



Jennifer Vanderhart, Ph.D.

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EDUCATION

Ph.D. Economics, Texas A&M
University

B.A. in Economics and Spanish,
Minor in Math, Trinity
University

PROFESSIONAL AFFILIATIONS

American Economic Association

American Society of
International Law

- Co-chair of IP Interest
Group

American Bar Association

- Co-chair of IP Litigation
Subcommittee

Licensing Executives Society

- Member of DC Advisory
Board

Jennifer Vanderhart is a PhD Economist and is responsible for providing a range of services, including litigation support services and economic consulting. She specializes in applied econometrics and microeconomic analysis, including theoretical and empirical analysis in the areas of intellectual property, antitrust, breach of contract, international arbitration proceedings, and commercial damages. Her clients include companies in wide range of industries and retail sectors including education, computer hardware and software, retail merchandising, durable goods manufacturing, mining, tobacco and financial services.

Dr. Vanderhart has more than 20 years' experience in the evaluation and quantification of economic damages including claims arising from patent, copyright or trademark infringement, trade secret misappropriation, contract disputes, employment discrimination, and claims of expropriation by foreign governments. Dr. Vanderhart has testified in federal and state courts and in domestic and international arbitration proceedings. She has assisted companies in patent and trademark licensing negotiations, royalty investigations and calculations, and intellectual property and asset valuations. Dr. Vanderhart has also testified in class action proceedings and as to the appropriate data cost-sharing compensation under the Federal Insecticide, Fungicide, and Rodenticide Act (FIFRA).

Prior to joining Analytics Research Group, Dr. Vanderhart was a Managing Director at FTI Consulting. She has also held positions at Exponent, Invotex Group, Navigant Consulting and LECG, and was an instructor at Texas A&M University in the departments of Economics and Management. She has published on valuation, damages and intellectual property and is a frequent speaker on these topics at conferences and lectures. She is a member of the American Society of International Law, of which she co-chairs the Intellectual Property Interest Group, the Licensing Executives Society, of which she serves on the Advisory Council for the DC Chapter, and she is an associate member of the American Bar Association, where she co-chairs the Intellectual Property Litigation subcommittee.

Dr. Vanderhart is fluent in Spanish.

Selected Publications

- Vanderhart J. “Intellectual Property Damages – Using the Book of Wisdom,” ABA Section of Litigation, Commercial and Business Litigation, Intellectual Property Litigation Newsletter, Spring 2017.
- Vanderhart J. “Gatekeeping – A Comparison of Practices in U.S. Domestic Litigation and Arbitration,” ABA Section of Litigation, Section of Expert Witnesses Newsletter, Fall 2016.
- Vanderhart J. *et al.* “Lost on the Way to *Chorzów*: Have Arbitrators Just Been Paying Lip Service to the PCIJ’s Seminal Case in their Damages Analyses?” Investment Treaty Arbitration and International Law. Eds. Ian A. Laird, Borzu Sabahi, Frédéric G. Sourgens and Todd Weiler, Juris 2016.
- Vanderhart, J. “Proving Damages,” Calculating and Proving Damages. Eds. Kristopher A. Boushie, Christopher H. Spadea and Martin F. Cunniff. Law Journal Press, 2011, updated 2014 and 2016.
- Vanderhart J. “Allocation Still the Focus for Patent Damages Experts,” ABA Section of Litigation, Practice Points, March 2016.
- Vanderhart J. “Economic Damages. Intellectual property disputes in international arbitration – Compensation issues in recent investor-state claims,” *GAR, The Arbitration Review of the Americas 2016*.
- Vanderhart J, “Recent Court Decisions Involving RAND Royalties,” ABA Section of Intellectual Property Law, *Sound Advice*, May 2015.
- Vanderhart J. “Getting the Information Needed to Prove Conveyed Sales,” ABA Section of Intellectual Property Law, *Sound Advice*, April 2015.
- Vanderhart J. “Recent Daubert Challenges to Intellectual Property Damages Analyses,” ABA Section of Litigation Commercial and Business Litigation, *News & Developments*, January 2015.
- Vanderhart J. “CSIRO v. Cisco: The Court as the Damages Expert,” ABA Section of Litigation Expert Witnesses, *News & Developments*, September 2014.
- Vanderhart J. “Nash Bargaining Solution – A Need to Educate the Courts,” ABA Section of Litigation Intellectual Property, *News & Developments*, April 2014.
- Vanderhart J. “*Apple v. Samsung*—Try, Try, Try, and Try Again,” ABA Section of *Litigation Expert Witnesses, News & Developments*, March 2014.
- Vanderhart J. “F/RAND - The Economic Incentives and a Discussion of Microsoft v. Motorola,” Forensic and Litigation Consulting Insights, FTI Consulting, Summer 2013.

Selected Presentations

- Vanderhart J and ICCA-ASIL Damages Task Force. “The Life Cycle of a Damages Case,” Seminar on Damages, ICCA-ASIL Task Force on Damages in International Arbitration, Task Force Member, April 2017.
- Vanderhart J, Holt K, Holzen S, Morris R, Vigil R. “2017 Patent Damages Symposium – Advanced Topics & Current Issues,” LES D.C. Chapter, February 2017.
- Vanderhart J, “Dispute Resolution in Cuba,” Thompson Hine Presentation and Webinar – Navigating Commercial Opportunities in Cuba, July 2016.

- Vanderhart J and Droulers D. “Dispute Resolution in International Business Transactions,” Inter-American Bar Association Annual Conference, June 2016.
- Vanderhart J. “Lost on the way to Chorzów: have arbitrators just been paying lip service to the PCIJ’s seminal case in their damages analyses?” Juris Ninth Annual Investment Treaty Arbitration Conference, February 2015.
- Vanderhart J, Coyne P, and Davis A. “When the Court Decides Your Reasonable Royalty,” ABA Section of Litigation Roundtable, February 2015.
- Vanderhart J, Sandercock C, Zibas J, and Chen G. “Litigation - What a Relief ... How to Seek Monetary Awards, Injunctions, and Other Remedies”, AIPLA 2014 Spring Meeting, May 2014.
- Vanderhart J, Purdue G, and Lazinski M. “Patent and Early Stage Technology Valuation: Pitfalls and Best Practices”, LES Mid-Year Meeting, March 2014.
- Vanderhart J. “Apportionment in Patent Damages – Nash Bargaining Solution and Conjoint Analysis”, Rope & Gray IP Master Class, February 2014.
- Vanderhart J and Frankel K. “Standard-Essential Patents: The Licensor's First-Offer Risk and an Update on Calculating RAND Royalties”. LES Greater Washington, DC Chapter Meeting, February 2014.
- Vanderhart J, Collins D, Marion C, and Tecche F. “Trade Secret and Non-Complete Issues Arising from the Rogue Employee”. ABA Regional CLE Seminar, February 2014.
- Vanderhart J. “Apportionment in Patent Damages – Nash Bargaining Solution”. Oblon Spivak Lunch Presentation, January 2014.
- Vanderhart J. RAND, SEPs, ITC, DOJ, the USPTO and the Obama Administration. Licensing Executives Society Washington, DC and Northern Virginia Chapter Meeting, October 2013.
- Vanderhart J. F/RAND – The Economic Incentives and a Discussion of Microsoft v. Motorola. Licensing Executives Society Washington, DC and Northern Virginia Chapter Meeting, July 2013.
- Vanderhart J. What’s the Damage? An Update on Patent Damages. AIPLA Spring Meeting, May 2013.
- Vanderhart J, McCann J, Martin M, and Hernandez C. When Your R&D is No Longer a Trade Secret: Litigating and Calculating Damages, ABA Section of Litigation Conference, April 2013.