

## INTELLECTUAL PROPERTY

# Protect. Manage. Quantify. Monetize.



The leaders in today's competitive economy are those who innovate. Intellectual property is more than just an idea or a concept; it represents innovations that are integral to the core services of a business and its overall long-term viability. Ankura's professionals assist clients in maximizing and protecting their intellectual property assets. We rely on our extensive quantitative expertise and industry experience to provide clear, concise, and defensible analysis across all stages of the engagement.

## SOLUTIONS

### Litigation Support and Expert Testimony


Our qualified experts collaborate with counsel and senior management to develop appropriate litigation strategies in patent infringement, trademark infringement, trade secret misappropriation, copyright infringement, false advertising, and unfair competition matters. We implement efficient strategies for evaluating potential damages or exposure. Ankura works with clients to:


- Formulate requests for and analyze critical discovery items
- Assist with witness and deposition preparation
- Critique opposing expert reports and claims
- Perform financial and economic analyses
- Provide expert reports and witness testimony


### Royalty Compliance


Our professionals specialize in performing royalty compliance reviews for intellectual property owners. We develop and implement royalty compliance programs and perform a review of the royalties paid by publishers and other licensees around the world and undertake an extensive analysis of clients' royalty payments, interact with the licensee on our clients' behalf, obtain detailed accounting records used to generate royalties, and calculate the amount of any underpayment. Our collective experience helps us identify potential issues with licensees and royalty income well in advance of traditional royalty tracking methods. We have helped intellectual property owners recover millions of dollars in asserted rights relating to their copyrights, trademarks, and patents licensed to third parties. Our model benefits clients by managing all contracts in a systematic manner, identifying inconsistencies in contracts, and deriving cost savings by mapping transactional data with contractual terms.


## HOW WE HELP

 **Early Case Assessment**  
Provide counsel and client with preliminary assessments including flexible assumptions on damages, and assist with discovery during early stages of the engagement

 **Damages Calculations**  
Quantify economic harm resulting from infringement or misappropriation, using accepted methodologies such as reasonable royalties, lost profits, and unjust enrichment

 **Expert Opinions**  
Synthesize financial and economic analyses into damages opinions through declarations, expert reports, and testimony at deposition and trial

 **Royalty Compliance**  
Review and analyze royalty payments regarding underlying agreements and licensee records, to verify that royalty payments are accurate and clients have received all royalties due for use of their intellectual property

 **Licensing**  
Develop strategic licensing programs for intellectual property owners of all sizes to maximize realized value

## INTELLECTUAL PROPERTY



### Valuation Consulting

Assessing the value of intangible assets is an essential exercise in many corporate situations. Ankura applies traditional and proprietary valuation methodologies to assist clients in establishing an accurate and appropriate valuation. Whether for purchase price allocation, tax reasons, lending agreements, buy/sell transactions, or other purposes, Ankura's professionals provide defensible valuations using generally accepted methodologies.

### Intellectual Property Management and Monetization

Ankura professionals work with entities across all industries to manage their intellectual property portfolios. We can help entities maximize the return on their IP assets by providing strategic assessments, brokering asset licenses and transfers, and accessing investment and funding sources.

## REPRESENTATIVE ENGAGEMENTS

### Patent Damages

An Ankura professional was engaged by the plaintiff and its legal counsel in a patent infringement matter, as an expert witness to prepare a reasonable royalty damages analysis. The Ankura team analyzed an array of product, market, and financial records to apply a Georgia-Pacific analysis, and reached an expert opinion regarding the amount of reasonable royalty damages. For procedural reasons, the case was tried twice, and the jury considered the expert testimony of the Ankura professional in both instances, awarding the plaintiff \$3.7 million initially and ultimately \$63.8 million.

### IP Licensing

An education company sought expert assistance in determining the value of its technology and a range of other license negotiation support to license software and know-how for its digital products. An Ankura professional reviewed the market for the company's products, as well as the functional value, potential benefits, and related sales growth from the proposed use of the technology, in reaching an opinion with a range of royalty rates. The company concluded the negotiation with a technology provider at a royalty rate that fell within the range recommended by the Ankura team, enhancing both the value of its business and that of the technology provider.

## ABOUT US

Ankura is a business advisory firm defined by *HOW* we solve challenges. Whether a client is facing an immediate business challenge, trying to increase the value of their company or protect against future risks, Ankura designs, develops, and executes tailored solutions by assembling the right combination of expertise. We build on this experience with every case, client, and situation, collaborating to create innovative, customized solutions, and strategies designed for today's ever-changing business environment. This gives our clients unparalleled insight and experience across a wide range of economic, governance, and regulatory challenges. At Ankura, we know that **collaboration drives results.**

## THE ANKURA DIFFERENCE

Each of Ankura's intellectual property experts has decades of experience in providing litigation support, valuation, and royalty compliance assessments across various industries. Our experts regularly testify in federal and state courts on intellectual property and commercial disputes. Our team includes attorneys, former business executives, credentialed valuation experts, CPAs, and former partners at Big Four accounting firms.

## GET IN TOUCH

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