**EXPERT TESTIMONY**

Our Financial Testimony professionals have industry-leading experience across all types of disputes and are particularly skilled in the determination of damages involving intellectual property (IP). Our top testifying experts average over 30 years of intellectual property litigation analysis experience, benefitting clients when considering the complex financial data, qualitative facts, supporting testimony, and damages-related case law.

We strive to develop a focused approach to every assignment. Our 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.

**FEATURED ENGAGEMENT**

**Idenix Pharmaceuticals Inc., et al. v Gilead Sciences Inc., et al.**

A jury in the United States District Court for District of Delaware returned the largest patent verdict in history. The jury awarded Merck’s subsidiary, Idenix, $2.54 billion for patent infringement of technology pertaining to Hepatitis C medication. Ocean Tomo Managing Director Andrew Carter opined as to damages equal to 10% of Gilead’s US sales or $2.54 billion.

**FEATURED ENGAGEMENT**

**Nortel Networks – EMEA Debtors**

Ocean Tomo was hired in 2013 by the EMEA debtors to assist with all valuation and allocation issues related to Nortel’s IP. In order to determine the appropriate allocation of sales proceeds, Ocean Tomo performed an independent valuation of the ~2,500 patents and other IP which was sold along with Nortel’s various business lines and determined the appropriate commercial life of Nortel’s IP portfolio.

**FEATURED PROFESSIONALS**

**Andrew W. Carter**
Managing Director, COO
acarter@oceantomo.com
Mr. Carter has over 20 years experience and has provided expert witness testimony in excess of 70 times.

**Cate Elsten**
Managing Director
celsten@oceantomo.com
With over 35 years of professional experience, Ms. Elsten manages Ocean Tomo’s west coast Expert Testimony practice.

**Joel Lutzker**
General Counsel
jlutzker@oceantomo.com
Mr. Lutzker has over 30 years of experience in patent litigation and transactions and serves as Ocean Tomo’s General Counsel.

**James E. Malackowski**
Chief Executive Officer
jmalackowski@oceantomo.com
On more than 40 occasions, Mr. Malackowski has served as an expert in U.S. Federal Court, U.S. Bankruptcy Court and State Court.

**Gregory Campanella**
Managing Director
gcampanella@oceantomo.com
Mr. Campanella is a Managing Director in the Valuation practice with experience in performing business enterprise, equity and debt valuations.

**Sheryl Mikols**
Managing Director
smikols@oceantomo.com
Ms. Mikols is an Expert Testimony Managing Director, focusing primarily on the quantification of economic damages arising from IP disputes.

**VALUATION**

Our professionals are recognized as experts in IP and intangible asset valuation, having performed hundreds of strategic valuations for Fortune 500 companies and small-to-mid sized businesses, across a variety of industry segments. Our clients hire us for our expertise in:

- Buy-side & Sell-side pricing analysis
- Litigation Support-IP
- Business & Equity Valuation
- Licensing Strategy
- Pre-litigation Strategy
- Overall Monetization Strategy
- Joint Venture & Partnership Formations
- Capital Raising (Equity & Debt)
- Bankruptcy & Restructuring

**FEATURED ENGAGEMENT**

**MIPS Technologies**

Ocean Tomo was retained by MIPS at the very beginning of the IP monetization process. The resulting transaction involved the sale for $350 million by MIPS to Bridge Crossing, LLC of all of its rights, title and interest in 498 active issued U.S. and foreign patents and patent applications. Bridge Crossing, LLC is a special purpose vehicle formed by Allied Security Trust I, a member-based defensive patent aggregator.

**STRATEGY**

Ocean Tomo’s Strategic Advisory services are focused on assisting IP and strategy departments with Corporate Planning guidance, Operational Execution support, and Risk Management tools. Across these three pillars, Ocean Tomo’s Strategy team guides, develops and helps execute effective strategies for promoting innovation, implementing proven IP protection strategies, and supporting strategic business initiatives.

Our clients benefit from experiences learned through a multi-disciplinary approach, leveraging proven processes, tools and techniques for effectively managing and executing an IP program. Ocean Tomo is retained on behalf of large global companies as well as smaller entities and investment organizations. Our implementation of world-class IP strategy programs assists stakeholders throughout the organization, not simply within the IP function.
INVESTMENTS
Ocean Tomo Investment Banking provides IP-based services and products to IP-rich corporations who are looking for nontraditional ways to approach their structural, capital and strategic needs. As the value of corporations increasingly becomes a function of their IP value, Ocean Tomo Investment Banking services will remain at the forefront of value extraction, monetization and maximization.

Services include IP advisory in strategic and financial matters, financing for corporations who elect to use their IP to collateralize or securitize debt obligations, and IP monetization through the outright sale or licensing of IP.

INNOVATION MANAGEMENT
Composed of Venture Development, License Compliance and Analytics, Ocean Tomo’s Innovation Management practice allows operating company clients to capture and guide emerging third party solutions through an outsourced venture capital service platform specific to the client’s interests.

Cross functional Ocean Tomo teams identify diligence and direct client investments into a small portfolio of venture backed companies that promise future growth technologies. Ocean Tomo professionals direct portfolio investments to maximize the opportunity for future product, service or acquisition opportunities.

FEATURED ENGAGEMENT
Media Protection Technology Company
Seeking to bring two of its seminal innovations to the U.S. market, the company engaged Ocean Tomo to develop monetization strategies for each. Leveraging senior team members from Innovation Management, Intellectual Property Strategy, and Valuation, we developed two strategies: an asset sale for one portfolio and a venture development strategy for the other. The platform partnership creates an innovation ecosystem around the company’s intellectual property.

FEATURED ENGAGEMENT
MOSAID Privatization
The MOSAID transaction represents an important milestone in the evolution of IP into a discreet asset class. It is the first leveraged buyout driven exclusively by IP asset value. Ocean Tomo served as intellectual property (IP) advisor, supporting the acquisition of MOSAID Technologies Inc. by Sterling Fund Management, LLC, for a cash payment of $46.00 per share.

FEATURED ENGAGEMENT
Verizon Yahoo! Acquisition
Verizon Communications Inc. retained Ocean Tomo to provide intellectual property advisory services focused on Yahoo! Intellectual property assets.

BASF-SE OLED IP Assets Sale
Ocean Tomo represented BASF-SE in the sale of over 500 issued and pending patents related to OLED to strategic acquirer, a subsidiary of Universal Display Corporation for approximately $96 million USD.

TRANSACTIONS
Ocean Tomo Transactions offers a purpose built continuum of proven solutions to monetize patent, trademark, copyright, trade secret and domain IP. Each Ocean Tomo Transaction service or market platform is designed to efficiently close sell-side, buy-side and license-based transactions.

Ocean Tomo Transactions is uniquely qualified to successfully diligence and close transactions through our extensive transactional experience as well as our ability to leverage the broader insight and relationships of Ocean Tomo as a firm – a network unmatched in the IP space.

Ocean Tomo Investment Group, (Member FINRA | SIPC), an independent licensed broker-dealer under federal and state securities law, provides capital raising services through our network of third party investors.

ADVISORY SERVICES

Robert Hess
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Mr. Hess is one of Ocean Tomo’s founding members and currently serves as Chief Financial Officer and Managing Director.

Rich Lettiere
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Mr. Lettiere frequently leads engagements in intellectual property and bankruptcy and solvency disputes.

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Mr. Lewis has over 20 years of consulting experience and has testified in both Federal and State court.

Michael K. Milani
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Mr. Milani is an IP damages expert with over 20 years of litigation related experience and 6 years of strategic business expertise.

Ryan Zurek
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Mr. Zurek oversees Ocean Tomo’s Advisory Services comprised of Investments and Transactions Advisory.

Shirley Webster
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Ms. Webster consults on IP matters, providing analysis of economic damages and expert testimony.
ABOUT OCEAN TOMO

Ocean Tomo, the Intellectual Capital Merchant Bank® firm, provides financial services related to intellectual property and intangible assets including financial expert testimony, valuation, strategy consulting, patent analytics, investment advisory, innovation management consulting and transaction brokerage.

Our Opinion, Management, and Advisory Services are built upon more than three decades of experience valuating intellectual property in the most rigorous of venues – State, Federal and international courts. Our financial, market and technical experts provide a unique understanding of the contributory value of proprietary innovation. This is the cornerstone of our business. This insight permeates every practice and client engagement.

Collectively, Ocean Tomo professionals have:
• Executed over 1000 engagements involving IP worth in excess of $10 billion;
• Successfully closed transactions where disruptive technology played a key role, with cumulative value in excess of $750 million;
• Conducted over 300 valuation engagements and 500 financial damages expert testimony engagements.

Ocean Tomo assists clients – corporations, law firms, governments and institutional investors – in realizing Intellectual Capital Equity® value broadly defined.

A HISTORY OF LEADERSHIP

For more than 30 years, Ocean Tomo professionals have led the field with respect to intellectual capital thought leadership. Select milestones of achievement include:

- Organized the first national practice to offer IP valuation opinions.
- Created the first scaled investment banking practice, in partnership with leading Wall Street firm, dedicated exclusively to patent based structured finance.
- Established a Live Public Auction Marketplace for IP rights.
- Created the Ocean Tomo 300® Patent Index – the nation’s first index based on the value of intellectual property.
- Introduced the first SaaS for product based patent portfolio management.

To learn more about strategic partnership opportunities, please contact Ocean Tomo Chairman & CEO James E. Malackowski at +1 312.327.4410 or jmalackowski@oceantomo.com.