

Education

- 1998 Harvard Law School, J.D., *cum laude*
- Editor/Writer – Harvard Law Record
 - Research Assistant to Professor Martha Minow
- 1995 S.U.N.Y. Albany, M.A. in Mathematics, *summa cum laude*
- Statistics
 - Taught calculus/precalculus/statistics
- 1993 Union College, B.S. in Mathematics with honors, *magna cum laude*
- Phi Beta Kappa
 - Resch Award for Achievement in Mathematical Research

Employment

- 2016 - President, Hal Poret LLC
- Design, supervise, and analyze consumer surveys, including Trademark, Trade Dress, Advertising Perception, Consumer Deception, Claims Substantiation studies, Damages, and Corporate Market Research Surveys
 - Consulting regarding survey design and review of other surveys
 - Provided expert testimony at deposition and/or trial regarding survey research in over 100 U.S. District Court litigations and proceedings in front of TTAB, NAD, FTC and FCC.
- 2004 - 2015 Senior Vice President, ORC International
- Designed, supervised, and analyzed consumer surveys in legal and corporate market research areas, and provided expert testimony regarding survey research in legal cases.
- 2003 – 2004 Internet Sports Advantage
- Developed and marketed proprietary internet sports product, and licensed trademark and intellectual property rights.
- 1998 – 2003 Attorney, Foley Hoag & Eliot, Boston, MA
- Represented corporations and individuals in trademark, trade dress, advertising, product, and related legal disputes.
 - Worked with survey experts in developing and using surveys as evidence in trademark, trade dress and advertising disputes.

Testimony at Trial or by Deposition Past 4 Years

(Party who retained me shown in bold)

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|------|--------------------------------------------------------------------------------------------|------------------------------|
| 2019 | American Cruise Lines v. American Queen Steamboat Company
(Deposition and trial) | USDC District of DE |
| 2018 | MZ Wallace v. Oliver Thomas
(Deposition and trial) | USDC Southern District of NY |
| 2018 | VonRosenberg v. Lawrence
(Deposition) | USDC District of SC |
| 2018 | Wing Enterprises v. Tricam Industries, Inc.
(Deposition) | USDC District of MN |
| 2018 | Kjaer Weis v. Kimsaprincess, Inc.
(Deposition) | USDC Central District of CA |
| 2018 | In re: NCAA Grant-in-Aid Cap Litigation
(Deposition; Trial) | USDC Northern District of CA |
| 2018 | Under Armour v. Battle
(Deposition) | USDC District of Maryland |
| 2018 | Federal Trade Commission v. D-Link Systems
(Deposition) | USDC Northern District of CA |
| 2018 | Ezaki Glico v. Lotte International
(Deposition) | USDC District of NJ |
| 2018 | Car Freshener Corporation v. American Covers/Energizer Holdings
(Deposition) | USDC Northern District of NY |
| 2018 | Combe v. Dr. August Wolff
(Deposition and trial) | USDC Eastern District of VA |
| 2018 | In Re GM Ignition Switch Litigation
(Deposition) | USDC Southern District of NY |
| 2018 | Zetor v. Ridgeway
(Trial Testimony Deposition) | USDC Western District of AR |

2018	Superior Consulting v. Shaklee (Deposition; Hearing; Trial)	USDC Middle District of FL
2018	Monster Energy Company v. Integrated Supply Network (Deposition)	USDC Central District of CA
2018	Sandoz v. GlaxoSmithkline (Deposition)	USPTO Opposition
2018	Variety Stores v. Walmart Stores, Inc. (Trial)	USDC Eastern District of NC
2018	JB-Weld v. Gorilla Glue Company (Deposition)	USDC Northern District of GA
2018	Bratton v. The Hershey Company (Deposition)	USDC Western District of MO
2018	Leadership Studies v. Blanchard Training & Development (Deposition)	USDC Southern District of CA
2017	Gulfstream Aerospace v. Gulfstream Unsinkable Boats (Deposition)	USPTO Opposition/Cancellation
2017	Mercado Latino v. Indio (Deposition)	USDC Central District of CA
2017	Delalat v. Nutiva (Deposition)	USDC Northern District of CA
2017	Dashaw v. New Balance (Deposition)	USDC Southern District of CA
2017	Bearing Tech v. O'Reilly Automotive (Deposition)	USDC Western District of MO
2017	Soundview v. Facebook (Deposition)	USDC District of Delaware
2017	Rovi v. Comcast (Deposition)	USDC Southern District of NY
2017	Puma v. Black & Decker	

	(Trial)	New Mexico Circuit Court
2017	Select Comfort v. Personal Comfort (Trial and Deposition)	USDC District of Minn
2017	Alzheimer's Foundation of America v. Alzheimer's Association (Deposition and trial)	USDC Southern District of NY
2017	Banc of California v. Farmers & Merchants Bank (Deposition)	USDC Central District of CA
2017	PolyGroup v. Willis Electric (Deposition)	Patent Trial and Appeal Board
2017	Mullins v. Premier Nutrition (Depositions in Class Cert and Merits phases)	USDC Northern District of CA
2017	Lion's Gate v. TD Ameritrade (Deposition)	USDC Central District of CA
2017	Deere & Company v. Fimco dba Schaben (Deposition and trial)	USDC Western District of KY
2017	Adidas & Reebok v. TRB (Deposition)	USDC District of Oregon
2017	Church & Dwight v. SPD (Deposition/trial in liability phase; deposition/trial in damages phase)	USDC Southern District of NY
2017	In re: Coca Cola Marketing and Sales Practices Litigation (No. II) (Deposition)	USDC Northern District of CA
2017	Ducks Unlimited v. Boondux LLC and Caleb Sutton (Deposition and Trial)	USDC Western District of TN
2017	Globefill v. Element Spirits (Deposition and Trial)	USDC Central District of CA
2017	Brickman v. Fitbit (Deposition)	USDC Northern District of CA
2017	Network-1 Technologies v. Alcatel-Lucent et al. (Deposition)	USDC Eastern District of TX

2017	Health Partner Plans v. Reading Health Partners (Deposition and Injunction hearing)	USDC Eastern District of PA
2017	In Re Biogen '755 Patent Litigation (Deposition)	USDC District of NJ
2017	Cava Mezze v. Mezze Mediterranean Grill (Trial)	USDC District of MD
2017	Mastrandrea v. Vizio (Deposition)	USDC Central District of CA
2017	Adidas v. Skechers (Deposition and Injunction hearing)	USDC District of OR
2016	Triumph International, Inc. v. Gourmetgiftbaskets.com, Inc. (Deposition)	USDC Central District of CA
2016	Phelan Holdings v. Rare Hospitality Management (Deposition)	USDC Middle District of FL
2016	Intellectual Ventures II v. AT&T Mobility (Deposition)	USDC District of DE
2016	One World Foods v. Stubbs Austin Restaurant Company (Deposition)	USDC Western District of TX
2016	Booking.com B.V. v. Michelle Lee (Deposition)	USDC Eastern District of VA
2016	Universal Church v. Univ. Life Church (Deposition)	USDC Southern District of NY
2016	U. of Houston v. Houston Col. of Law (Deposition)	USDC Southern District of TX
2016	Navajo Nation v. Urban Outfitters (Daubert Hearing)	USDC District of NM
2016	Beaulieu v. Mohawk Carpet Dist. (Deposition)	USDC Northern District of GA

2016	Efficient Frontiers v. Reserve Media (Deposition)	USDC Central District of CA
2016	McAirlaids v. Medline Industries (Deposition)	USDC Eastern District of VA
2016	Under Armour v. Ass Armor (Deposition)	USDC Southern District of FL
2016	C5 & CoorsTek v. CeramTec (Deposition and trial)	USDC District of Colorado
2016	BBC v. Stander (Deposition)	USDC Central District of CA
2016	Caterpillar v. Tigercat (Deposition)	USPTO Opposition
2016	Premier v. Dish Network (Deposition)	USPTO Opposition
2016	Omaha Steaks v. Greater Omaha (Rebuttal Testimony)	USPTO Opposition
2016	EMC v. Pure Storage (Deposition)	USDC District of MA
2016	Top Tobacco v. North Atlantic (Deposition)	USPTO Opposition
2016	Ascension Health v. Ascension Ins. (Deposition)	USDC Eastern District of MO
2016	Quoc Viet v. VV Foods (Deposition and trial)	USDC Central District of CA
2016	Joules v. Macy's Merchandising Group (Deposition and trial)	USDC Southern District of NY
2015	MMG v. Heimerl & Lammers (Deposition and trial)	USDC District of MN
2015	PRL USA v. Rolex	

	(Deposition)	USDC Southern District of NY
2015	Bison Designs v. Lejon (Deposition)	USDC District of CO
2015	Barrera v. Pharmavite (Deposition)	USDC Central District of CA
2015	Flowers v. Bimbo Bakeries (Deposition)	USDC Middle District of GA
2015	Razor USA v. Vizio (Deposition)	USDC Central District of CA
2015	Allen v. Simalasan (Deposition)	USDC Southern District of CA
2015	BMG Rights Mgmt. v. Cox Enterprises (Deposition and trial)	USDC Eastern District of VA
2015	Verisign v. XYZ.COM LLC (Deposition)	USDC Eastern District of VA
2015	Farmer Boys v. Farm Burger (Deposition)	USDC Central District of CA
2015	Ono v. Head Racquet Sports (Deposition)	USDC Central District of CA
2015	Select Comfort v. Tempur Sealy (Deposition)	USDC District of Minn
2015	ExxonMobil v. FX Networks (Deposition)	USDC Southern District of TX
2015	Delta v. Network Associates (Deposition)	USDC Middle District of FL
2015	Brady v. Grendene (Deposition)	USDC Central District of CA
2015	Zippo v. LOEC (Deposition)	USDC Central District of CA

2015	Maier v. ASOS (Deposition)	USDC District of Maryland
2015	Converse In re: Certain Footwear (Deposition and trial)	International Trade Commission
2014	Scholz v. Goudreau (Deposition)	USDC District of Mass
2014	Economy Rent-A-Car v. Economy Car Rentals (TTAB Testimony)	USPTO
2014	Weber v. Sears (Deposition)	USDC Northern District of IL
2014	Native American Arts v. Stone (Deposition)	USDC Northern District of IL
2014	Gravity Defyer v. Under Armour (Trial)	USDC Central District of CA
2014	Adams v. Target Corporation (Deposition)	USDC Central District of CA
2014	PODS v. UHAUL (Deposition and trial)	USDC Middle District of FL
2014	Flushing v. Green Dot Bank (Deposition)	USDC Southern District of NY
2014	Amy's Ice Creams v. Amy's Kitchen (Deposition)	USDC Western District of TX
2014	Unity Health v. UnityPoint (Deposition)	USDC Western District of WI
2014	In re: NCAA Student-athlete litigation (Deposition and Trial)	USDC Northern District of CA
2014	Spiraledge v. SeaWorld (Deposition)	USDC Southern District of CA

2014	Diageo N.A. v. Mexcor (Deposition and trial)	USDC Southern District of TX
2014	Pam Lab v. Virtus Pharmaceutical (Deposition and trial)	USDC Southern District of FL
2014	US Soccer Federation v. Players Ass'n (Arbitration Testimony)	Arbitration
2014	Estate of Marilyn Monroe v. AVELA (Deposition)	USDC Southern District of NY
2014	Kelly-Brown v. Winfrey, et al. (Deposition)	USDC Southern District of NY
2014	Virco Mfg v. Hertz & Academia (Deposition)	USDC Central District of CA
2014	In re: Hulu Privacy Litigation (Deposition)	USDC Northern District of CA

Presentations

Consumer Perception Surveys - A Primer from Survey Experts and NAD
(ASRC Conference, Dec 7, 2018)

What's New in Advertising Law, Claim Support and Self-Regulation?
(ABA Seminar, November 17, 2015)

How Reliable is Your Online Survey
(2015 ASRC Annual Conference, September 29, 2015)

What Do Consumers Think? Using Online Surveys to Demonstrate Implied Claims
(ANA Advertising Law and Public Policy Conference, April 1, 2015)

Cutting Edge Developments in Trademark Surveys (Rocky Mountain Intellectual Property & Technology Institute, May 30, 2013)

Using Survey Experts in Trademark Litigation (DRI Intellectual Property Seminar, May 9, 2013)

Surveys in Trademark and Advertising Litigation (2013 National CLE Conference, Snowmass Colorado, January 2013)

Internet Survey Issues (PLI Hot Topics in Advertising Law Conference, March 2012)

Measuring Consumer Confusion Through Online Surveys (2011 Midwest IP Institute) (September, 2011)

Online Surveys as Evidence in Trademark Disputes (International Trademark Association Annual Conference, May 2011)

Managing Intellectual Property Trademark Roundtable (April 7, 2010)

Recent Trends in Trademark Surveys (Virginia State Bar Intellectual Property Conference, October 2009)

Trademark Surveys in US Litigation (presentation for International Trademark Association Annual Conference) (May 2009)

How to Conduct Surveys for use in Trademark Disputes (Practicing Law Institute Advanced Trademark Law Conference) (May 2009)

Trademark and Advertising Perception Studies for Legal Disputes (Opinion Research Corporation Seminar, June 2008)

Understanding Advertising Perception Surveys (Promotions Marketing Association Annual Law Conference) (November 2007)

Designing and Implementing Studies to Substantiate Advertising Claims (American Conference Institute Claims Substantiation Conference, October 2007)

Surveys in Trademark and False Advertising Disputes (InfoUSA Webinar, June 2007)

Measuring Consumer Perception in False Advertising and Trademark Cases, (multiple presentations) (2007)

Potential Errors to Avoid In Designing a Trademark Dilution Survey (American Intellectual Property Association paper, April 2007)

Consumer Surveys in Trademark and Advertising Cases (presentation at Promotions Marketing Association Annual Law Conference) (December 2006)

Use of Survey Research and Expert Testimony in Trademark Litigation, (International Trademark Association Annual Conference, May 2006)

Survey Research as Evidence in Trademark/Trade Dress Disputes (multiple presentations) (2006)

Using Surveys to Measure Secondary Meaning of Trade Dress, Legal Education Seminar, Boston, April 2006

Publications/Papers

Cutting Edge Developments in Trademark Surveys (Rocky Mountain Intellectual Property & Technology Institute, May 2013)

Hot Topics and Recent Developments in Trademark Surveys (paper for May 2013 DRI Intellectual Property Conference)

Surveys in Trademark and Advertising Litigation (2013 National CLE Conference, Snowmass Colorado, January 2013)

Trademark Litigation Online Consumer Surveys (Practical Law Company Intellectual Property and Technology, May 2012)

Hot Topics in Advertising Law 2012 (Contributor to Practising Law Institute publication)

A Comparative Empirical Analysis of Online Versus Mail and Phone Methodologies for Trademark Surveys, 100 TMR 756 (May-June 2010)

Recent Trends in Trademark Surveys (paper for Virginia State Bar Intellectual Property conference, October 2009)

Trademark Dilution Revision Act breathes new life into dilution surveys (In Brief PLI website, June 2009)

The Mark (Survey Newsletter; three editions 2009)

Hot Topics in Trademark Surveys (paper for Practising Law Institute Advanced Trademark Law Conference) (May 2009)

The Mark (Survey Newsletter, 2008)

Trademark and Advertising Survey Report (Summer 2007)

Avoiding Pitfalls in Dilution Surveys under TDRA (AIPLA Spring Conference, Boston, May 2007)

Commentary

Comment on Hotels.com case (on TTABLOG.COM, July 24, 2009)

Comment on Nextel v. Motorola (on TTABLOG.COM, June 19, 2009)

PLI All-Star Briefing Newsletter, "What does the Trademark Dilution Revision Act mean for the future of Dilution Surveys?" (June 2009)

Professional Memberships/Affiliations

American Association of Public Opinion Research

International Trademark Association

National Advertising Division of Council of Better Business Bureaus