



## **Alexis K Lavko**

Director

Epsilon Economics

111 South Wacker Drive, Suite 5001

Chicago, Illinois 60606

Direct: 312.637.2983

Main: 312.637.2950

alavko@epsiloneconomics.com

**Alexis K. Lavko, a University of Chicago MBA, is highly regarded in the field of complex commercial dispute damages.** Clients say that they are “super impressed” with her and that her analytical skills are “always on point.”

**SERVICES:** Alexis has over 15 years of experience providing financial analysis and econometric analyses of alleged losses and monetary relief in complex commercial disputes involving intellectual property infringement, false advertising, breach of contract, trade secret misappropriation, and International Trade Commission disputes. Alexis has been involved in high-profile cases with landmark damages awards; for example, her work has contributed to one of the largest trademark infringement awards in history.

**VENUES:** Alexis has experience assisting clients in disputes before United States District Courts around the country, state courts, domestic and international arbitration panels, and the U.S. International Trade Commission.

**INDUSTRIES:** Alexis has worked with companies in the food and beverage, telecommunication, fine arts, pharmaceutical, music, automotive, apparel, medical devices, retail consumer products, industrial products, and manufacturing industries.

**ANALYTICAL SKILLS:** Alexis has deep experience calculating reasonable royalty and RAND royalty rates in patent infringement matters. She is skilled in various econometric analytical methods, including regression analysis and net present value calculations. She also has vast experience with patent, trademark, and copyright infringement monetary relief, including calculating reasonable royalty damages, and apportionment of defendant’s profits, and lost profit calculations. Alexis has been recognized by clients for her insight into challenging issues and quick grasp of complex data.

### **EDUCATION:**

M.B.A., Accounting, Corporate Finance, and Strategic Management,  
UNIVERSITY OF CHICAGO, Chicago, Illinois, 2009

B.S, Industrial Labor Relations,  
CORNELL UNIVERSITY, Ithaca, New York, 2004



**CURRENT POSITION:**

EPSILON ECONOMICS, Chicago, Illinois, 2015-present  
Director

**PREVIOUS PROFESSIONAL EXPERIENCE:**

OCEAN TOMO, LLC, Chicago, Illinois, 2009-2015  
Associate

LECG, LLC, Chicago, Illinois, 2006-2007  
Senior Analyst

LECG, LLC, Chicago, Illinois, 2004-2006  
Analyst

**HONORS & AWARDS:**

CORNELL UNIVERSITY Academic Dean's List, 2002-2004

**PRESENTATIONS AND SPEECHES:**

"Lost Profits and Damages Calculation: Everything You Need to Know in 2018,"  
*The Knowledge Group*, January 17, 2018.

**RESEARCH INTERESTS:**

Trademark and Copyright Protection, Healthcare and Pharmaceutical Industry, Licensing, Intellectual Property, RAND Royalty Rates for Standard Essential Patents, and Intangible Assets Valuation

**PROFESSIONAL AND VOLUNTEER ORGANIZATIONS:**

Chicago Women in IP (ChiWIP) member, 2015-present and committee chair 2020-present: ChiWIP is committed to connecting and promoting the success of women in intellectual property law and related fields. As a committee chair, Alexis facilitates outreach to new members and plans educational events, including an IP Litigation Bootcamp for attorneys.

Member of the Strategic Advancement Committee for Start Early and former Co-Chair for the Start Early Affiliates Board: Start Early advances quality early learning for families with children, before birth through their earliest years, to help close the opportunity gap. The Strategic Advancement Committee advances Start Early's



position as an expert, thought leader, innovator, and collaborator in early childhood and helps growth support for the organization. The Affiliates Board brings together individuals who are committed to championing early learning through raising awareness and promoting Start Early's advocacy and initiatives.

#### **TEACHING EXPERIENCE:**

University of Illinois College of Law, Advanced Trial Advocacy and Professional Responsibility course: expert witness instructor, 2015 – present

Chicago Women in IP, IP Litigation Bootcamp: instructor Calculating Damages in Intellectual Property Litigation, 2022 and 2024

#### **REPRESENTATIVE EXPERIENCE:**

##### *Intellectual Property Disputes*

Determined royalties due to Plaintiff from Defendant's trademark infringement and Defendant's unjust enrichment due to breach of contract for a beverage manufacturer in an arbitration involving a small, independent beverage maker with a strong trademark and a growing energy drink manufacturer. The arbitrator decided in favor of Plaintiff, resulting in one of the largest trademark infringement awards to-date.

Determined a reasonable royalty rate on behalf of Plaintiff for infringement of Plaintiff's high-profile apparel trademark using Plaintiff's extensive licensing and partnership history.

Determined damages due to patent infringement of multiple patents across a family of products for a large medical device manufacturer and distributor using an econometric model to project lost sales and applying Plaintiff's profit margins and capacity constraints to sales predicted by the model.

Determined a reasonable royalty rate and royalties due for trademark infringement of a small, size-inclusive women's clothing company by a large retailer using the large retailer's extensive licensing history.

Determined damages due to patent infringement of standard essential patents for mobile phones using a reasonable royalty approach by isolating the incremental profit in the smallest saleable patent practicing unit and assessing the comparability of license agreements entered into by the parties for comparable technology.



Determined a reasonable royalty rate for a bundle of standard essential patents for mobile phones for an international arbitration using a reasonable royalty approach by assessing the comparability of license agreements entered into by the parties for comparable technology and isolating the incremental profit in the smallest saleable patent practicing unit.

Conducted a defendant's profits analysis for a car freshener manufacturer accused of infringing Plaintiff's trademark using an apportionment analysis based on sales made before and after a product name change.

Determined lost profits and unjust enrichment damages for a trade secret and trade dress dispute between two toy manufacturers by assessing sales made during a "head start" period gained by one company over the other, conducting regression analyses to determine sales seasonality, analyzing license agreements to isolate a royalty premium for certain types of products, and analyzing product-specific financial data.

Calculated product profitability and determined an appropriate royalty rate using the income and market approaches and a reasonable royalty analysis for a patent infringement matter for a multi-billion dollar pharmaceutical product.

Calculated defendant's profits for copyright infringement on behalf of Plaintiff for Defendant's use of copyrighted music in social media advertisements without a license.

### *Breach of Contract Disputes*

Quantified damages in a breach of contract dispute between two medical device manufacturers by assessing the change in regional sales over time.

Quantified damages in a breach of contract dispute between two software providers by assessing the change in sales to specific customers during a defined period to identify lost sales.

Conducted a lost profits damages analysis for a consumer electronics company involved in a patent infringement litigation by reviewing sales and production forecasts, actual sales and profitability, alternatives available in the market and marketing and manufacturing capacity.

Conducted an analysis of the net present value of lost profits damages using a discounted cash flow model in a breach of contract dispute between a manufacturer and a distributor by assessing diverted sales and customers over the contract period.



*Other Disputes and Consulting Engagements*

Evaluated the technology in the mid-sized patent portfolio of a medical equipment company by mapping patents to products, and identified companies with similar patents for potential acquisition and licensing opportunities.

Conducted a damages analysis in a fraudulent conveyance matter involving an industrial manufacturing company entering bankruptcy.

Evaluated a portfolio of fine art held by the deceased artist's family in order to assess licensing potential.

Conducted a valuation of trademarks held by a university in order to determine an appropriate royalty rate for the licensing of those trademarks in the medical field.

Conducted a valuation and licensing analysis for a hospital system in merger discussions with medical providers and made recommendations as to an appropriate royalty rate.