



OCEAN TOMO®
INTELLECTUAL CAPITAL EQUITY®

OCEAN TOMO

FINANCIAL TESTIMONY

Ocean Tomo's Financial Testimony professionals have industry-leading experience across all types of disputes and are skilled in the determination of damages involving intellectual property. Our top testifying experts average almost 20 years of intellectual property litigation analysis. Ocean Tomo's experience benefits clients through its consideration of complex financial data, qualitative facts, supporting testimony, and damages-related case law. We strive to develop a focused yet creative approach to every assignment. Ocean Tomo's experts have testified regarding virtually all damage elements including lost profits, reasonable royalties, unjust enrichment, price erosion and suppression, accelerated market entry, corrective advertising, and future lost profits. Our track record of results spans more than 100 different industry segments. Because past successes provide the best indication of our capabilities, we encourage potential clients to seek references from both clients and opposing counsel. A representative list of the industries in which we have worked is as follows:

- » Hospital Products
- » Medical Devices
- » Pharmaceuticals
- » Consumer Electronics
- » Automotive Parts
- » Chemicals
- » Paper Machinery
- » Construction Products
- » Manufacturing Equipment
- » Office Furniture
- » Banking
- » Insurance
- » Financial Telecommunications
- » Credit/Stored Value Cards
- » Cellular
- » DSL
- » VoIP
- » Semiconductor
- » Software
- » E-Commerce

FIXED FEE SERVICES

As an alternative to the traditional hourly rate model, Ocean Tomo also offers expert testimony services under fixed fee arrangements. Current economic conditions, along with emerging trends in patent litigation, call for a new approach by patent damages experts. We understand that in today's economy clients want as much cost certainty as possible when making decisions on the business of patent litigation. While law firms have already been moving in this direction by providing fixed fee services, instituting cost caps and providing firm budgets, expert testimony services have continued to follow the billable hour business model. Given the changing nature of the patent infringement landscape, the traditional model may be inappropriate for some cases or certain clients. Ocean Tomo's fixed fee service provides a solution for such situations. To that point, a typical fixed fee engagement would be conducted according to the four phases described below and a pre-determined (fixed) amount would be charged for each phase. We welcome the opportunity to discuss the specifics of your case and determine if a fixed or billable hour fee structure is most appropriate for your client.

INITIAL CONSULTATION

- » Initial calls and first meeting
- » Case planning
- » Settlement consultation (if needed)

DISCOVERY ASSISTANCE AND DATA REVIEW

- » Document request assistance
- » Document review
- » Fact deposition assistance
- » Deposition review
- » Interrogatory assistance

REPORT WRITING AND ANALYSIS

- » Research
- » Interviews
- » Lost profits analysis
- » Reasonable royalty analysis
- » Report creation

EXPERT DEPOSITION

- » Preparation and sitting for expert deposition
- » Assistance with opposing expert deposition

CONTACT

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