

LARRY TEDESCO, CVA, CLP, MAFF
BERKELEY RESEARCH GROUP
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Mr. Tedesco is an intellectual property valuation, licensing, and damages expert. He has spent a large portion of his career developing, managing, valuing, and licensing intellectual property as both an operator and as a consultant. He has provided multiple levels of damages evaluations for both plaintiffs and defendants in a wide range of intellectual property disputes. He is a Certified Valuation Analyst (CVA), Certified Licensing Professional (CLP), and a Master Analyst in Financial Forensics (MAFF). Mr. Tedesco has performed IP and business valuations, developed damages and lost-profit models, analyzed infringement contentions, calculated reasonable royalty rates, and prepared expert analysis in numerous litigation matters. Mr. Tedesco has significant experience analyzing and determining FRAND royalty rates for Standard Essential Patents in a variety of technologies including wireless telecommunications, Wi-Fi, and audio/video.

As an operator, Mr. Tedesco has significant experience monetizing intellectual property in a wide variety of industries including electronics, telecommunications, manufacturing, software development, augmented reality, and medical devices. He has held senior level management positions where he obtained extensive experience developing patent assets in addition to designing and implementing patent licensing programs. He has negotiated more than 150 IP transactions and managed the licensing program to an industry leading essential Ethernet patent portfolio.

His experience includes:

- More than 20 years of IP development, valuation, monetization, and enforcement
- Negotiating over 150 IP transactions
- Damages evaluation including lost profits, reasonable royalty, unjust enrichment, and other forms of economic damages
- Assisting clients with the determination of FRAND/RAND royalty rates for standard essential patents

EDUCATION

B.A., Political Science and Business Administration

Furman University, 1991

CERTIFICATIONS

Certified Valuation Analyst (CVA) – National Association of Certified Valuators and Analysts

Certified Licensing Professional (CLP) – Certified Licensing Professionals

Master Analyst in Financial Forensics (MAFF) – National Association of Certified Valuators and Analysts

PROFESSIONAL AFFILIATIONS

National Association of Certified Valuators (NACVA)

Certified Licensing Professionals (CLP)

Technology Association of Georgia (TAG)

Licensing Executives Society (LES)

POSITIONS HELD

BERKELEY RESEARCH GROUP, LLC Director	2014 - <i>present</i>
U.S. ETHERNET INNOVATIONS, LLC, Tyler, TX Senior Vice President & Licensing Director	2009 - 2013
DISPUTE RESOLUTION CONSULTING (DRC), Atlanta, GA Managing Director	2008 - 2012
ALSET IP MANAGEMENT L.P., New York, NY Associate Director	2008 - 2009
EXCHANGEBLVD.COM / EXCHANGEBLVD IP, Atlanta, GA President/CEO	2000 - 2008
Vice president, Business Development	1998 - 2000
AUGUSTA NATIONAL GOLF CLUB / The MASTERS, Augusta, GA	1992 - 1998

TESTIMONY DELIVERED

Richard Belliveau v. Barco (Breach of Contract, Breach of Fiduciary Duty). Deposition: March, 2019
United States District Court for the Western District of Texas

Oakley Inc. v. **Trimera Military Technology Inc.** (Breach of Contract). Issued Expert Report: February 2016

United States District Court for the Central District of California

U.S. Ethernet Innovations, LLC v. Acer Inc. et al. (Patent Infringement). Deposition: March, 2014
United States District Court for the Eastern District of Texas

U.S. Ethernet Innovations, LLC v. Texas Instruments Incorporated. (Patent Infringement). Deposition:
October, 2013
United States District Court for the Eastern District of Texas

SELECTED LITIGATION EXPERIENCE IN CONSULTING EXPERT ROLE

In a patent infringement matter between a large telecommunication standard essential patent (SEP) holder and a wireless handset manufacturer, addressed issues including a FRAND assessment of offered royalty rates, apportionment, ex-ante valuation issues, and damages specific to a number of SEPs.
Expert testified at deposition: June, 2020 and trial: August, 2020
United States District Court for the Eastern District of Texas

In a patent and copyright infringement matter between an owner of exercise equipment and an exercise equipment manufacturer.
Expert testified at deposition: February, 2020
United States District Court for the Northern District of Georgia

In a patent infringement matter between a large telecommunications patent portfolio owner and a large wireless handset, tablet, and computer manufacturer, addressed issues relative to determining reasonable royalties, telecommunications licensing practices, and apportionment.
Expert testified at trial: January 2020
United States District Court for the Southern District of California

In a patent infringement matter between a large handset manufacturer and a specialized technology holder, addressed issues such as SSPPU, apportionment, determining reasonable royalties, licensing practices, and head-start theories.
Expert testified at deposition: July, 2019
United States District Court for the Central District of California – Southern Division

In a patent infringement matter between a large telecommunication standard essential patent (SEP) holder and a wireless handset manufacturer, addressed issues including a FRAND assessment of offered royalty rates, patent pool proxies, apportionment, ex-ante valuation issues, and damages specific to a number of SEPs.
Expert testified at trial: November, 2018
United States District Court for the District of Delaware

In a patent infringement matter between a large patent portfolio owner and a large wireless handset, tablet, and computer manufacturer, addressed issues relative to determining reasonable royalties, telecommunications licensing practices, and apportionment.
Expert testified at trial: July 2018
United States District Court for the Southern District of California

In a copyright infringement matter between a software company and the United States of America.
Expert testified at deposition: May, 2018
United States Court of Federal Claims

In a patent infringement matter between a visual effects animation company and a number of large video game manufacturers and producers.

Expert testified at deposition: April, 2018

United States District Court for the Central District of California

In a patent infringement matter between a large patent portfolio owner and a large wireless handset, tablet, and computer manufacturer, addressed issues relative to determining reasonable royalties, telecommunications licensing practices, and apportionment.

Expert testified at deposition: April, 2018

United States District Court for the Southern District of California

In a patent infringement matter between a large telecommunication standard essential patent (SEP) holder and a wireless handset manufacturer, addressed issues including a FRAND assessment of offered royalty rates, patent pool proxies, apportionment, ex-ante valuation issues, and damages specific to a number of SEPs.

Expert testified at deposition: March, 2018

United States District Court for the District of Delaware

In a patent infringement matter between a large telecommunication standard essential patent holder (SEP) and another large telecommunication SEP owner/manufacture, addressed issues including a FRAND assessment of offered royalty rates, patent pool proxies, apportionment, ex-ante valuation issues, and damages specific to a number of SEPs.

Expert provided expert report: September, 2017

United States District Court for the Eastern District of Texas

In a breach of implied contract matter between a large standard essential patent (SEP) holder/manufacture of telecommunications equipment and a wireless handset manufacturer, addressed issues including a FRAND assessment of offered royalty rates, patent pool rate proxies, apportionment analyses, and ex-ante valuation of a large SEP portfolio. Expert testified at deposition: May 2016. Expert provided trial testimony:

February, 2017

United States District Court for the Central District of California

In a patent infringement matter between a large consumer electronics company and a global semiconductor manufacturer, addressed issues relative to the determination of reasonable royalties. Expert testified at deposition: September, 2016

United States District Court for the Eastern District of Texas

In a patent infringement matter between two large manufacturers of carpet manufacturing equipment, addressed issues including lost profits and the determination of reasonable royalties. Expert testified at deposition: September, 2016

United States District Court for the Eastern District of Tennessee

In a patent infringement matter between a large patent holder and a number of wireless telecommunication companies, addressed matters including the determination of reasonable royalties, telecommunication licensing practices, and apportionment of profits. Expert testified at deposition: August, 2016

United States District Court for the District of Delaware

In a matter between two manufacturers of plastic fabrication machinery and related software, with multiple causes of action such as violation of the Georgia Trade Secrets Act, breach of contract, tortious interference,

and unfair competition, addressed issues including lost profits, unjust enrichment, and lost and avoided royalties. Expert testified at deposition: August, 2016.
United States District Court for the Northern District of Georgia

In a tax matter involving intellectual property between the Auditing Division of the Utah State Tax Commission and a large candy manufacturer, addressed issues relating to IP holding companies. Expert testified at deposition: February, 2016. Expert provided trial testimony: July, 2016
Fourth District Court, Provo, Utah

In an international arbitration matter between two large smartphone manufacturers, addressed issues including valuation analyses for portfolio level cross-license balancing payments covering both FRAND encumbered standard essential patents (SEPs) and implementation patents. Expert provided testimony for arbitration: April 2015
ICC International Court of Arbitration

In a patent infringement matter between an Ethernet patent portfolio owner and a number of electronics and semiconductor companies, addressed issues including the determination of reasonable royalty rates and technology license practices. Expert deposed: October, 2013. Expert testified at trial: June, 2014
United States District Court for the Eastern District of Texas

In a patent infringement matter between a Taiwanese consumer electronics company and a leading multinational consumer electronics company, addressed issues such as lost profits and the determination of reasonable royalty rates. Expert Deposed: June 25-26, 2012
United States District Court for the Central District of California

In a matter between two large manufacturers of specialty plastics with multiple causes of action, such as breach of contract and violation of the Georgia Trade Secrets Act, addressed issues such as unjust enrichment and lost profits. Expert Deposed: October 5, 2009
Superior Court of Dekalb County, Georgia

In a patent infringement matter relating to aircraft anti-collision systems between a patent holding company and one of the largest package delivery companies in the world, addressed issues relative to the determination of reasonable royalties. Expert deposed: June 23, 2009
United States District Court for Western District of Wisconsin

SELECTED NON-LITIGATION EXPERIENCE IN CONSULTING EXPERT ROLE

- Patent acquisition negotiations on behalf of a medical device company with the owners of a large medical device patent portfolio
- Patent and software licensing negotiations on behalf of Augmented Reality technology owner in the Utilities industry with a number of large Utilities – 2019/Ongoing
- FRAND licensing analysis for large telecommunications SEP holder – 2019/Ongoing
- Patent licensing negotiations on behalf of large telecommunications Mobile Virtual Network Operator (MVNO) with a number of non-practicing entities – 2019/Ongoing
- FRAND royalty rate analysis/determination for major telecommunications and research development company – 2019

- Patent license analysis for leading healthcare manufacturer – 2019
- FRAND royalty rate analysis/determination for major audio encoding/compression company – 2018
- FRAND royalty rate analysis in connection with a dispute between a major handset manufacturer and the owner of a large telecommunications SEP portfolio – 2018
- Strategic patent licensing consultation to a medical device company: January, 2018
- FRAND royalty rate analysis/determination for large telecommunications SEP owner – 2017
- FRAND royalty rate analysis/determination for large telecommunications SEP owner – 2017
- Patent license and damages analysis for United States of America – 2017
- Valuation of an equity ownership in a private company for tax purposes - August, 2016
- FRAND royalty rate analysis for large telecommunications SEP owner – 2016
- Patent license and damages analysis for United States of America – 2016
- Patent license and damages analysis for United States of America – 2016
- Patent valuation and licensing negotiations with large handset manufacturers on behalf of specialty technology company - 2016-2019
- Strategic IP consultation to a large private equity firm on a variety of matters - 2014-2017
- Valued a trademark related to an acquisition offer for a leading conference call provider - 2016
- Strategic patent and trademark licensing consultation and lead negotiations with several potential licensees for a leading headwear manufacturer - 2015-2016
- Valuation of a fractional real estate ownership for tax purposes - 2016

PUBLICATIONS

“Formulating or Evaluating a FRAND Offer for LTE”, Larry Tedesco, David A. Kennedy, Intellectual Asset Management Yearbook 2019

“Myth-Busting Litigation Finance: What Today’s Law Departments Need to Know”, Business Vision, Winter 2018/2019, p. 18

“Litigation Finance 101”, ThinkSet, Issue 6, Larry Tedesco, Daniel Ryan, Bob Craig, October 15, 2018.

“Legal and Strategic Implications of Litigation Funding in IP Litigation”, Larry Tedesco, Katharine Wolanyk, Michael McLaughlin, IP Law Section of the State Bar of Georgia, September 22, 2018

“5G SEPs – how can early implementers predict aggregate royalties?”, David A. Kennedy, Larry Tedesco, Intellectual Asset Management Yearbook 2018, p. 120

“A practical guide to determining FRAND in the telecommunications industry”, David A. Kennedy, Larry Tedesco, Intellectual Asset Management Yearbook 2017, p. 163

RECENT PRESENTATIONS

IP Law Section of the State Bar of Georgia – 2018

September 22, 2018

Legal and Strategic Implications of Litigation Funding

Georgia State University College of Law – Corporate IP Institute

October 2, 2015

Panel: “Money Talks – Making Early and Better – Informed Dispute Resolution Decisions Using Damages and Valuation Models.”