

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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|------|--|---------------------------------------|
| 2020 | Universal Electronics, Inc. v. Roku Inc. et al.
(Deposition) | International Trade Commission |
| 2020 | Enchante Accessories v. Turko Textiles
(Deposition) | USDC Southern District of NY |
| 2020 | Greater Orlando Aviation Authority v. Melbourne Airport Authority
(Deposition) | USDC Middle District of FL |
| 2020 | Vanderbilt University v. Scholastic
(Deposition) | USDC Middle District of TN |
| 2020 | Pacific Packaging v. Nutrisystem
(Deposition) | USDC Central District of CA |
| 2020 | American Airlines v. Delta Airlines
(Deposition) | USDC Northern District of TX |
| 2020 | FCA v. Mahindra
(ITC Modification trial testimony) | ITC Modification Proceeding |
| 2020 | Lontex Corporation v. Nike
(Deposition) | USDC Eastern District of PA |
| 2020 | New Orleans Saints v. WDI
(Trial) | American Arbitration Association |
| 2020 | Orgain v. Iovate
(Deposition) | USDC Central District of CA |
| 2020 | Gibson v. Armadillo
(Deposition) | USDC Eastern District of TX |
| 2020 | Koenig v. Vizio, Inc.
(Deposition) | Superior Court California (LA County) |
| 2020 | Roley v. Google
(Deposition) | USDC Northern District of CA |

2020	Snaplock Industries v. Swisstrax Corp. (Deposition)	USDC District of Nevada
2020	TeamSnap v. Team Mates Pty. Ltd. (Deposition)	USDC District of CO
2020	Stone Brewing v. MillerCoors (Deposition)	USDC Southern District of CA
2020	Bluetooth SIG V. FCA, USA (Deposition)	USDC Western District of Washington
2020	Monster Energy v. VPX (Deposition)	USDC Southern District of FL
2019	George Sink PA Injury Law Firm v. George T. Sink, Jr. (Arbitration trial)	American Arbitration Association
2019	Cabrera v. Bayer Corporation (Deposition)	USDC Central District of CA
2019	GDM Enterprises v. Astral Health & Beauty (Deposition)	USDC Western District of MO
2019	Yahoo v. Mozilla (Deposition)	Superior Court Santa Clara County, CA
2019	Scott Fetzer v. John Henry, III (Deposition)	Court of Common Pleas, Cuyahoga County, OH
2019	Illinois Tool Works v. Poly-America (Deposition and trial)	USDC Northern District of TX
2019	Adidas v. Forever 21 (Deposition)	USDC District of Oregon
2019	TRP v. Simalasan (Deposition)	USDC District of NV
2019	Ironhawk Technologies v. Dropbox Inc. (Deposition)	USDC Central District of CA
2019	Universal Standard v. Target Corporation	

	(Deposition)	USDC Southern District of NY
2019	Diageo v. Deutsch (Deposition)	USDC Southern District of NY
2019	FCA v. Mahindra (Deposition and ITC trial)	ITC and USDC Eastern District of MI
2019	DealDash v. ContextLogic (Deposition)	USDC Northern District of CA
2019	Sprint v. AT&T Mobility (Deposition and trial)	USDC Southern District of NY
2019	Merck & Co v. Merck KGaA (Deposition)	USDC District of NJ
2019	Arbor Pharmaceuticals v. ANI Pharmaceuticals (Deposition)	USDC District of Minnesota
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	USDC Southern District of NY

(Deposition/trial in liability phase; deposition/trial in damages phase)

- 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. Mezza 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

Presentations

The McCarthy Series: U.S.P.T.O. v. Booking.com: What the Recent SCOTUS Ruling Means for Trademark Law
(McCarthy Institute Webinar, July 29, 2020)

Surveys in the Brave New World: Designing and Using Survey Evidence in the Age of Online Shopping, Influencers and Hashtags
(INTA Annual Meeting, May 21, 2019)

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

An Empirical Assessment of the Eveready Survey's Ability to Detect Significant Confusion in Cases of Senior Marks that are Not Top-Of-Mind, 109 TMR 935 (Nov-Dec 2019)

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