

**LYNNE J. WEBER,
PH.D.**

*Managing Director,
Kroll, LLC
Strategic Value Advisory*



Silicon Valley Office
111 W. Evelyn Ave., Suite 203
Sunnyvale, CA 94086
(650) 798-5565
lynne.weber@kroll.com

EDUCATION AND CREDENTIALS

- Ph.D. in Operations Research from Stanford University
- M.S. in Statistics from Stanford University
- B.A. in Math from Cornell

PROFESSIONAL AND BUSINESS EXPERIENCE

Managing Director, Kroll / Duff & Phelps (2005 – present)

Managing Director, Standard & Poor's (2001 – 2005)

Principal, PricewaterhouseCoopers LLP (1998 – 2001)

Principal, Applied Decision Analysis, Inc. (1985 – 1998)

Dr. Weber has 40+ years of consulting experience, with expertise in market analysis, market research, statistics, data analytics, econometrics, forecasting, contingency valuation, risk assessment. She serves as an expert on surveys, statistics, econometrics, data & market analyses, pricing, “but for” projections.

Examples of engagement experience

- **Strategic Value Advisory.** Has led more than 200 engagements involving analysis of marketing, market entry, pricing, product development, product design, product line, distribution channel, bundling, partnering, competition, segmentation, advertising, warranty policy, customer satisfaction and/or business strategies, often via development of models to forecast customer response to, market share, and/or revenues of, new and existing offerings and technologies under “What if...” scenarios.
- **Market Research.** Has led more than 250 market research studies, using phone, online, mail, email, focus group and personal interviewing methods, conducted in US, Canada, Europe, Asia, with consumers, B2B customers, and channels. Has conducted surveys to measure demand for products & features, price sensitivity, inertia, brand awareness, brand value, feature value, feature and consumable usage, satisfaction, attitudes, behaviors, response to messaging, and perceptions. Has moderated hundreds of focus groups. Has conducted and rebutted litigation-related surveys and opined regarding the use of ordinary-course-of-business surveys for litigation.
- **Statistical Analysis.** Has led statistical sampling/analysis and data analytics engagements for a wide variety of business purposes. Has developed methodology to project the following from samples and/or datasets: demand, usage, defect rates, product failure rates, warranty expenses, foreign exchange rates, commodity prices, manufacturing capacity, supply, response to copyright infringement notices, cross-border smuggling, telemarketing success, collections, unclaimed property, R&D tax credits and the receipt of a going concern audit opinion.
- **Complex Commercial Litigation.** Has served as an expert on patent, contract, false ad, trademark, copyright, trade secret, anti-trust, construction defect, and product liability disputes re: market analyses; statistics; sampling; data analytics; lost sales projections; econometrics; pricing; and surveys to measure customer choice, willingness-to-pay, switching propensity, impact of messaging, secondary meaning, confusion, materiality, usage, market size, importance of product features and brand, and case-specific topics.

LYNNE J. WEBER, PH.D. Examples of engagement experience *(continued)*

- **Econometric Modeling.** Has used government, client and third party databases, leveraging data such as historical financials, employment, consumer sentiment, exports, imports, consumer spend and/or industry-specific revenues, unit sales, prices, production, distribution, tax payments, web searches, and/or analyst or economist forecasts of these variables, to forecast (or estimate in a “but for” world) sales, prices, production, market share, losses, and other financials. Has projected the impact of price and feature changes on demand, estimated the impact of alleged collusive behavior on price, and developed econometric models in more than a dozen industries.
- **Strategic Planning.** Has assisted clients with strategy valuation/selection and with implementation of best practice planning processes. Has led workshops to identify creative strategic alternatives for business growth, acquisition, divestiture, market entry, big M marketing strategy, and/or operational strategy.
- **Commercial Due Diligence.** Has assessed the achievability of projected M&A results, and the impact of deal terms, in light of market research, historical performance, comparables, competitive positioning, target markets, value proposition, partnering, market trends, and key uncertainties. Has assessed the reasonability of projected prices for key supply inputs to manufacturing processes.
- **Business and IP Valuation.** Has developed financial projections and expected cash flows for young businesses, evolving markets, R&D investments and patent portfolios, to support M&A and business or tax valuations. Has served on more than two dozen fairness opinion committees, with a focus on evaluating business strategy and reviewing (and in some cases developing more reliable inputs for) financial projections.
- **Valuation of Contingent Assets & Liabilities.** Has valued more than 200 contingent consideration arrangements (commonly found in M&A deals related to young/growth companies, pre-launch products, and services companies), as well as contingencies such as guarantees, warranties, loss sharing arrangements, and indemnifications.
- **Operations Value Advisory.** Has helped clients determine profitability by product line and allocate resources to improve manufacturing, telemarketing, prospect targeting, and service/support operations.

SELECTED PUBLICATIONS AND PRESENTATIONS (2015 to today)

- “Valuation of Cryptoassets: The New Frontier,” ASA/USC Fair Value Conference, June 2019 and Duff & Phelps IP Value Summit, October 2019.
- VFR Valuation Advisory #4 “*Valuation of Contingent Consideration*” (co-author), The Appraisal Foundation, February 2019.
- “Cryptocurrency: Current Issues and Trends” (panelist), Duff & Phelps IP Value Summit, November 2018.
- “Hot Topics in the Valuation of Contingent Consideration” (with G. Raichart), American Society of Appraisers (ASA) Joint Advanced Business Valuation and International Appraisers Conference, October 2018.
- “Hot Topics in Patent Licensing & Litigation” (panel moderator), LES MCLE, March 2018.
- “The Art and Science of IP Valuation” (with J. Lewis, et al.), LES Annual Spring Meeting, May 2017.
- ASA “Ask the Experts” webinar on the Valuation of Contingent Consideration (co-presenter), May 2017.
- “Valuation of Digital Assets”, MIT Computational Law Course, January 2017.
- “IP Valuation: Methods and Trends” (with J. Kloos), Duff & Phelps IP Value Summit, December 2016.
- “Brexit: A valuation focus on how best to prepare and respond” (co-author), *Financial Director*, July 2016.
- “Patent Values and Litigation: The New Normal?” (with C. Bakewell, et al.), LES MCLE, Feb 2015.



LYNNE J. WEBER, PH.D.

EXPERT WITNESS TESTIMONY AND REPORTS LAST 4 YEARS

- ***Xactware Solutions, Inc. v. Buildxact Software Limited.*** Trademark Trial and Appeal Board (TTAB) Opposition No. 91269505, August 2025 Report; Opposition No. 91288262, March 2026 & June 2026 Reports.
- ***BuildFax, Inc. v. Buildxact Software Limited.*** TTAB Opposition No. 91288260 and No. 91269567, March 2026 & June 2026 Reports.
- ***Xactware Solutions, Inc. v. Xactus, LLC.*** TTAB Opposition No. 91287033, November 2025. Report.
- ***Groq, Inc. v. Groq Health, Inc. and Florence D. Comite, M.D.*** Case No. 1:23-cv-08325-MKV, US District Court, S.D.N.Y., May 2025. Deposition testimony, report.
- ***Modern Building, Inc. v. Builders Door and Window, Inc. DBA J&L Supply, et al., re Tank.*** American Arbitration Association Case No. 01-22-0003-8938, March 2025. Report.
- ***Program 15 Sports, LLC v. Sony Interactive Entertainment, LLC.*** Civil Action No. 4:23-cv-03199, US District Court, S.D. Texas, Houston Division, January 2025. Report.
- ***Modern Building, Inc. v. Builders Door and Window, Inc. DBA J&L Supply, et al., re Springfield.*** American Arbitration Association Case No. 01-22-0003-8938, November 2024. Deposition testimony, report.
- ***Mojo Mobility, Inc. v. Samsung Electronics Company, Ltd., et al.*** Civil Action No. 2:22-cv-00398-JRG-RSP, US District Court, E.D. Texas, Marshall Division, April 2024. Deposition testimony, report.
- ***In the Matter of Certain Blood Flow Restriction Devices with Rotatable Windlasses and Components Thereof,*** U.S. International Trade Commission Investigation No. 337-TA-1364, December 2023. Deposition testimony, report.
- ***MyPort, Inc. v. Samsung Electronics Company, Ltd., et al.*** Civil Action No. 2:22-cv-00114-JRG, US District Court, E.D. Texas, Marshall Division, October 2023. Deposition testimony, report.
- ***Continuous Composites, Inc. v. MarkForged, Inc.*** Civil Action No. 21-998 (MN), US District Court for the District of Delaware, June 2023. Deposition testimony, report.
- ***Proxense, LLC v. Samsung Electronics Company, Ltd. and Samsung Electronics America, Inc.*** Civil Action No. 6:21-cv-00210-ADA, US District Court, W.D. Texas, Sept. 2022. Deposition testimony, report.
- ***Kipp Flores Architects, LLC v. Pradera SFR, LLC, et al.*** Civil Action No. 5:21-cv-00673 (XR), US District Court, US District Court, W.D. Texas, San Antonio Division, September 2022. Deposition testimony, report.

PROFESSIONAL AFFILIATIONS AND AWARDS

- National Science Foundation Fellowship (1976-1979)
- Survey Sampling, Inc. Questionnaire Experience Satisfaction Tool Award for survey excellence, 2016 QUEST-T winner for best overall survey structure, formatting, and usability, with a perfect score of 100
- Who's Who Legal, recommended expert in IP (2023), recommended expert and thought leader in IP (2024-2026)
- American Bar Association, Associate Member