



*Curriculum Vitae*

**DAVID A. KENNEDY, CPA**  
BERKELEY RESEARCH GROUP, LLC  
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Mr. Kennedy is an expert in intellectual property valuation and negotiating the economics of patent sales and licensing agreements. He has been acknowledged as one of the *World's Leading IP Strategist* by Intellectual Asset Management for each of the last 11 years.

Mr. Kennedy has bought and sold patent portfolios and negotiated license agreements in commercial transactions and helped clients establish royalty rates for individual patents and large portfolios of implementation and standard essential patents. Additionally, he has provided forensic consulting services in litigation matters and has testified as an expert witness in numerous matters involving patents, copyrights, and trade secrets covering a wide variety of technologies and technical benefits. Mr. Kennedy has testified as a patent licensing and reasonable royalty expert in ICC International Arbitration proceedings and federal courts – including opining on royalty rates for standard essential patents, implementation patents, and US and worldwide portfolio rates.

His intellectual property experience includes:

- 35 years as a CPA, auditor and accounting consultant for corporations, financial institutions, government agencies, and law firms performing audits, litigation support, IP and asset valuation, IP management, and forensic accounting services
- Serving as the primary negotiator or advisor in over 200 IP related negotiations as both an owner of IP or on behalf of companies, universities, and inventors including patent sales, license agreements, and cross license agreements
- Review and analysis of thousands of patent license agreements to determine effective royalty rates and evaluate specific aspects of the license negotiation process to determine comparable licenses for litigation and negotiation purposes

Mr. Kennedy's professional experience started over 35 years ago as a CPA for Coopers & Lybrand (now PriceWaterhouseCoopers). His experience includes investing in and raising venture capital for intellectual property-based companies and negotiating the economics of patent sales. He has also purchased patent portfolios and implemented licensing programs as an owner and manager of the patents and on behalf of investor groups, inventors and corporations including the determination of appropriate royalty rates in the marketplace.



## EDUCATION

Bachelor of Business Administration, major in Accounting, University of Georgia, 1985

## PROFESSIONAL AFFILIATIONS

Certified Public Accountant in Georgia

American Institute of Certified Public Accountants

## POSITIONS HELD

BERKELEY RESEARCH GROUP, LLC Managing Director <i>assist IP owners involved in complex transactions and or arbitration and or litigation</i>	<i>present</i>
U.S. ETHERNET INNOVATIONS, LLC, Tyler, TX Chief Executive Officer <i>acquired and managed 3Com's portfolio of Ethernet patents</i>	2009-2013
ALSET IP MANAGEMENT L.P., New York, NY <i>valued royalty streams of corporations and universities</i>	2005- 2009
INTELLECTUAL PROPERTY ASSET CORPORATION (IPAC), Atlanta, GA Founder, President and CEO <i>assisted companies and universities evaluate and execute patent commercialization strategies</i>	2003-2005
INTECAP, INC., Atlanta, GA (acquired by CRA International) Founder, Board Member and Managing Director <i>largest privately held IP consultancy until sale to CRA</i>	1998-2003
PETERSON WORLDWIDE LLC (acquired by Navigant Consulting), Atlanta, GA Vice President <i>head of IP Transactions and Licensing Practice</i>	1992-1998
COOPERS & LYBRAND, Atlanta, GA Manager of Litigation Services and General Practice Auditor	1985-1992



## RECENT PUBLICATIONS

“*FRAND royalty rates in SEP licensing: comparable license agreements*”, David Kennedy, Larry Tedesco, Intellectual Asset Management Yearbook 2021

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

“*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

“*The iceberg effect: revisiting the market approach for IP valuations*”, David A. Kennedy, William Kerr, and Kathy Lawton, Intellectual Asset Management Yearbook 2016, p. 17

## RECENT PRESENTATIONS

AICPA Spring Meeting, Atlanta, GA  
May 2015

“*Valuation Issues in the Global Setting*”

IAM Patent Law and Policy 2015

Courts, Congress and the Monetization Landscape

November 17, 2015

Panel: The Investor View – How Changes in Law and Policy Have Affected the Patent Investment Climate

## OTHER

Sublette County Wyoming Unified Fire Department, Battalion 3

Wyoming State Fire Marshall Certified

Firefighter 1 – First Responder for Structural Fires, and Automobile Accident Extractions

Wyoming State Forestry Division Certified Wildland Firefighter II - First Responder for Forest Fires

Wyoming Department of Fire Prevention and Electrical Safety - Certified in Hazardous Materials Operations