

# CAMPOS & STRATIS, LLC

INTELLECTUAL PROPERTY LITIGATION CONSULTANTS





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## WHY CAMPOS & STRATIS ...

**Campos & Stratis**, founded in 1969, is a leader in forensic accounting and economics. We assist our clients with intellectual property litigation from discovery to expert testimony.

Our experts hold advanced degrees and credentials in accounting, business management and economics. They have extensive experience in commercial litigation including economic analysis, lost profit calculation, and determination of reasonable royalties. Our experts understand the legal aspects of intellectual property litigation.

Our background, knowledge, and experience of the litigation process can provide the trier of fact with a clear understanding of complex events and concepts.



We have the **expertise** to establish the impact of:

**Breach of contract disputes**  
**Copyright infringement**  
**Patent infringement**  
**Product defamation**  
**Royalty disputes**  
**Trade dress infringement**  
**Trade secret misappropriation**  
**Trademark infringement**

**Our experts provide:**

**Economic damage calculations**  
**Lost profit calculations**  
**Discovery assistance**  
**Intellectual property valuation**  
**Deposition, arbitration, and trial testimony**  
**Interrogatory questions**  
**Reasonable royalty analyses**  
**Rule 26 reports**



## [ INDUSTRY EXPERIENCE ]

### **Advertising**

- Trademark
- Copyright
- Advertising injury
- False advertising

### **Aerospace**

- Replacement parts
- Flight simulation
- Composites

### **Agribusiness**

### **Airline & Transportation**

### **Apparel & Footwear**

- Designer clothes and purses
- Specialty items

### **Auto & Auto Parts**

### **Banking & Financial Services**

- Securities
- Electronic imaging & archiving
- Tax preparation

### **Broadcasting**

- Synchronization licenses
- Mechanical licenses
- Sound recording
- Music downloads

### **Computer**

- Hardware & software
- Storage & peripherals

### **Construction**

- Commercial building
- Regulatory taking
- Land development
- Home building

### **Electric Utilities**

- Long-term coal contracts
- Public service commission

### **Entertainment**

- CD jacket art
- Party favors & novelty toys
- Video games
- Lottery & gambling
- Heavyweight boxing

### **Environment & Waste Management**

- Exxon Valdez oil spill
- Ground water contamination
- Landfill development
- Solid waste removal
- Steel recycling

### **Food & Beverages**

- Food processing

### **Franchising**



## **Healthcare & Medical Devices**

Managed care facilities  
Product & supplies  
Eye surgery  
Intra-uterine pressure catheters  
Plastic surgery appliances

## **Household Durables**

Furniture  
Lawn & garden

## **Importing**

## **Insurance**

Property/casualty  
Employment  
Business interruption  
Inventory reconstruction  
Reinsurance

## **Manufacturing**

Heavy equipment and trucks  
Industrial machinery  
Instrumentation  
Packaging

## **Marine and Seafood**

Loss of vessels  
Fin fish & crab  
Fish processing

## **Metal and Mining**

Gold mining  
Coal mining

## **Multilevel Marketing**

## **Oil & Gas**

Equipment  
Pipeline repair  
Expandable sand screens

## **Paper & Forest Products**

## **Pharmaceuticals & Biotechnology**

Skin care products  
Psoriasis treatment  
Contract research organizations  
Cox-3 inhibitors  
Blood fractionation

## **Publishing**

## **Real Estate**

Regulatory taking  
Construction disputes

## **Retailing**

Packaging & distribution

## **Restaurants**

## **Sporting Goods**

Hiking boots & tennis shoes  
Rollerblades, scooters, skateboards  
Exercise equipment



## [ PATENTS ]

*Upon finding for the claimant the court shall award the claimant damages adequate to compensate for the infringement, but in no event less than a reasonable royalty for the use of the invention by the infringer, together with interest and costs as fixed by the court.*

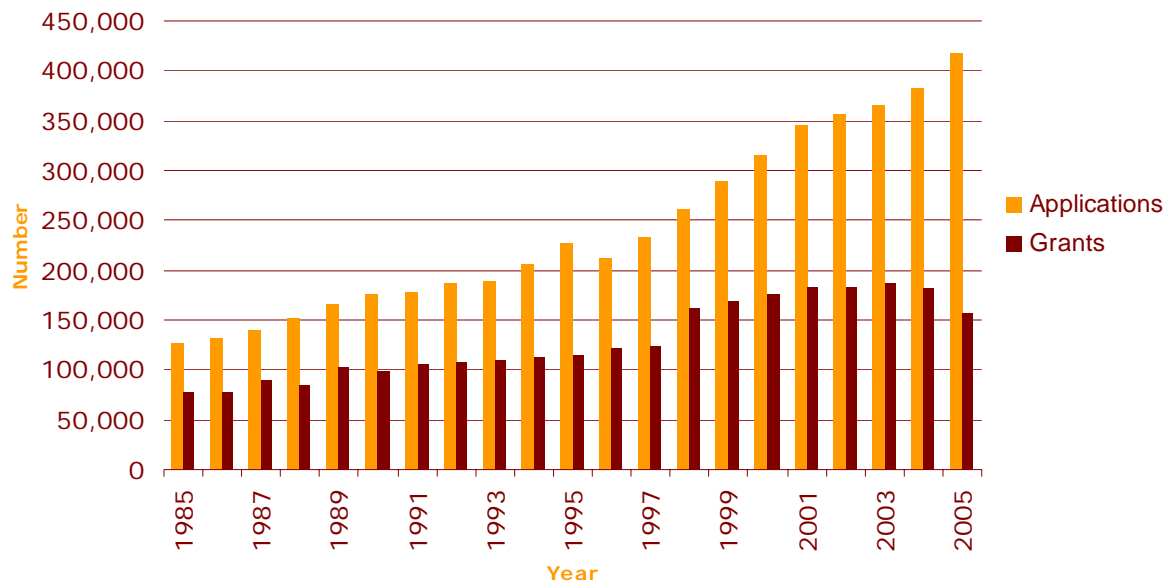
*Title 35, Section 284 of the United States Code*

*"The patent system added the fuel of interest to the fire of genius."*

*Abraham Lincoln*



## NEW PATENT APPLICATIONS AND GRANTS



Source: U.S. Patent Statistics Report 2005



## CAMPOS & STRATIS' REPRESENTATIVE PATENT CASES

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### ***Andrx Pharmaceuticals, LLC v. GlaxoSmithKline, PLC***

The law firm of **Isicoff Ragatz & Koenigsberg** (Miami) retained Campos & Stratis, on behalf of the plaintiff, to provide an opinion of damages arising from the alleged infringement of U.S. patent 6,905,708 titled, *Controlled Release Oral Dosage Form*. Campos & Stratis provided lost profit and reasonable royalty damage analyses, submitted a Rule 26 expert report, and gave deposition testimony. The case settled favorably for Andrx.

### ***Baden Sports, Inc. v. Molten Corporation***

The law firm of **Vantage Law, PLLC**, (Seattle) retained Campos & Stratis, on behalf of the plaintiff, to provide an opinion of damages arising from the alleged infringement of U.S. patent 5,636,835 titled, *Inflatable Ball*, and unfair competition. Campos & Stratis provided lost profit and reasonable royalty damage analyses, and submitted a Rule 26 expert report.

### ***Clock Springs, Inc. v. WrapMaster, Inc.***

The law firm of **Reed Smith** (Philadelphia) retained Campos & Stratis, on behalf of the plaintiff, to provide an opinion of damages arising from the alleged infringement of U.S. patent 6,336,983 titled, *Method of and Apparatus for Reinforcing Pipe*. The invention involved a high tensile composite coil used to repair pressurized pipelines. Campos & Stratis provided lost profit and reasonable royalty damage analyses in a Rule 26 expert report. The case settled favorably for Clock Springs.

### ***Clinical Innovations, Inc. v. Tyco Healthcare Group, LP***

The law firm of **Parsons Behle & Latimer, PC**, (Salt Lake City) retained Campos & Stratis, on behalf of the plaintiff, to provide an opinion of damages arising from the alleged infringement of U.S. patent number 6,231,524 titled, *Pressure Catheter Device with Enhanced Fluid Monitoring Features*. Campos & Stratis provided lost profit and reasonable royalty damage analyses, and submitted a Rule 26 expert report.

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### ***Data Treasury Corporation v. Ingenico, Inc.***

The law firm of **Nixon & Vanderhye, PC**, (Washington D.C.) retained Campos & Stratis, on behalf of the defendant, to provide an opinion of damages arising from the alleged infringement of U.S. patents 5,910,988 and 6,032,137 both titled, *Remote Image Capture with Centralized Processing and Storage*. Campos & Stratis provided lost profit and reasonable royalty damage analyses, submitted a Rule 26 expert report, and gave deposition testimony. The case settled favorably for Ingenico before trial.

### ***Electromotive, Inc. v. Brunswick Corporation***

The law firm of **Nixon & Vanderhye, PC**, (Washington D.C.) retained Campos & Stratis, on behalf of the plaintiff, to provide an opinion of damages arising from the alleged infringement of U.S. patent Re. 34,183 titled, *Ignition Control System for Internal Combustion Engines with Simplified Crankshaft Sensing and Improved Coil Charging*. Campos & Stratis provided lost profit and reasonable royalty damage analyses, and submitted a Rule 26 expert report.

### ***Ebberts v. Chem-Dry, Inc.***

The law firm of **Kirton & McConkie, PC**, (Salt Lake City) retained Campos & Stratis, on behalf of the plaintiff, to provide an opinion of damages arising from the alleged infringement of U.S. patent 6,126,697 titled, *Multiple Carbonate Cleaning Compound*, and U.S. patent 6,554,207 titled, *Application Apparatus for Multiple Solution Cleaner*. Campos & Stratis provided a Rule 26 expert report and deposition testimony. The case settled before trial.

### ***K2 Sports v. Rollerblade, Inc.***

The law firm of **Black Lowe & Graham, PLLC**, (Seattle) retained Campos & Stratis, on behalf of the plaintiff, to provide an opinion of damages arising from the alleged infringement of U.S. patents 5,848,796 and 6,139,030 both titled, *In-Line Roller Skate*. Campos & Stratis provided lost profit and reasonable royalty damage analyses, and submitted a Rule 26 expert report. The case settled with cross licensing.



## [ COPYRIGHTS ]

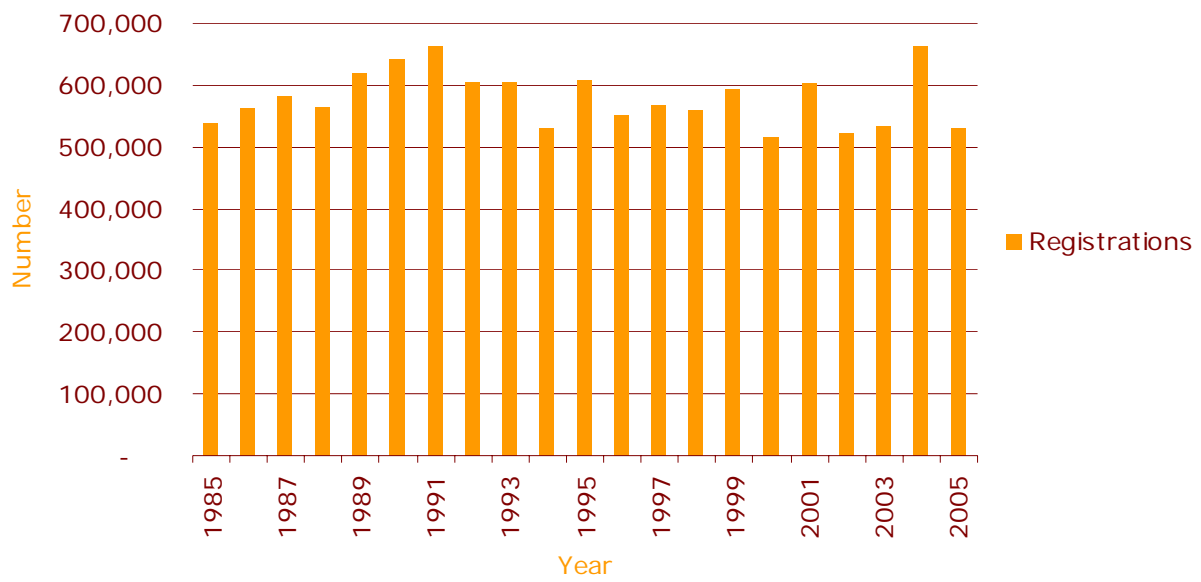
*The copyright owner is entitled to recover the actual damages suffered by him or her as a result of the infringement, and any profits of the infringer that are attributable to the infringement and are not taken into account in computing the actual damages. In establishing the infringer's profits, the copyright owner is required to present proof only of the infringer's gross revenue, and the infringer is required to prove his or her deductible expenses and the elements of profit attributable to factors other than the copyrighted work.*

Copyright Act, Section 504

*"Only one thing is impossible for God: To find any sense in any copyright law on the planet."*

Mark Twain

## COPYRIGHTS REGISTERED IN THE U.S.



Source: U.S. Copyright Office, Annual Report of the Register of Copyrights 2005



## CAMPOS & STRATIS' REPRESENTATIVE COPYRIGHT CASES

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### ***David Silva v. Paul Frank Industries***

The law firm of **Smith Chapman Campbell, PLC**, (Los Angeles) retained Campos & Stratis, on behalf of the plaintiff, to provide an opinion of copyright damages arising from the defendant's alleged infringement of the *Julius the Monkey* trademark. Campos & Stratis submitted a Rule 26 expert report. The case settled.

### ***Marilyn Manson v. Universal Music***

The law firm of **Ropers Majeski Kohn & Bentley, PC**, (Los Angeles) retained Campos & Stratis, on behalf of the plaintiff, to provide an accounting of copyright, trademark, and other damages. The plaintiff alleged that the defendant's release of a music album, which included music and video of early performances of Marilyn Manson, affected sales of Marilyn Manson's music, book, and art. Campos & Stratis evaluated the impact of the album's release on the plaintiff's sales, calculated statutory damages, and submitted a Rule 26 expert report. The case settled.

### ***Import Resources Group, Inc. v. Wal-Mart & Target***

The law firm of **Sedgwick Detert Moran & Arnold, LLP**, (Los Angeles), retained Campos & Stratis, on behalf of the plaintiff, to calculate damages arising from the alleged infringement of copyrights owned by IRG. Campos & Stratis quantified damages arising from copyright infringement, the impact of demand letters and the seizure of merchandise by U.S. Custom agents. Campos & Stratis assisted with discovery and submitted a Rule 26 expert report that included analyses of the alleged infringing revenues and deductible costs. In addition, Campos & Stratis provided deposition testimony. The case settled favorably for IRG before trial.

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***Brian Murray v. Tony Hawk, Mattel, and Activision***

The law firm of **Ropers Majeski Kohn & Bentley, PC**, (Los Angeles) retained Campos & Stratis, on behalf of the defendants, to review and comment on copyright damages. The plaintiff alleged that Tony Hawk licensed images to Mattel, Activision and X-Concepts without authorization. Campos & Stratis calculated alleged infringing unit and dollar sales and incremental costs. The case settled favorably for Tony Hawk.

***Steiner v. ABC, Inc. and Worldvision, Inc.***

The law firm of **Wilson Elser Moskowitz Edelman & Dicker** (Los Angeles) retained Campos & Stratis, on behalf of the defendant, to calculate damages and lost royalties due to alleged copyright infringement from the defendants' use of popular music on its daytime soap operas *General Hospital*, *One Life to Live* and *All My Children*. Campos & Stratis provided economic damage analyses and submitted a Rule 26 expert report. The case settled before trial.

***Student Lifeline, Inc. v. The New York State Senate***

The **Law Office of John A. Dalley** (New York City) retained Campos & Stratis, on behalf of the plaintiff, to provide an opinion of damages arising from the alleged copyright and trade dress infringement, and false designation of child ID kits. Campos & Stratis submitted a Rule 26 expert report.

***Walker Zanger v. Paragon Industries***

The law firm of **Reed Smith** (San Francisco) retained Campos & Stratis, on behalf of the plaintiff, to calculate damages arising from the alleged infringement of copyrighted ceramic tiles. Campos & Stratis submitted a Rule 26 expert report and provided deposition testimony.



## [ TRADEMARKS ]

*In assessing profits the [trademark owner] shall be required to prove defendant's sales only; defendant must prove all elements of cost or deduction claimed. In assessing damages the court may enter judgment, according to the circumstances of the case, for any sum above the amount found as actual damages, not exceeding three times such amount.*

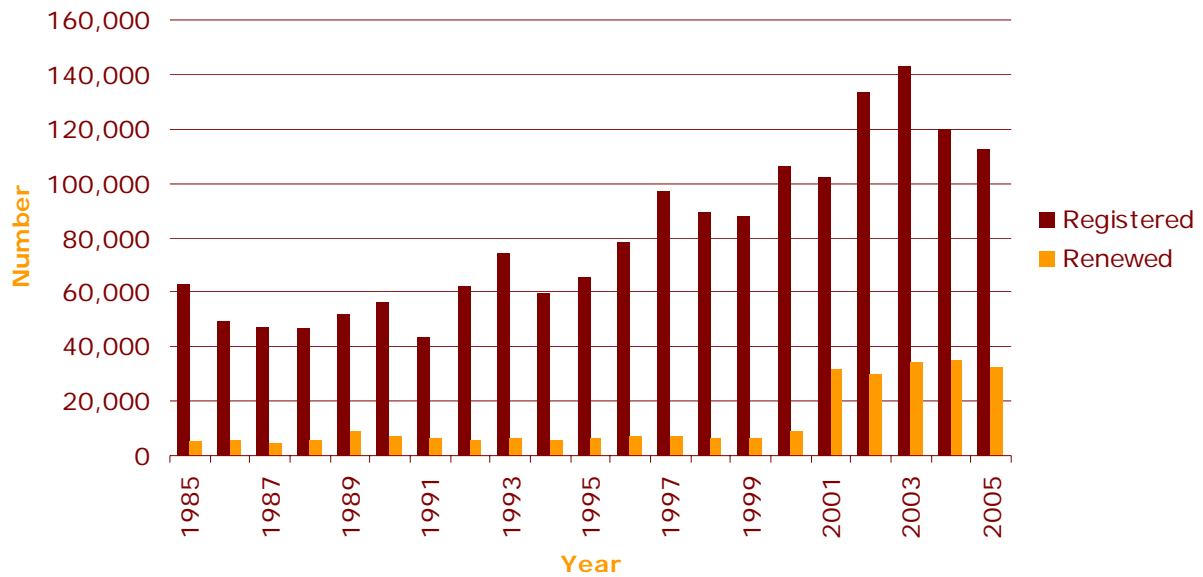
*TITLE 15, SECTION 1117 (LANHAM ACT)*

*"A great trademark is appropriate, dynamic, distinctive, memorable and unique "*

*Primo Angeli*



## TRADEMARKS REGISTERED AND RENEWED



Source: U.S. Patent and Trademark Office, Performance and Accountability Report Fiscal Year 2005



## CAMPOS & STRATIS' REPRESENTATIVE TRADEMARK CASES

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### ***Bell Helicopter v. IAC, Ltd.***

The law firm of **Rohde & Van Kampen, PLLC**, (Seattle) retained Campos & Stratis, on behalf of the plaintiff, to provide an opinion of damages resulting from the alleged infringement of trademarks. The defendants allegedly refurbished and sold trademarked helicopter parts. Campos & Stratis assisted with discovery, quantified Lanham Act damages and submitted a Rule 26 expert report.

### ***Blue Rhino Corporation v. White Rose Propane, LLC***

The law firm of **Snell & Wilmer, LLP**, (Salt Lake City) retained Campos & Stratis, on behalf of the defendant, to provide an opinion on alleged trademark infringement. Campos & Stratis provided an accounting of lost profits, fees and reimbursements and issued a Rule 26 expert report. The case settled before trial.

### ***H&R Block v. Intuit, Inc.***

The law firm of **Berkowitz Oliver Williams Shaw & Eisenbrandt, LLP**, (Kansas City) retained Campos & Stratis, on behalf of the plaintiff, to provide an opinion of damages arising from alleged false advertising, unfair competition, and trademark infringement. The defendant ran advertising spots that allegedly misrepresented characteristics and qualities of H&R Block. Campos & Stratis provided economic damage analyses and submitted a Rule 26 expert report. The case settled favorably for H&R Block.



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***Laser Eye Center v. Laser Eye Center***

The law firm of **Cooper Kardaras & Kelleher, LLP**, (Pasadena) retained Campos & Stratis, on behalf of the defendant, to provide an opinion of trademark infringement damages arising from the use of the trademark "Laser Eye Center" in the Bay Area. Campos & Stratis assisted with discovery and provided a Rule 26 expert report that included an analysis of allegedly infringing revenues, apportionment and deductible costs. The case settled before trial.

***Hyper Scooter v. Kroger Company and Fred Meyer, Inc.***

The law firm of **Lannon & Associates** (Los Angeles) retained Campos & Stratis, on behalf of the defendants, to calculate damages arising from the alleged infringement of the "Hyper" trademark. Campos & Stratis calculated a reasonable royalty for the use of the trademark, provided economic damage analyses, and submitted a Rule 26 expert report. The case settled favorably for the defendants at mediation.

***Smile, Inc. v. BriteSmile, Inc.***

The law firm of **Kirton & McConkie, PC**, (Salt Lake City) retained Campos & Stratis, on behalf of the plaintiff, to provide a valuation of the "BriteSmile" trademark and its derivations. Campos & Stratis provided a Rule 26 expert report, a supplemental report, and deposition testimony.



## [ OTHER INTELLECTUAL PROPERTY ]

TRADE SECRETS  
ROYALTY DISPUTES  
BREACH OF CONTRACT

*"Litigation is the basic legal right that guarantees every corporation its decade in court."*

*David Porter*



## CAMPOS & STRATIS' OTHER REPRESENTATIVE IP CASES

### ***Argus Fire and Casualty v. American Superior Ins. Co.***

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**TRADE SECRETS:** The law firms of **Greenberg Traurig, LLP**, (Miami) and **Wilson Elser Moskowitz Edelman & Dicker** (Miami) retained Campos & Stratis, on behalf of the defendant, to provide rebuttal testimony regarding the alleged misappropriation of trade secrets. The trade secrets involved insurance policies, claims adjusting rules, and policy selection criteria. Campos & Stratis submitted a Rule 26 expert report and provided deposition testimony.

### ***Memry Corporation v. Kentucky Oil Technologies***

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**TRADE SECRETS:** The law firm of **Cantor Colburn, LLP**, (Connecticut) retained Campos & Stratis, on behalf of the plaintiff, to provide rebuttal testimony regarding the alleged misappropriation of trade secrets. The trade secrets allegedly gave Memry the ability to design and develop technology used in oil well sand-screen applications. Campos & Stratis provided a Rule 26 expert report and gave deposition testimony.

### ***MGA Entertainment v. Ubisoft Entertainment, SA***

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**ROYALTY DISPUTE:** The law firm of **Greenberg Glusker, LLP**, (Los Angeles) retained Campos & Stratis, on behalf of the defendant, to provide an opinion of damages arising from the alleged breach of a license agreement. The defendant was to create and market a video game based on the popular Bratz dolls. Campos & Stratis calculated Ubisoft's lost profit damages in the North American and European markets and submitted a Rule 26 expert report. In addition, Campos & Stratis provided deposition testimony and testified at arbitration.

### ***Andrx Therapeutics, Inc. v. Mallinckrodt, Inc.***

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**BREACH OF CONTRACT:** The law firm of **Berger Singerman, LLP**, (Ft. Lauderdale) retained Campos & Stratis, on behalf of the plaintiff, to evaluate economic damages arising from the alleged breach of contract involving generic and branded sales of the pain-relief medication hydrocodone bitartrate with acetaminophen. Campos & Stratis submitted a Rule 26 expert report and provided deposition testimony.



## [ REPRESENTATIVE CLIENTS ]

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### Corporations

**American Broadcasting Corporation**

**Andrx Corporation**

**Baden Sports**

**Bear Creek Country Kitchen**

**Bell Helicopter**

**BowFlex**

**Electromotive**

**Exide Battery**

**H&R Block**

**Ingenico**

**K2 Sports**

**Kroger Food Stores**

**Medicis Pharmaceuticals**

**Memry Corporation**

**MSI Music**

**NPS Pharmaceuticals**

**Rid-Gid Products**

**Silicon Graphics**

**Target**

**Tony Hawk Skate Boards**

**TouchTunes Music**

**Ubisoft Entertainment**

**Walker Zanger**



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## Law Firms

<b>Arent Fox</b>	<b>Kirton &amp; McConkie</b>
<b>Baker &amp; Daniels</b>	<b>Klarquist Sparkman</b>
<b>Bartlit Beck Herman Palenchar &amp; Scott</b>	<b>Lane Powell</b>
<b>Berkowitz Oliver Williams Shaw &amp; Eisenbrandt</b>	<b>Lannon &amp; Associates</b>
<b>Black Lowe &amp; Graham</b>	<b>Leydig Voit &amp; Mayer</b>
<b>Bullivant Houser &amp; Bailey</b>	<b>Nixon &amp; Vanderhye</b>
<b>Cades Schutte</b>	<b>Parry Anderson &amp; Gardner</b>
<b>Cantor Colburn</b>	<b>Parsons Behle &amp; Latimer</b>
<b>Christensen O'Connor Johnson Kindness</b>	<b>Preston Gates Ellis</b>
<b>Cozen O'Connor</b>	<b>Reed Smith</b>
<b>Davis Wright Tremaine</b>	<b>Rhode &amp; Van Kampen</b>
<b>Dorsey &amp; Whitney</b>	<b>Ropers Majeski Kohn &amp; Bentley</b>
<b>Foley &amp; Lardner</b>	<b>Sedgwick Detert Moran &amp; Arnold</b>
<b>Fox Rothschild</b>	<b>SEED IP Law Group</b>
<b>Greenberg Glusker</b>	<b>Snell &amp; Wilmer</b>
<b>Greenberg Traurig</b>	<b>Squires Sanders</b>
<b>Heller Ehrman</b>	<b>Stoel Rives</b>
<b>Howrey</b>	<b>Susman Godfrey</b>
<b>Intellectual Property Law Group</b>	<b>TraskBritt</b>
<b>Isicoff Ragtaz &amp; Koenigsberg</b>	<b>Wallace Bauman Legon</b>
<b>Jones Waldo</b>	<b>Wang Hartmann &amp; Gibbs</b>
<b>Katten Muchin Rosenman</b>	<b>Williams Kastner &amp; Gibbs</b>
	<b>Wilson Elser Moskowitz Edelman &amp; Dicker</b>

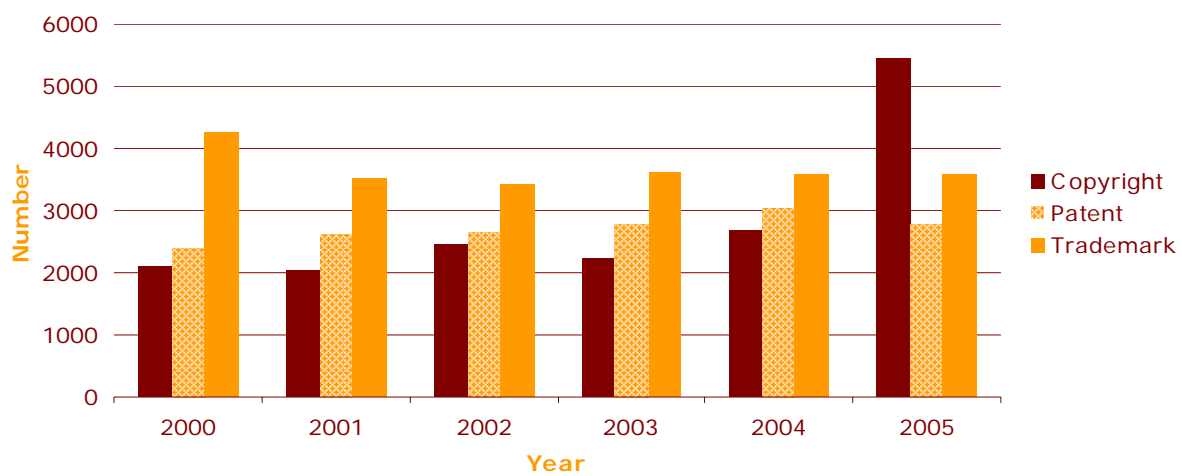


*“Intellectual property is one of the most exciting areas: [it’s] the basis for the knowledge based economy; it’s the future, not just for the United States, but for all nations.”*

*Jon Dudas,  
Director of the U.S. Patent and Trademark Office, 2007*



## NEW INTELLECTUAL PROPERTY CASES



During the 12-month period ending June 30, 2005, copyright cases showed the largest growth at **104.5%** and accounted for the increase in new cases. New patent infringement cases fell by about 8.5% while new trademark infringements remained relatively stable. **Copyright infringement cases** are currently the largest group of new intellectual property suits.

*Source: Statistical Tables for the Federal Judiciary*

**[ FOR MORE INFORMATION ]**

**Contact us**

**877.328.9888**

**Visit us on the web**

**[www.CamposIP.com](http://www.CamposIP.com)**





**AN INTELLIGENT EVALUATION OF THE FACTS**

**WWW.CAMPOSI**P**.COM**