

PROFESSIONAL CREDENTIALS

Chris Bakewell is a Managing Director in the Houston office. His experience includes business and asset valuation, corporate finance and accounting, and intellectual property matters.

Chris' client assignments have included the valuation and strategic management of technology-rich businesses and intellectual property, the valuation of IP assets in connection with business transactions, fairness opinions, solvency analyses, transaction-related advice and due diligence, as well as audits and investigations. Chris's background also includes assignments involving business disputes, litigation and related investigations.

Chris has deep experience in matters involving patent infringement, breach of contract, theft of trade secrets, diminution of business value, trademark and copyright infringement, as well as other matters. He has testified in litigation and arbitration settings.

Education MBA—Concentration: Finance, Graduate Fellow, Robert H. Smith School of Business, University of Maryland at College Park. Internship: US Securities & Exchange Commission.
B.S. *magna cum laude*—Business Management & Administration, Bradley University, Peoria, Illinois.

Professional Associations and Certification American Society of Appraisers
Licensing Executives Society (Certified Licensing Professional)
Association for Corporate Growth

Industry Experience Areas of industry experience include:

- automotive
- chemicals
- commercial real estate
- computer software
- computer hardware
- construction
- consumer products
- electric utilities
- e-commerce
- financial services
- forestry
- healthcare
- heavy industry
- homeland security
- industrial products
- marine
- manufacturing
- medical devices
- media
- oil & gas: equipment and services
- oil & gas: refining and marketing
- power generation
- professional services
- professional sports
- real estate
- retail
- semiconductors/LEDs
- pharmaceuticals
- retailing & wholesaling
- telecommunications

Examples of Business Experience **Intellectual Property Strategy, Valuation and Finance**

General experience includes assisting clients with business transactions, disputes and various matters related to intellectual property and finance. Specific experience includes evaluation of strategic and financial alternatives, assistance with contract negotiation, financing including due diligence, providing testimony on matters involving economic damages and financial reporting.

Practice focuses on the valuation and strategic management of intellectual property. In the course of providing financial and valuation analyses, have focused on issues related to discounted cash flow, evaluation of market and competitive dynamics, determination of capital structure, transaction and market multiples, control premiums/minority discounts, discounts for lack of liquidity, and other transferability considerations.

Examples of client assignments and experience include:

- *Royalty Rate Analyses and Studies.* Completed numerous in-depth royalty rate and licensing analyses to assist clients in the development of licensing programs, evaluation of terms in licensing and contract negotiations, determination of fair market value for asset transfers, as well as determination of investment value. Reviewed and analyzed the terms and conditions of hundreds of license agreements, as well as numerous other contracts. Evaluated royalty rates and other terms between multinational enterprises for tax and transfer pricing purposes.
- *Market Assessments.* Assisted clients in determination of new markets to be developed via licensing, evaluation of potential counterparties and structuring/negotiation of licensing arrangements, and ongoing business analysis. Assisted with the determination of the optimal structure for licensing of technology. Work has involved determination of licensing counterparties, structuring of the potential licensing arrangements, evaluation of royalty rates, evaluation of market opportunities, assessment of the economic implications of technical alternatives (e.g. design-arounds, design-outs, and non-infringing alternatives), identification and analysis of potential markets and market segments, ongoing analysis of “IP rich” investments, as well as IP analytics.
- *Valuations and Other Opinion-related Services.* Prepared fairness opinions; for example, in connection with a financial transaction involving medical device companies. Performed solvency analyses. Performed valuations of various businesses including minority and control blocks of closely-held businesses and marketability discounts. These valuations of businesses and assets include manufacturing, distribution, retail and services sectors. In addition, performed purchase price allocations for financial reporting purposes (SFAS 141 and SFAS 142). Performed valuations of IP assets, including patents, trademarks, copyrights and trade secrets.
- *Investigations and Royalty Audits.* Conducted royalty audits and other investigations related to contract compliance, including due diligence related to business transactions and fraud.
- *Business Leadership and Contract Negotiation Assistance.* Served as business unit financial leader for enterprises engaged in asset ownership, manufacturing, power generation, and construction. Structured, negotiated and evaluated investment opportunities including a natural gas storage facility, oil rigs and power generation projects throughout the world. Particular experience in Central America, the Caribbean basin, and South America. Participated in the negotiation of licenses, joint venture agreements, partnership agreements, buy-sell arrangements, asset transfer agreements and other contracts.

*Examples of Business
Experience
(continued)*

Damages Analysis and Other Matters Related to Business Disputes

Broad range of experience in business disputes in a variety of litigation settings, including state court, federal court, bankruptcy court, arbitration and mediation. Performed services, analyses and other activities in connection with dispute-related negotiations, both pre- and post-litigation. Retained as an expert in a number of intellectual property matters. As an expert, performed analyses of reasonable royalties, lost profits and other opinions regarding damages.

Determined and testified regarding economic damages in connection with alleged patent, trademark, and copyright infringement as well as regarding other forms of intellectual property (eg. trade secrets and know-how). Assignments have been in a wide range of industries, including: semiconductors, sports media, automotive, software, medical devices, pharmaceuticals, and oilfield services. Determined economic damages related to theft of trade secrets and proprietary information, diminution of business value, and diminution of business value related to alleged wrongful acts.

Specific experience in developing expert opinions regarding financial damages includes the following:

Computers and Technology

- *Semiconductors.* Determining economic damages in connection with claims of patent infringement, breach of contract (implications of most favored licensee clause), and other alleged wrongful acts (DRAM technology).
- *Software.* Determining economic damages relating to claims of patent infringement in a matter involving routing of cellular calls based on geographic location.
- *Semiconductors.* Engaged to determine economic damages in connection with patent infringement claims involving DRAM technology.
- *Software.* Determining economic damages in relation to claims of patent infringement involving methods of programming used for video used over the Internet and related development tools.
- *Semiconductors.* Engaged as consultant to assist with the damages issues involving a major semiconductor manufacturer and Wi Fi technologies.
- *Software.* Determined patent infringement damages in connection with alleged infringement of method claims for retail security related technology.
- *Semiconductors.* Determined reasonable royalty damages relating to light emitting diodes.
- *Semiconductors.* Determined and testified regarding economic damages, including lost profits, reasonable royalty and head-start measures, in connection with a complex breach of contract, fraud and theft claim.

***Examples of Business
Experience
(continued)***

- *Patented Software.* Analyzing economic damages relating to video playback software using the Internet.
- *Patented Software.* Determined reasonable royalty and lost profits damages in litigation related to patented methods for security and performance software.
- *Mobile Devices.* Determined reasonable royalty damages in a patent infringement matter involving mobile multimedia devices.
- *Microprocessors.* Provided consulting guidance to counsel and chip manufacturer regarding determination of reasonable royalty damages.
- *Semiconductors.* Determined economic damages in connection with alleged wrongful taking of memory-related semiconductor technology.
- *Microprocessor Instruction Patents.* Provided consulting guidance to counsel, chip manufacturer and computer retailer regarding determination of reasonable royalty damages and preparation of expert reports.
- *Computer Algorithms for Database Tools.* Provided financial and trial-related consulting support in matter involving patented methods for processing data.
- *Multimedia Broadcasting.* Performed reasonable royalty analysis concerning patented method for presenting game data and statistics over the internet.
- *Telecommunications.* Provided financial and economic analysis in a dispute involving alleged patent infringement of patents covering methods of wireless telephone call routing relative to location.
- *Telecommunications.* Determined economic damages and performed a variety of economic analyses in a dispute involving a RBOC and a start-up digital carrier.

Medical and Pharmaceuticals

- *Catheters.* Engaged to determine economic damages in connection with allegations of patent infringement.
- *Pacemaker and Defibrillator Technology.* Provided expert damages opinion in patent infringement matter.
- *Pharmaceuticals.* Determined reasonable royalty damages in connection with claims of patent infringement of drug therapy patents.
- *Neutraceuticals.* Quantified damages associated with inter-temporal values of blocks of shares, as well as analysis of solvency for the enterprise as a whole, in connection with highly leveraged transaction.
- *Medical Practice.* Analyzed damages stemming from insolvency of medical practice.
- *Heartbeat Sensor Technology (Homeland Security).* Performed analysis of damages in

***Examples of Business
Experience
(continued)***

connection with dispute concerning heartbeat detection technology used for, among other things, detecting human cargo.

- *Medical Devices.* Calculated reasonable royalty damages in matter involving prosthetics.
- *Medical-Other.* Calculated patent infringement damages in other matters involving pharmaceuticals.

Automotive, Manufacturing and Heavy Industry

- *Automotive Patents.* Engaged to determine a reasonable level of a post-trial, ongoing royalty rate.
- *Fluid Transportation.* Evaluating damages stemming from claims of fraud and breach of contract.
- *Copyrighted Engineering Drawings for Automotive Manufacturing.* Prepared damages analysis and provided expert testimony regarding alleged infringement of copyrighted drawings.
- *Valuation of Minority Shareholder Interest in Automotive Industry.* Conducted financial analysis on behalf of a minority shareholder for a potential additional investment of capital. Assignment led to litigation, where testimony was provided at deposition and trial.
- *Automotive Patents – Design.* Determined reasonable royalty damages in connection with alleged infringement of automotive field patents.
- *Automotive Patents – Hybrid Engine Technology.* Provided consulting assistance to determine size of market, damage estimation and associated negotiation/litigation strategies.
- *Civil Engineering Drawings.* Determined copyright infringement damages in matter involving engineering drawings.

Energy and Process Industry

- *Measurement Technology.* Performed purchase price allocation and analyzed financial treatment of the acquisition of a patent portfolio relating to measurement while drilling techniques.
- *Sampling Technology.* Submitted expert opinion regarding rebuttal of damages issues in patent infringement matter.
- *Oilfield Services Technology.* Determined damages in connection with alleged breach of contract related to drilling technology.
- *Tubular Technology.* Determined economic damages in connection with dispute regarding value of joint venture and associated contracts, market opportunities and

***Examples of Business
Experience
(continued)***

customer relationships.

- *Casing Technology.* Determined reasonable royalty damages in matter involving patents for method of stringing casing.
- *Power Plant Construction.* Determined damages and submitted expert testimony associated with alleged breach of a contract to construct a base load power plant.
- *Power Generation.* Determined economic damages using a market forecasting tool, together with statistical and real-options based valuation methodology. This assignment also involved determining lost profits using additional financial analysis.
- *Power Generation.* Determined damages and provided testimony associated with breach of contract claim.
- *Chemicals.* Analyzed a complex series of transactions to determine alter ego and corporate veil claims of a major multinational company in CERCLA/Superfund litigation.

Retail and Other

- *Beverages.* Provided expert opinion and testimony related to Lanham Act/copyright infringement claims involving a well-known brand name. Analyzed the economic impact of alleged consumer confusion.
- *Professional Practice.* Valued a 50% interest in a professional services practice in connection with a disputed buyout.
- *Retail Foods.* Provided expert opinion regarding damages associated with unfair competition and theft of proprietary information.
- *Retail Foods.* Determined reasonable royalty damages in matter involving method for preparation and presentation of meat products.
- *Writing Instruments.* Provided consulting assistance including research and financial analysis for mediation and license negotiation purposes.
- *Sports/Broadcasting.* Determined economic damages in connection with breach of contract claims involving broadcasting of professional sporting teams.
- *Professional Sport Trademark.* Determined trademark infringement damages in a matter involving professional sports franchises.
- *Bankruptcy.* Performed valuations, transaction analyses, and solvency analyses for debtors and creditors committees.
- *Transaction/Bankruptcy.* Performed valuation of company and assets in connection with recapitalization.
- *Bankruptcy.* Performed numerous valuations and valuation-related services, including pre- and post- filing assessments of value and proposed recapitalizations for debtors-in-

**Examples of Business
Experience
(continued)**

possession, creditors' committees and trustees/receivers.

- *Other.* Determined economic damages and performed services in connection with valuation and financial-related disputes, including other matters involving the above industries, as well as other industries ranging from timber to telecommunications.

**Subject Area
Expertise**

Experience performing analyses and preparing expert reports in subject areas including, but not limited to, the following:

- Assessment of market opportunities
- Business strategy
- Breach of contract
- Commercial and economic damage determination and projection
- Copyright infringement
- Diminution in value
- Due diligence
- Fairness opinions
- Financial investigations
- Intellectual property, including patents, copyrights, trade marks and trade secrets
- Lanham Act / trademark infringement / passing off
- Lost Profits
- Patent infringement
- Risk assessments
- Royalty audits
- Solvency analyses
- Strategic assessments
- Shareholder disputes
- Theft of trade secrets and proprietary information
- Valuation and finance

**Speeches,
Presentations and
Publications**

"Negotiation of Patent License Agreements," Kroll *Global Fraud Report*, January 2008

"SFAS 157: An Overview of Fair Value and Valuation Standards for Intangibles," *Business Valuation Review: The Quarterly Journal of the Business Valuation Committee of the American Society of Appraisers*, Volume 26 No. 4, Winter 2007, with Bryan Benoit

"An Overview of Patent Reform and Recent Cases: Promoting Innovation?" Continuing Education Program for Attorneys, *Houston Bar Association*, Corporate Counsel Section, December 13, 2007, with Don Jackson and Alex Nolte

"Selecting an Expert and Getting the Most From Your Relationship," Continuing Education Program for Attorneys, *Association of Corporate Counsel*, October 18, 2007, with Stan Perry

"SFAS 157: A Step Forward for the Valuation Community," *les Nouvelles*, July 2007, with Bryan Benoit

***Speeches,
Presentations and
Publications
(continued)***

Journal Referee (editorial review board), *World Patent Information--The International Journal for Industrial Property Documentation, Information, Classification and Statistics*, an Elsevier Journal, Spring 2007

“Working with Your Damages Expert Throughout the Litigation Life Cycle,” *Houston Bar Association*, March 22, 2007

Baylor University, BEST Honors Business Program, presentation/lecture on the economics of intellectual property to capstone business class, Fall 2006; have also lectured and/or participated in classroom lectures at the University of Maryland (Smith School of Business) and the University of Houston (Blakely Advocacy Institute).

Planning committee, *2005 Advanced Patent Law Institute*, Austin, TX

Article regarding innovation in the oil sector, *Oil and Gas Financial Journal*, June 2005

Program advisory committee, *Electric Power 2005*, Chicago, IL

Co-chair, “Economics of Power Applications,” *Electric Power 2003*, Houston, TX, March 2003

“Comparison of US and European Energy Markets,” *PowerGen Europe*, Milan, Italy, June 2002