement matter involving integrated inventory, yield management, and other systems for radio station advertising time.

*PaITalk Holdings, Inc. v. Microsoft Corp.*

C.A. No. 2:06-cv-367 (E.D. Tex., Marshall Div.)

Patent infringement matter involving online gaming technology.

*Texas Instruments Incorporated v. Powerchip Semiconductor Corporation*

C.A. No. 1:06-cv-2305 (SHS) (S.D.N.Y.)

Breach of contract matter involving a patent license agreement relating to the manufacture of semiconductor products.

*John R. Gammino v. Southwestern Bell Telephone, L.P.*

C.A. No. 3:05-cv-850 (N.D. Tex., Dallas Div.)

Patent infringement matter involving a software algorithm used to selectively block telephone calls based on the sequence and location of digits dialed.

*IPXL Holdings, L.L.C. v. Amazon.com, Inc.*

C.A. No. 1:04-cv-70 (LMB) (E.D. Va.)

Patent infringement matter involving an electronic fund transfer or transaction system.

*Soverain Software LLC v. Amazon.com, Inc. and The Gap, Inc.*

C.A. No. 6:04-cv-14 (E.D. Tex., Tyler Div.)

Patent infringement matter involving E-commerce technology.

*Texas Instruments Incorporated v. Qualcomm Incorporated*

C.A. No. 20569 (New Castle Cty., Del., Delaware Court of Chancery)

Breach of contract matter involving a patent license agreement relating to cell phone technology.

*BMC Software, Inc. v. NetIQ Corporation*

No. 70 133 00 688 03 (American Arbitration Association)

Patent infringement matter involving distributed performance management software.

Value-Added Communications, Inc. v. T-Netix, Inc.

Cause No. 03-11399-B (Dallas Cty., Tex., B-44<sup>th</sup> Judicial District)

Breach of contract matter involving a patent license agreement relating to rendering telephone services in correctional and hospitality facilities.

Encore Bank v. TXU Corp., f/k/a Texas Utilities Company

C.A. No. 4:02-cv-3463 (S.D. Tex., Houston Div.)

Trademark infringement matter involving corporate logos.

EpicEdge, Inc. v. Reliant Energy, Inc.

No. 2001-28197 (Harris Cty., Tex., 133<sup>rd</sup> Judicial District)

Breach of contract matter involving an Internet-based e-Care Services System.

Ondeo Nalco Company v. Eka Chemicals, Inc.

C.A. No. 1:01-cv-537 (SLR) (D. Del.)

Patent infringement matter involving retention and drainage aids used during the papermaking process.

Symbol Technologies, Inc. v. Proxim Incorporated

C.A. No. 1:01-cv-801 (SLR) (D. Del.)

Patent infringement matter involving data transfer technology.

Texas Instruments Incorporated v. Linear Technology Corporation

C.A. No. 2:01-cv-3 (TJW) (E.D. Tex., Marshall Div.)

Patent infringement matter involving analog integrated circuit technology.

Belo Holdings, Inc. and PJ Health Programming, Inc. (retained on behalf of Intervenor) v. AHN Holdings, Inc. and Columbia/HCA Healthcare Corp.

Cause No. DV98-07579 (Dallas Cty., Tex., 193<sup>rd</sup> Judicial District)

Breach of contract/promissory estoppel, fraud, tortious interference with a contract, and tortious interference with a prospective business relationship matter involving a healthcare-related cable television network and Internet entity.

Our Home Inc. v. Reliant Energy, et al.

No. 2000-60124 (Harris Cty., Tex., 189<sup>th</sup> Judicial District)

Trade secret misappropriation matter involving an Internet-related business and associated website.

Sulzer Textil A.G. and Sulzer Textile, Inc. v. Picanol N.V.

C.A. No. 6:00-cv-279 (E.D. Tex., Tyler Div.)

Patent infringement matter involving weaving machine technology.

Texas Instruments Incorporated v. Tessera, Inc.

C.A. No. 4:00-cv-2114 (CW) (N.D. Cal., Oakland Div.)

Patent infringement and breach of contract matter involving integrated circuit packaging.

*Eolas Technologies Incorporated and The Regents of the University of California v. Microsoft Corporation*

C.A. No. 1:99-cv-626 (N.D. Ill., Eastern Div.)

Patent infringement matter involving embedded program objects in distributed hypermedia systems.

*Gerald N. Pellegrini v. Texas Instruments Incorporated*

C.A. No. 4:99-cv-12378 (NMG) (D. Mass.)

Patent infringement matter involving motor drive circuit technology.

*PGS Ocean Bottom Seismic, Inc. and PGS Tensor, Inc. v. Dan Loewenthal*

C.A. No. 4:99-cv-1886 (S.D. Tex., Houston Div.)

Patent infringement matter involving the processing of seismic data.

*Phillips Petroleum Company v. Exxon Corporation*

C.A. No. 1:98-cv-638 (D. Del.)

Patent infringement matter involving the manufacture of polyethylene.

*Western Atlas International, Inc. v. Petroleum Geo-Services ASA, et al.*

C.A. No. 4:98-cv-1427 (S.D. Tex., Houston Div.)

Patent infringement matter involving the use of ocean bottom cabling for seismic data acquisition.

*Chantal Cookware Corp. v. Vitrex Gourmet Corp. and Tabletops Unlimited, Inc.*

C.A. No. 4:97-cv-3978 (S.D. Tex., Houston Div.)

Design patent and trade dress infringement matter involving the ornamental design for a kettle.

*Montell North America, Inc. v. The Dow Chemical Company, Inc.*

C. A. No. 4:97-cv-87 (S.D. Tex., Houston Div.)

Patent infringement matter involving catalysts used in the manufacture of polyethylene.

*Union Pacific Resources Company v. Chesapeake Energy Corporation and Chesapeake Operating, Inc.*

C.A. No. 4:96-cv-726 (N.D. Tex., Fort Worth Div.)

Patent infringement and trade secret misappropriation matter involving horizontal drilling of oil and gas wells.

*T & T Geotechnical, Inc., et al. v. Union Pacific Resources Company*

C.A. No. 4:95-cv-644 (N.D. Tex., Fort Worth Div.)

Patent infringement, trade secret misappropriation, and copyright infringement matter involving horizontal drilling of oil and gas wells.



**Selected ITC Section 337 Investigations:**

*Certain Electronic Devices, Including Computers, Tablet Computers, and Components and Modules Thereof*

Inv. No. 337-TA-1208, U.S. International Trade Commission (ALJ Lord)  
Retained on behalf of *Intervenor Google LLC*.

*Certain High-Density Fiber Optic Equipment and Components Thereof*

Inv. No. 337-TA-1194, U.S. International Trade Commission (ALJ Shaw)  
Retained on behalf of *Complainant Corning Optical Communications LLC*.

*Certain Digital Video Receivers, Broadband Gateways, and Related Hardware and Software Components*

Inv. No. 337-TA-1158, U.S. International Trade Commission (ALJ McNamara)  
Retained on behalf of *Respondents Comcast Corporation, et al.*

*Certain Wireless Mesh Networking Products and Related Components Thereof*

Inv. No. 337-TA-1131, U.S. International Trade Commission (ALJ Lord)  
Retained on behalf of *Complainant SIPCO LLC*.

*Certain Submarine Telecommunication Systems and Components Thereof*

Inv. No. 337-TA-1113, U.S. International Trade Commission (ALJ McNamara)  
Retained on behalf of *Respondents Xtera, Inc., et al.*

*Certain Digital Video Receivers and Related Hardware and Software Components*

Inv. No. 337-TA-1103, U.S. International Trade Commission (ALJ McNamara)  
Retained on behalf of *Respondents Comcast Corporation, et al.*

*Certain Subsea Telecommunications Systems and Components Thereof*

Inv. No. 337-TA-1098, U.S. International Trade Commission (ALJ Cheney)  
Retained on behalf of *Complainants Xtera, Inc., et al.*

*Certain LED Lighting Devices, LED Power Supplies, and Components Thereof*

Inv. No. 337-TA-1081, U.S. International Trade Commission (ALJ Lord)  
Retained on behalf of *Complainants Philips Lighting North America Corp., et al.*

*Certain UV Curable Coatings for Optical Fibers, Coated Optical Fibers, and Products Containing the Same*

Inv. No. 337-TA-1031, U.S. International Trade Commission (ALJ McNamara)  
Retained on behalf of *Complainants DSM Desotech, Inc., et al.*

*Certain Digital Video Receivers and Hardware and Software Components Thereof*

Inv. No. 337-TA-1001, U.S. International Trade Commission (ALJ Shaw)  
Retained on behalf of *Respondents Comcast Corporation, et al.*

*Certain Radiotherapy Systems and Treatment Planning Software, and Components Thereof*

Inv. No. 337-TA-968, U.S. International Trade Commission (ALJ Shaw)  
 Retained on behalf of *Respondents Elekta AB, et al.*

*Certain Wireless Standard Compliant Electronic Devices, Including Communication Devices and Tablet Computers*

Inv. No. 337-TA-953, U.S. International Trade Commission (ALJ Lord)  
 Retained on behalf of *Complainants Ericsson Inc., et al.*

*Certain Electronic Devices, Including Wireless Communication Devices, Computers, Tablet Computers, Digital Media Players, and Cameras*

Inv. No. 337-TA-952, U.S. International Trade Commission (ALJ Shaw)  
 Retained on behalf of *Complainants Ericsson Inc., et al.*

*Certain Non-Volatile Memory Devices and Products Containing Same*

Inv. No. 337-TA-909, U.S. International Trade Commission (ALJ Shaw)  
 Retained on behalf of *Complainants Macronix International Co., Ltd., et al.*

*Certain Flash Memory Chips and Products Containing Same*

Inv. No. 337-TA-893, U.S. International Trade Commission (ALJ Gildea)  
 Retained on behalf of *Respondents Macronix International Co., Ltd., et al.*

*Certain Wireless Communications Base Stations and Components Thereof*

Inv. No. 337-TA-871, U.S. International Trade Commission (ALJ Essex)  
 Retained on behalf of *Respondents Ericsson Inc., et al.*

*Certain Electronic Devices with Graphics Data Processing Systems, Components Thereof and Associated Software*

Inv. No. 337-TA-813, U.S. International Trade Commission (ALJ Gildea)  
 Retained on behalf of *Complainants S3G Graphics Co., Ltd., et al.*