



Intellectual Property

When intellectual property (IP) rights have been infringed, it's necessary to assess the economic impact of the alleged infringement.

Whether on behalf of the IP owner or the alleged infringer, MDD's forensic accountants have the training and experience required to accurately assess financial remedies in disputes related to patent, trade secrets, trademark and copyright infringement.

Our experts have significant experience providing analysis and testimony in IP matters addressing a wide range of damages issues including lost sales, lost profits, price erosion, reasonable royalties and unjust enrichment.

MDD professionals have addressed IP damages issues in a variety of industries including automotive (OEM and Tier one suppliers), chemicals, computers, construction, consumer products, electronics, food service, manufacturing, mining, retail, software, surgical/medical equipment and telecommunications. Our experts have provided deposition and trial testimony on IP damages issues and are adept at presenting the findings in a clear and concise manner.

When you hire MDD for intellectual property matters, we can:

- Assess the potential magnitude of claims on a preliminary basis to assist with litigation strategy
- Assist in preparation of initial discovery requests to help identify the financial data and business records necessary for translating abstract economic theories into fact-supported opinions
- Evaluate and address the factors needed to support or rebut a claim for lost profits including product demand, available alternatives, manufacturing and sales capacity, and profit amount
- Evaluate reasonable royalty issues including the factors to be considered in the hypothetical negotiation, comparability of existing licenses and the application of the analytical method
- Quantify the infringer's profits in design patent, trademark and trade secret matters including

apportionment considerations where appropriate

- Support counsel in preparation for opposing expert depositions
- Provide expert witness testimony when necessary

For an objective assessment on economic damages related to intellectual property infringement, hire MDD.