Curriculum Vitae

DEEPA SUNDARARAMAN
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Summary

Deepa Sundararaman is a director at BRG, working out of the Washington D.C. office. She has deep expertise in intellectual property infringement matters, having worked on over fifty IP cases over the past 22 years. In addition to intellectual property, she has evaluated damages and analyzed other economic issues in engagements involving breach of contract, fraudulent misrepresentation and other commercial disputes. Ms. Sundararaman performs complex financial and accounting analyses for clients across numerous industries in evaluating economic and damages issues in litigation settings. Ms. Sundararaman has testified at deposition and at trial.

In federal and state courts, and in arbitrations, Ms. Sundararaman has quantified lost profits and reasonable royalty damages in disputes dealing with patent infringement, trademark infringement, unfair competition, breach of contract, and fraudulent inducement. At the ITC, Ms. Sundararaman has analyzed economic and financial issues related to public interest, economic prong of domestic industry, commercial success, remedy, cease and desist and calculation of appropriate bond rates. Over the years, Ms. Sundararaman has led engagements dealing with business valuations, royalty investigations, bankruptcy investigations, regulatory compliance and statutory audits.

Ms. Sundararaman is a Certified Public Accountant (CPA), Certified Valuation Analyst (CVA), and holds a Masters in Business Administration (MBA).

Since 2017, Ms. Sundararaman has authored and updated annually, an appendix titled "Intellectual Property Expert Damages Admissibility," in the book, Assets and Finances: Calculating Intellectual Property Damages, currently in its 2024-2025 Edition, published by West Publishing, Thomson Reuters. Taking this topic further, Ms. Sundararaman and a co-author conducted an in-depth study of 1,300 decisions involving Daubert challenges over a six-year period from 2015-2020 and presented their findings in a paper published by Texas Intellectual Property Law Journal in summer 2023. Since the publication of the paper, Ms. Sundararaman has also discussed the findings on multiple panels. Ms. Sundararaman has been recognized by IAM Media in 2024 and 2025 in their IAM Patent 1000 listing of top-tier patent expertise.

EDUCATION

M.B.A., Finance	University of Maryland, 2003
B.Com.	University of Madras, 1998

CERTIFICATION

Certified Public Accountant
Certified Valuation Analyst

PRESENT EMPLOYMENT

Berkeley Research Group
Director (2020 – Present)
Associate Director (2015 – 2019)
Senior Managing Consultant (2012 – 2014)
Managing Consultant (2010-2011)

PREVIOUS POSITIONS

Invotex Inc.,	2005-2010
Navigant Consulting Inc.,	2003-2005
Ernst & Young,	1996-2001

TESTIFYING EXPERT ENGAGEMENTS

- Osram Sylvania Inc. v. Ledvance LLC (Southern District of New York): In an action alleging breach of contract, unfair competition, and trademark infringement, retained by counsel for plaintiff to evaluate damages. (Expert Report; Deposition)

- Certain Power Semiconductors, And Mobile Devices, And Computers Containing Same (337-TA-1308): In a patent infringement action at the ITC, retained by counsel for complainant to assess the activities of its licensee for the purpose of evaluating the economic prong of domestic industry requirement, where the licensee was in the business of developing, manufacturing and selling semiconductor products. Additionally, I was retained to analyze the impact of potential remedies on the U.S. public interest. The products at issue were certain of respondents' mobile phones, tablets and smartwatches. (Expert Reports; Deposition; Trial Testimony)

- Certain Replacement Automotive Lamps I and II (337-TA-1291 and 337-TA-1292): In a patent infringement action at the ITC, retained by counsel for respondents to evaluate, in rebuttal, the activities of the complainant for the purpose of economic prong of domestic industry requirement. The relevant activities of the complainants related to certain headlamps and taillamps for vehicles.

- Certain Laptops, Desktops, Servers, Mobile Phones, Tablets, And Components Thereof (337-TA-1280): In a patent infringement action at the ITC, retained by counsel for complainant to analyze the impact of potential remedies on the U.S. public interest. The

products at issue were certain of respondents' mobile phones, tablets, servers and laptops. (Expert Reports; Deposition)

- Certain Skin Rejuvenation Resurfacing Devices, Components Thereof and Products Containing Same (337-TA-1262): In a patent infringement action at the ITC, retained by counsel for respondent to analyze issues related to economic prong of domestic industry requirement, secondary consideration of non-obviousness, and remedy/bond issues.

- Progressive Sterilization, LLC v. Turbett Surgical LLC (District of Delaware): Evaluated damages and counterclaim damages in a dispute where the claims were patent infringement, false advertising and deceptive trade practices claims and, counterclaims were unfair competition and tortious interference. The case was pending in the District of Delaware. The technology at issue involved a method for surgical sterilization.

- Certain Active Optical Cables and Products Containing Same (337-TA-1233): In a patent infringement action at the ITC, retained by counsel for complainant to assess its activities in the semiconductor industry, specifically as a developer of active optical cables, for the purpose of economic prong of domestic industry requirement. (Expert Report; Deposition)

- Actava TV, Inc., et al v. Joint Stock Company "Channel One Russia Worldwide," et al. (Southern District of New York): Evaluated damages in an action involving claims of unfair and deceptive business practices, breach of contract, and tortious interference. The plaintiff operated in the field of providing specialized video programming services in the U.S. (Expert Report; Deposition)

- Certain Capacitive Touch-Controlled Mobile Devices, Computers, and Components Thereof (337-TA-1193): In a patent infringement action at the ITC, retained by counsel for Complainant to assess the activities of its licensee for the purpose of economic prong of domestic industry requirement, where the licensee was in the business of developing, manufacturing and selling semiconductor products. Additionally, I was retained to analyze the impact of potential remedies on the U.S. public interest. The products at issue were certain of respondents' mobile phones, laptops and tablets.

REPRESENTATIVE LIST OF CONSULTING EXPERT ENGAGEMENTS

- Chilisin Electronic Corp. and Chilisin America, Ltd. v. Steptoe & Johnson LLP (Superior Court of California, Alameda County): Responded to damages claims put forth by plaintiff in a legal malpractice matter related to an underlying patent litigation case.

- Arbutus Biopharma Corp. and Genevant Sciences v. Moderna, Inc. and ModernaTX, Inc. (District of Delaware): Quantified damages in a patent infringement action involving nucleic acid lipid delivery technology and their use in mRNA-based vaccines

- C.R. Bard Inc. and Bard Peripheral Vascular Inc. v. Angiodynamics, Inc. (District of Delaware): Quantified damages in a patent infringement action involving ways of identification of implanted power-injectable access ports.

- Chevron and Texaco v. Ecuador (Permanent Court of Arbitration): In a multi-year dispute between the Republic of Ecuador and Chevron, evaluated economic, financial and market issues related to the value of certain lubricant trademarks owned by Chevron.

- TQ Delta LLC v. Comcast Cable Communications, TQ Delta LLC v. CoxCom LLC, TQ Delta LLC v. DirecTV, TQ Delta LLC v. Dish Network Corporation, TQ Delta LLC v. Time Warner Cable Inc., TQ Delta LLC v. Verizon Services Corp. (District of Delaware): Quantified damages in five parallel patent infringement actions where the technology related to phase scrambling technology used by the Multimedia over Coax Alliance that provides home data distribution and content sharing using coaxial cable.

- Certain Power Inverters and Converters, Vehicles Containing the Same, and Components Thereof (337-TA-1267): Evaluated the activities of complainant's licensee for the purpose of assessing the economic prong of domestic industry requirement, where the licensee was in the business of developing, manufacturing and selling semiconductor products. Additionally, I was retained to analyze the impact of potential remedies on the U.S. public interest. The products at issue were certain of respondents' electric and partially electric vehicles.

- Unified Patents Inc. v. RideApp, Inc. (IPR2019-00414): Evaluated commercial success of patented invention related to ridesharing technology in connection with a proceeding before the Patent Trial and Appeal Board.

- Bastille, LLC and Fraunhofer-Gesselschaft Zur Forderung De Angewandten Forschung E.V (WIPO 180621): Evaluated damages in a dispute involving breach of contract and fraudulent representation relating to low pressure die casting technology for copper or aluminum electrical coils.

- Infernal Technology and Terminal Reality Inc. v. Activision Blizzard, Inc. (Northern District of Texas, Dallas Division): Evaluated damages in a patent infringement action involving technology related to lighting and shadowing methods used in video games.

- Certain Touch-Controlled Mobile Devices, Computers, and Components Thereof (337-TA-1162): Evaluated the activities of complainant's licensee for the purpose of assessing the economic prong of domestic industry requirement, where the licensee was in the business of developing, manufacturing and selling semiconductor products.

- Vectura Limited v. GlaxoSmithKline LLC et al (District of Delaware): Evaluated damages in a patent infringement action where the invention claims a composite active material for use in a pharmaceutical composition, and methods for making them, allowing for efficient delivery of active pharmaceutical ingredients to the lungs.

- Caltech v. Apple and Broadcom (Central District of California) – Evaluated reasonable royalty base In a patent infringement action involving WiFi technology that allows for improvements in range, rate and reliability.

- Finite State Machine Labs, Inc. v. Spectracom Corporation, et al. (Western District of Texas, Austin Division): Evaluated damages and counterclaim damages from claims of fraudulent inducement, breach of contract, and unfair competition, where the parties were in the business of developing and selling time synchronization products and services.

- Samsung Electronics v. NVIDIA Corporation, et al. (Eastern District of Virginia, Richmond Division): Evaluated reasonable royalty damages in a patent infringement action involving technologies related to the manufacture and operation of semiconductors.

- Certain LTE- and 3G-Compliant Cellular Communications Devices (337-TA-1138): Evaluated the activities of complainant's licensee for the purpose of assessing the economic prong of domestic industry requirement, where the licensee was in the business of developing, and selling semiconductor products.

- Certain Mobile Electronic Devices and Radio Frequency and Processing Components Thereof (337-TA-1093): Assessed activities of complainant for the purpose of economic prong of domestic industry requirement. The complainant's relevant activities relate to research and development in semiconductor technology.

- Certain Mobile Electronic Devices and Radio Frequency and Processing Components Thereof (337-TA-1065): Assessed activities of complainant for the purpose of economic prong of domestic industry requirement. The complainant's relevant activities relate to research and development in semiconductor technology.

- Lanard Toys Limited v. Toys "R" Us et al. (Middle District of Florida): Evaluated damages in a patent infringement action where the invention was a design patent for a children's toy item.

- Certain Non-Volatile Memory Devices and Products Containing Same (337-TA-1046): Evaluated, in rebuttal, activities of complainant for the purpose of economic prong of domestic industry requirement, remedy issues, and the appropriate rate of a bond. The complainant's activities related to certain non-volatile memory products. Additionally, evaluated certain economic and financial issues raised by the Commission post-hearing, including the impact of potential remedies on U.S. public interest.

- Certain Dental Ceramics, Products Thereof, and Methods of Making the Same (337-TA-1050): Evaluated commercial success, as a secondary indicia of patent validity, the activities of complainant for the purpose of economic prong of domestic industry requirement, and the appropriate rate of a bond.

- Tyco Fire Products v. Victuaulic Company (United States Patent and Trademark office, Patent Trial and Appeal Board): In an IPR proceeding, evaluated commercial success of the patented invention which deal with building products used in fire protection systems.

- Acacia Research Group and Lifeport Sciences against Boston Scientific Corporation (Before the Tribunal, American Arbitration Association): Evaluated damages from claims of breach of contract where the parties are in the business of manufacturing and selling medical devices such as stent grafts.

- Certain Windscreen Wipers Components and Thereof (337-TA-964): Assessed activities of complainant for the purpose of economic prong of domestic industry requirement.

- Certain Recombinant Factor VIII Products (337-TA-956): Assessed the activities of complainant for the purpose of economic prong of domestic industry requirement, and analyzed economic issues related to issuance of cease & desist orders.

- Lifeport Sciences v. Endologix, Inc. (District of Delaware): Evaluated damages in a patent infringement action where the technology dealt with modular systems of bifurcated stent grafts used in the treatment of aneurysms.

- Certain Non-Volatile Memory Devices and Products Containing Same (337-TA-909): Evaluated the impact of potential remedies on U.S. public interest, and analyzed issues related to remedy, including related to cease & desist orders.

- Tech Pharmacy LLC v. Alixa, Rx LLC (Eastern District of Texas, Sherman Division): Evaluated damages in a trade secret infringement matter where the trade secrets related to confidential information to develop a pharmacy model using remote dispensing equipment.

- Alexsam Inc. v. Pier 1 Imports (Eastern District of Texas, Marshall Division): Evaluated damages in a patent infringement action where the technology dealt with gift cards.

- Maher Terminals, LLC v. Port Authority of New York and New Jersey (Federal Maritime Commission): Quantification of damages in a multi-year, multi-case dispute between a port authority and one its tenants pursuant to the Shipping Act. Responsibilities involved analysis of huge volume of data, complex financial analyses, assisting counsel through various briefs and pleadings, and assisting expert with report.

PUBLICATIONS, PRESENTATIONS AND PAPERS

Second Annual Mock Hearing Program (economic expert testimony) conducted by the International Trade Commission Trial Lawyers Association, on November 13, 2024.

“Best Practices For Working With IP Damages Experts Based on an Unprecedented Study of Case Outcomes, speaker in webinar organized by Mayer Brown, held on April 24, 2024.

“An Interactive Discussion on the Admissibility of IP Damages Experts in Complex Litigation,” speaker in webinar organized by BRG, held on February 29, 2024.

“A Detailed Study of Court Decisions on Admissibility of Intellectual Property Damages Experts,” Texas Intellectual Property Law Journal, with Cleve B. Tyler, 2023.

“How To Prepare A Superior Expert Report” at SEAK’s 30th anniversary Expert Witness Conference at Clearwater Beach, FL on May 7, 2023.

“Intellectual Property Expert Damages Admissibility,” in Assets and Finances: Calculating Intellectual Property Damages, 2024-2025 Edition, by Cleve Tyler and Gregory Smith, West Publishing, Thomson-Reuters. (Prior editions: 2023-2024, 2022-2023, 2021-2022, 2020-2021).

“Practical Applications of Accounting and Statistics to Help You Manage Your Legal Practice Better”, conducted by the DC Bar’s Practice Management Advisory Services: co-led webinar on September 18, 2020.

Patent Infringement Mock Trial (Damages Testimony) conducted by the Japanese Intellectual Property Association; Washington, DC on November 12, 2019.

“Intellectual Property Expert Damages Admissibility,” co-authored with Cleve Tyler, in Assets and Finances: Calculating Intellectual Property Damages, 2019-2020 Edition, by Kerr, William O. and Gregory Smith, West Publishing, Thomson-Reuters. (Prior editions: 2018, authors William O. Kerr and Gregory Smith; and 2017, authors Richard B. Troxel and William O. Kerr)

"Apportionment and the Entire Market Value Rule in Patent Damages: Trends, Methods and Best Practices in 2019", conducted by the Knowledge Group: co-led webinar on June 20, 2019.

Patent Infringement Mock Trial (Damages Testimony) conducted by the Japanese Intellectual Property Association; Washington, DC on November 3, 2017.

Gender Discrimination Mock Trial Damages Testimony in "Deposing the Expert Witness", conducted by National Institute for Trial Advocacy on July 23, 2016

Patent Infringement Mock Trial (Damages Testimony) conducted by the Japanese Intellectual Property Association; Washington, DC on November 6, 2015.

"A Closer Look at Google's New Patent Program", Law360, May 2015

"Inside The IEEE's Important Changes To Patent Policy", Law360, April 2015