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Daniel B. Lindsay

Managing Director

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Associations

Member, Licensing Executives Society (LES)

Member, National Association of Certified Valuation Analysts (NACVA)

Education

The University of Texas at Austin
BBA in Finance
May 1997

Previous Employment

Taylor & Lindsay Partners
Jan 2007-Jan 2008

FTI Consulting, Inc.
Jan 2002-Dec 2006

Technology & Financial Consulting
Apr 1999-Dec 2001

Arthur Andersen
Aug 1997-Mar 1999

POSITION:

Daniel B. Lindsay is a Managing Director of IPFC Corp., an independent consulting firm that provides a variety of consulting services, including financial analysis and valuation assessments for companies relating to technology issues such as patents, trade secrets, copyrights, and other forms of intellectual property. The firm also provides financial analysis relating to damages assessments and evaluations for corporate disputes, litigation, acquisitions, and divestitures.

FINANCIAL AND LITIGATION CONSULTING EXPERIENCE:

More than nineteen years of experience providing financial consulting and damage analysis services to law firms and companies involved in litigation and other disputes. Disputes have involved intellectual property, breach of contract, business interruption, antitrust, and oil and gas royalty issues. Areas of expertise include damages calculations, royalty analyses, lost profits analyses, and financial and damages scenario modeling.

SAMPLE INDUSTRY EXPERIENCE:

Experienced in the following industries:

- Airline/Aircraft
- Automotive
- Chemical
- Computers
- Consumer Products
- Energy/Oil & Gas
- Internet/E-Commerce
- Material Handling/Manufacturing
- Medical Products
- Satellite Television
- Semiconductors
- Software
- Telecommunications
- Utilities

Work within these industries has included the analysis of sales, costs, profits, license agreements, business plans, industry competition, market conditions, and other information for the purposes of calculating damages.

ARTICLES AND PRESENTATIONS:

"Calculating Damages in Patent Infringement Cases – A Lost Profits and Reasonable Royalty Case Study," Co-Presenter, 2003-2005 (various).

"Strategies in Intellectual Property," Guest Lecturer, Spring 2004, Chicago Kent College of Law.

"Current Issues in IP Damages," CLE Presentation, July 2009



EXPERT TESTIMONY AND DESIGNATIONS:

- **EON Corp. IP Holdings, LLC v. Landis + Gyr, Inc., et al.**
U.S. District Court for the Eastern District of Texas, Tyler Division
(Deposition and Trial)
- **Andrew Katrinecz, et al. v. Motorola Mobility, Inc.**
U.S. District Court for the Western District of Texas, Austin Division
(Deposition)
- **Koninklijke KPN N.V. v. Samsung Electronics Co., Ltd, et al.**
U.S. District Court for the Eastern District of Texas, Marshall Division
(Deposition)
- **Canrig Drilling Technology Ltd. v. Trinidad Drilling L.P.**
U.S. District Court for the Southern District of Texas, Houston Division
(Deposition)
- **Top-Co Cementing Products Inc., et al. v. Blackhawk Specialty Tools, LLC**
U.S. District Court for the Southern District of Texas, Houston Division
(Deposition)

SELECTED LITIGATION CONSULTING EXPERIENCE:

- **Amicus Communications, L.P. v. Hewlett-Packard Company, Inc.**
- Trademark infringement matter involving the PAVILION mark
- **Amit Jaipuria, Pradeep Jaipuria v. LinkedIn Corporation, et al.**
- Patent infringement matter relating to a system and method for networking in an online community
- **Canrig Drilling Technology Ltd. v. Omron Oilfield and Marine, Inc. and Helmerich and Payne, Inc.**
- Patent Infringement matter involving directional drilling control method and apparatus
- **Cooper Industries, LLC, et al. v. ABB Holdings, Inc., et al.**
- Breach of contract matter relating to the manufacture of a vegetable oil based insulating fluid product used in transformers and other electrical equipment
- **Dow Agrosciences LLC and The Dow Chemical Company v. Cooper Industries, LLC, et al**
- Patent infringement matter involving the use of vegetable oil based insulating fluids in transformers and other electrical equipment
- **Emerson Radio Corp. v. Emerson Electric Co.**
- Trademark infringement matter involving the EMERSON mark
- **EON Corp. IP Holdings, LLC v. Sprint Spectrum, LP, et al.**
- Patent infringement matter involving a system and method for offloading wireless traffic from a cellular network to an alternate communication path

- **EON Corp. IP Holdings, LLC v. T-Mobile USA, Inc., et al.**
 - Patent infringement matter involving a system and method for offloading wireless traffic from a cellular network to an alternate communication path
- **Epicenter Recognition, Inc. v. Jostens, Inc.**
 - Antitrust matter involving the market for high school graduation products in California
- **Esterline Technologies Corporation and Auxitrol, S.A. v. H&L Accessory, Inc.**
 - Trademark infringement matter involving repaired aircraft components
- **Fenner Investments, Ltd. v. Hewlett-Packard Company and Dell, Inc.**
 - Patent infringement suit relating to the routing of data packets in a communication system
- **FloaTec, LLC v. Christopher Magnuson**
 - Trade secret dispute relating to the design of a multi-operational offshore drilling spar
- **Fractus, S.A. v. Samsung Electronics Co., Ltd., et al.**
 - Patent infringement matter involving mobile phone internal antenna technology
- **Indiana Mills & Manufacturing, Inc. v. Dorel Industries, Inc. and Dorel Juvenile Group, Inc.**
 - Patent infringement matter involving a child restraining seat having a harness with an adjuster
- **Individual Network, LLC v. Apple, Inc.**
 - Patent infringement matter related to a method and system for providing a customized media list to a user over a data network
- **Kinetic Concepts, Inc., et al. v. Medela AG, Medela, Inc.**
 - Patent infringement matter involving a method and apparatus for treating a wound by applying negative pressure to the wound
- **Lexion Medical, Inc. v. Northgate Technologies, Inc., et al.**
 - Patent infringement matter involving the heating and humidification of insufflation gas for laparoscopic surgery
- **MacLean-Fogg Company v. Eaton Corporation**
 - Patent infringement, breach of agreement, and misappropriation of trade secrets matter involving a manufacturing process for hydraulic roller lifter components used in automobile engines
- **Minnesota Mining and Manufacturing Company v. Fellowes Manufacturing Company**
 - Patent infringement matter involving gel-filled wrist rests
- **National Instruments Corporation v. PPT Vision, Inc.**
 - Patent infringement matter involving graphical programming software employed in the visioning process
- **Optivus Technology, Inc. and Loma Linda University Medical Center v. Ion Beam Applications S.A.**
 - Patent infringement matter involving proton beam therapy treatment centers



- **Rally Accessories, Inc., dba Rally Manufacturing, Inc. v. Quest Industries, Inc.**
 - Trade dress infringement matter involving the packaging of dual windshield wipers and multi-panel, wide-view rearview mirrors
- **Schneider Automation Inc. and Square D Company v. Opto 22, Inc.**
 - Patent infringement matter involving the use of Web servers with industrial controllers
- **Sky Technologies, LLC v. Ariba, Inc.**
 - Patent infringement matter involving online negotiation business software
- **Sky Technologies, LLC v. SAP AG, et al.**
 - Patent infringement matter involving online negotiation business software
- **SuperGuide Corporation v. DIRECTV Enterprises, Inc., et al. v. Gemstar Development Corporation**
 - Patent infringement matter involving interactive television program guides
- **Transocean Offshore Deepwater Drilling, Inc. v. GlobalSantaFe Corporation, et al.**
 - Patent infringement matter involving offshore dual activity drilling technology
- **Two-Way Media LLC v. America Online, Inc.**
 - Patent infringement matter involving technology for streaming media over the Internet
- **Two-Way Media LLC v. AT&T**
 - Patent infringement matter involving technology for streaming video and audio over a network