

## Today's Metrics for Margins and Profitability

### **Presented by**

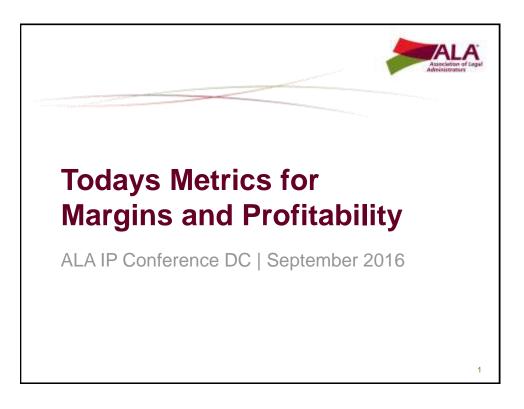
**Peter Lane Secor** 

FM01

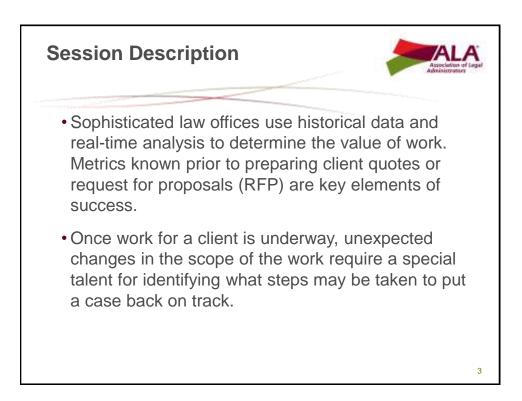
9/16/2016

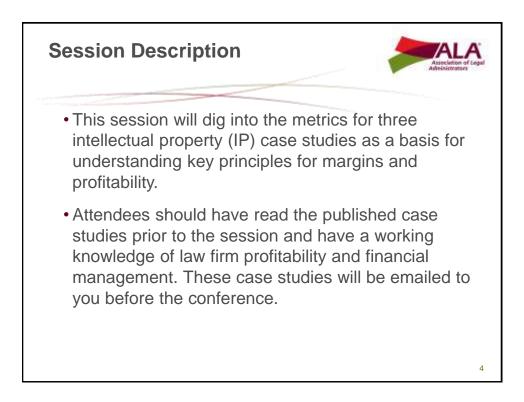
9:00 AM - 10:30 AM

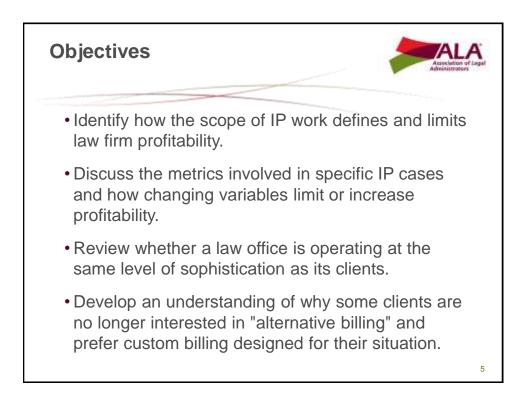
The handouts and presentations attached are copyright and trademark protected and provided for individual use only.



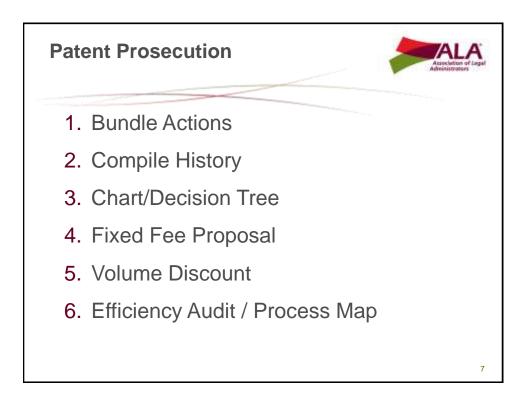


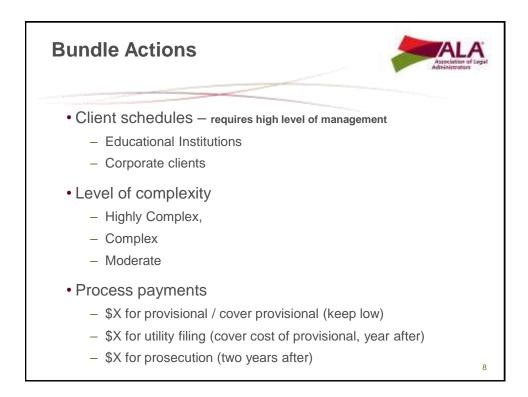


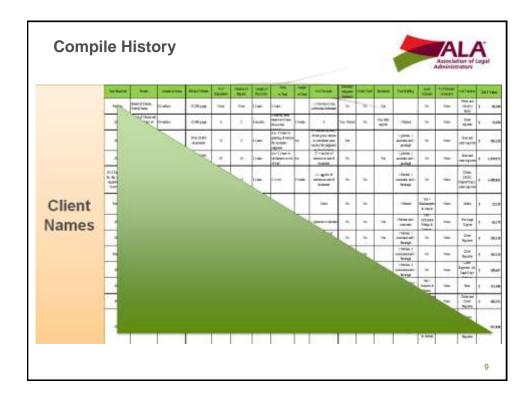


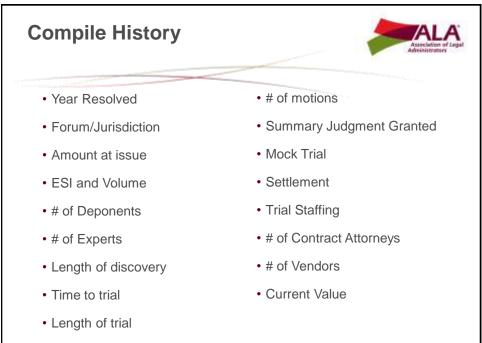






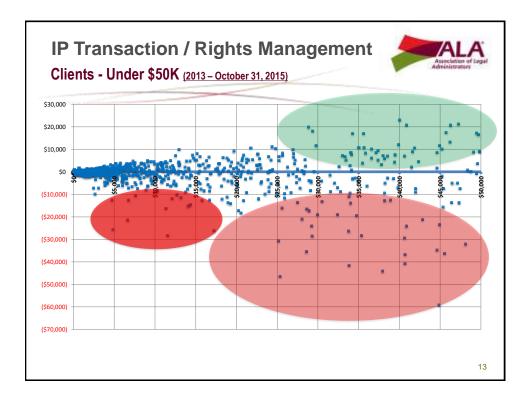




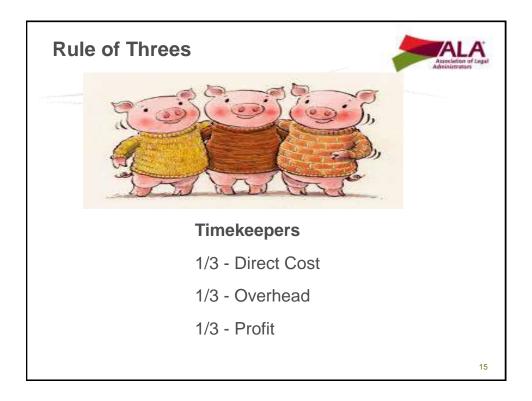


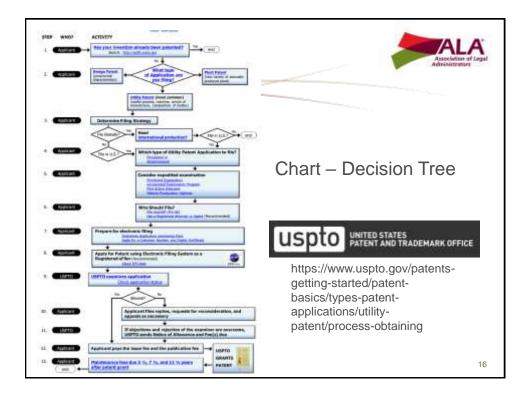
Value at Current Year         Narrative       2015 STD       L530       Oral         Attend mock argument.       \$1,586       \$1,586       \$1,586         Review outline and Q/A.       \$396       \$0       \$238       \$238       \$238         Conference re oral argument preparation.       \$238       \$238       \$238       \$238         Attend argument.       \$1,427       \$1,427       \$1,427         EIFERROR(IF(SEARCH(AD\$1,X48,1)>0,AB48,),"")       \$1,586       \$1,586	Searching Narratives			Association of Astronautors
Attend mock argument.     \$1,586     \$1,586       Review outline and Q/A.     \$396     \$0       Conference re oral argument preparation.     \$238     \$238       Attend argument.     \$1,427     \$1,427				
Review outline and Q/A.     \$396     \$0       Conference re     oral argument preparation.     \$238     \$238       Attend argument.     \$1,427     \$1,427	Narrative	2015 STD	L530	Oral
Review outline and Q/A.     \$396     \$0       Conference reloral argument preparation.     \$238     \$238       Attend argument.     \$1,427     \$1,427	Attend mock argument.	\$1,586	\$1,586	
Conference reforal argument preparation.     \$238     \$238     \$238       Attend argument.     \$1,427     \$1,427				
	Conference reoral argument preparation.		\$238	\$238
=IFERROR(IF(SEARCH(AD\$1,X48,1)>0,AB48,),"")	Attend argument.	\$1,427	\$1,427	
	=IFERROR(IF(SEARCH(AD\$	\$1,X48,1)>0,A	(B48,)	,"")

							Adventist
						131	
PROOF/CALCULATION OF	F COMPO	NENTIZE	DCOST	s			
	Partner	Associate	Paralegal	Project	Contract	Total	Total
	3550	\$380	\$220	\$135	\$60	Hours	Amount
Depositions (including prep)							
Clerk	15	35	10	40	5	105	\$29,450
Executive	45	80	30	60	10	225	\$70,450
Sales Force	36		24	48	8	180	\$56,360
Fact witnesses of insurer	27	48	18	36	6	135	
Motions							
Pleadings						1.0	50
Court Conferences							50
Discovery filed						14.1	\$0
Discovery defended						14	\$0
Dispositive Motions							\$0
Motion to dismiss						-	\$0
Summary Judgment							\$0
Experts							



	20			14		15		ears
	Rate Spread	Rate Spread %						
Associate (W)	\$240	68%	\$269	71%	\$286	71%	\$264	709
Paralegal (W)	\$156	70%	\$156	69%	\$177	77%	\$161	72
Patent Agent (W)	\$160	71%	\$155	70%	\$187	83%	\$166	749

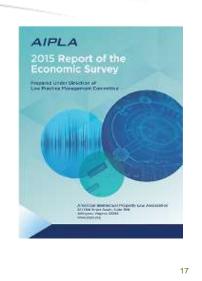




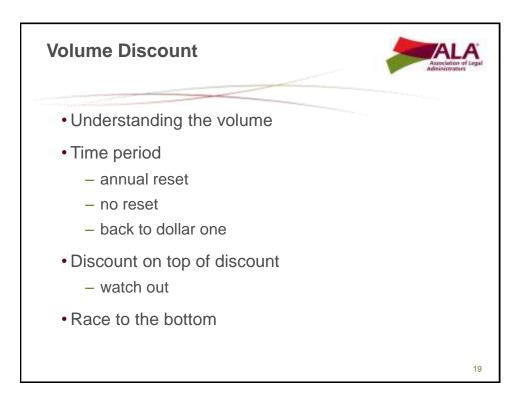
#### **Fixed Fee Proposal - AIPLA**



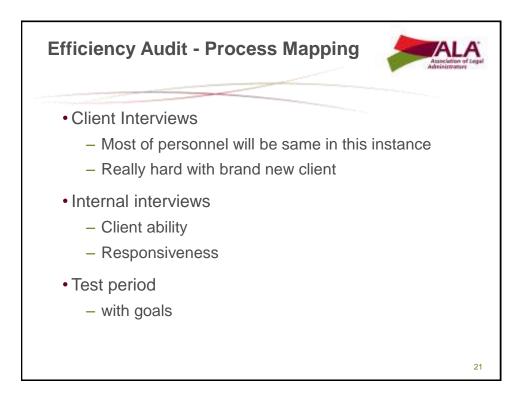
- Conducted every other year by AIPLA, this survey also examines the economic aspects of intellectual property law practice,
  - including individual billing rates,
  - typical charges for IP law services,
  - as well as the costs of litigation.

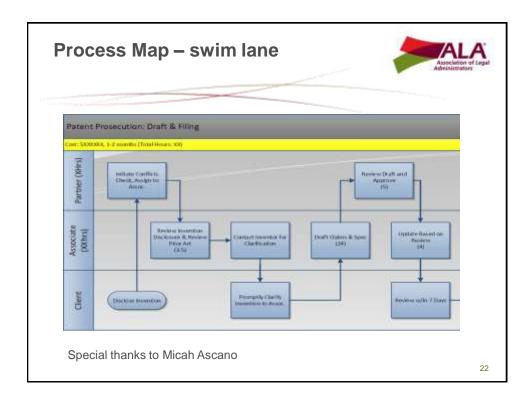


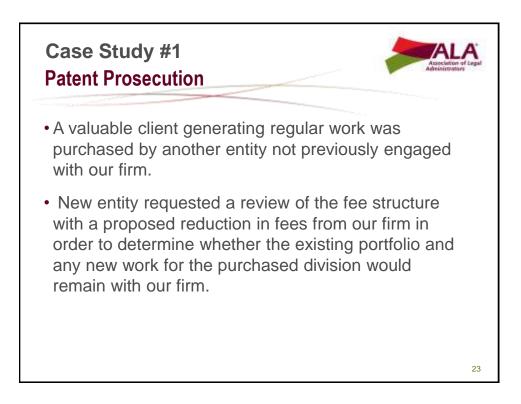
A Contraction of the second	1000	Contraction of the Contraction						
			Typical Charges	: US Utili	ty Patents by	Location		
Original con-pr		Original	Other South- east	lativ	ely comple	x biotechr	ology/ch	emical (Pre
Noticel of Import Mean Demand Other Personia (M Proc. Sciences (M	Numbe Mean (i 10th Pe		5 \$5,568	- 1	Boston CM5A	NYC CM5A	Phila	Wash, DC CMSA
Molley (Midsolve) Their Gaartin 199	First Qu	Number	ISD	242	16	16	8	28
SOA Persedia 100	Median	Mean (A)	\$320	964	\$14,813	\$10,541	511,463	514,214
	Third Q	10th Pen	\$7,000	560	\$7,200	\$3,345	ISD	\$7,680
	90th Pe	First Qua	\$10,100	000	\$9,250	\$8,875	\$8,750	59,125
		Median (	ISD	250	\$15,000 \$19,500	\$12,000 \$13,750	\$10,850 \$12,750	\$13,000 \$17,250
		90th Peri	150	000	\$22,900	\$15,000	ISD	\$25,500

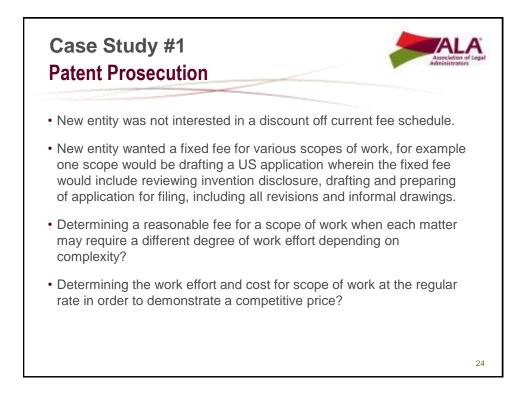


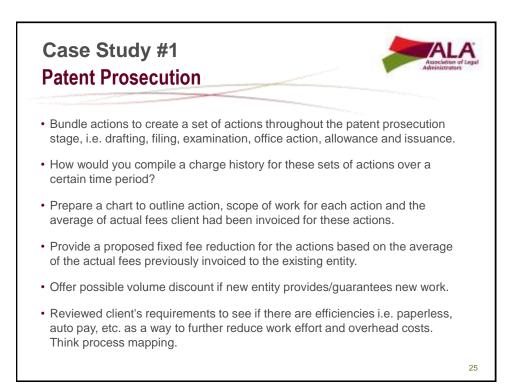
الله - معاولات المستحدين من الما المعالية المعالية عالم المعالية المعالية . المعالية المعالية المستحدين من المعالية المعالية المعالية المعالية .	Undiscount	ed	Discounted	، مەر ا
	<u>onalooodin</u>	%	Dioteanited	<u>    %</u>
Revenue	\$100,000	100%	\$100,000	100%
10% Discount	\$0	0%	(\$10,000)	-10%
Net Revenue	\$100,000	100%	\$90,000	90%
Costs	(\$60,000)	-60%	(\$60,000)	-60%
Profit	\$40,000	40%	\$30,000	30%
\$10	<b>Profit I</b> 0,000 / \$40,0		Loss	

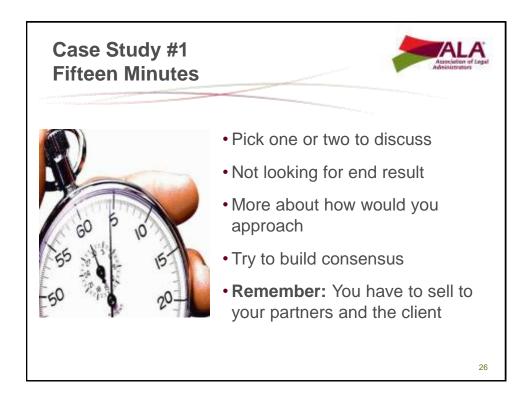


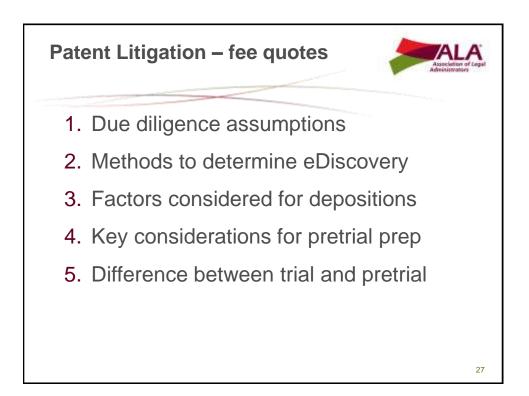


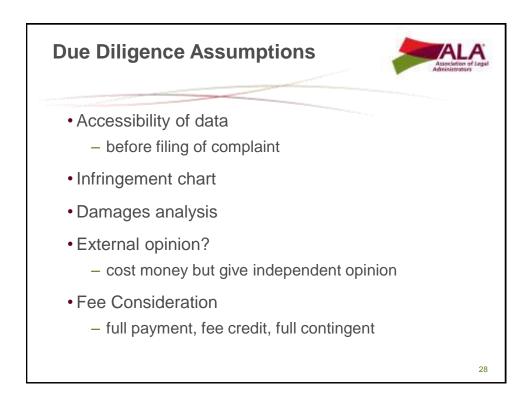




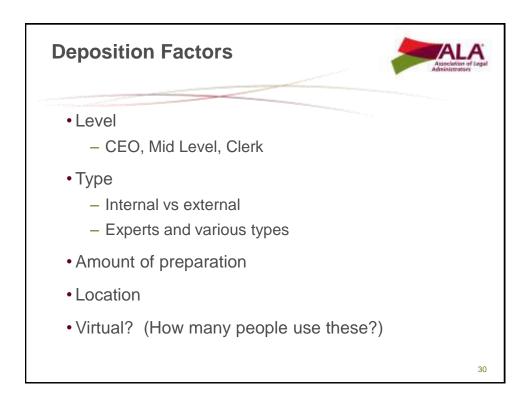




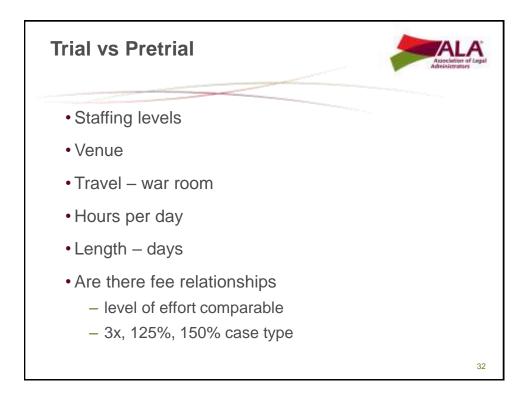




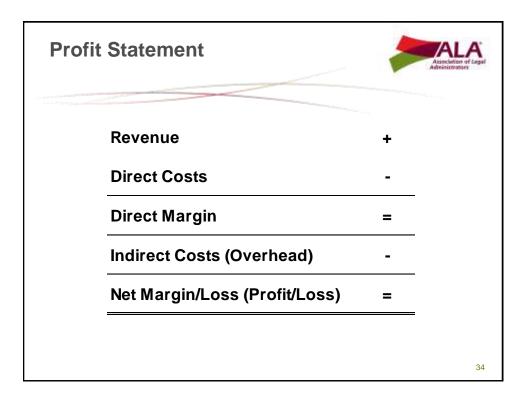








TT SHEAR				
Discount %, must be approved	10%		Trial Team	
		Discounted Rate	tosi tesip	
Team	Full Rate	# applicable	(Y/N)	
Partner1	\$610.00	\$540.00	V \$54	10
Parl Ass Trial preparation		\$36,281	125% of Trial	
Ass Trial		\$29,025		
Post Trial			Jury 25% of F	Prep & Trial
Trial Days	3	add weekend days		
Length of trial days in hours	10			
Post Trial Bench or Jury	Jury	Jury/Bench		
Appeal not included		no 750 m 10 m 10 m 10 m 10		



### Profit Statement Pretrial vs Trial

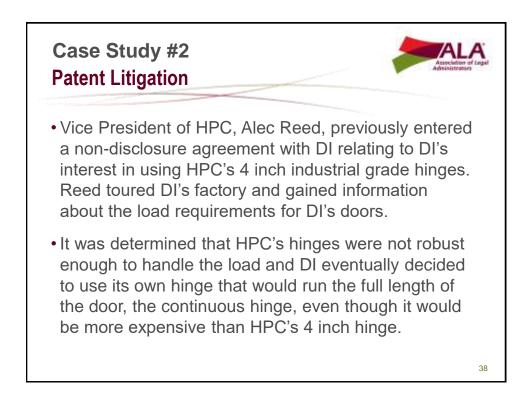


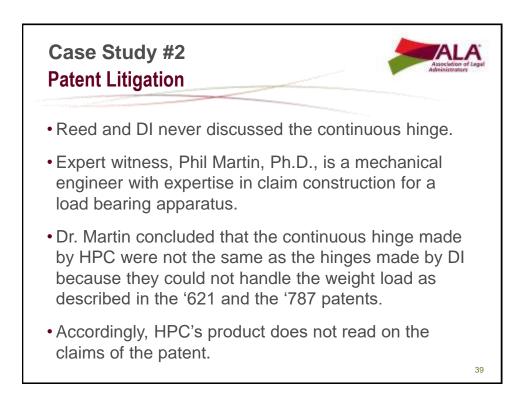
	Before Pretrial	Trial including Prep	All Years
Hours Worked	24,146	5,193	29,339
Standard Value	\$5,656,957	\$2,019,887	\$7,676,844
Expected Amount	\$4,949,837	\$1,821,938	\$6,771,775
ER%	87.5%	90.2%	88.2%
Direct Timekeeper Costs	(\$2,932,828)	(\$1,212,290)	(\$4,145,118)
Direct Margin	\$2,017,009	\$609,648	\$2,626,657
DM%	35.7%	30.2%	34.2%
Overhead	(\$1,682,274)	(\$683,198)	(\$2,365,472)
Bonuses and comp adjustments	(\$196,384)	(\$110,648)	(\$307,032)
Standard Contribution	\$138,351	(\$184,198)	(\$45,847)
SC %	2.4%	-9.1%	-0.6%
Utilization Adjustment	\$31,398	\$101,397	\$132,796
Net Contribution	\$169,749	(\$82,801)	\$86,949
NC %	3.0%	-4.1%	1.1%
Attorney Leverage	0.8	0.7	0.8
Firm Leverage	4.3	1.5	3.4
Billed Rate	\$237	\$345	\$257
PPPH Contribution	\$362	\$268	\$333

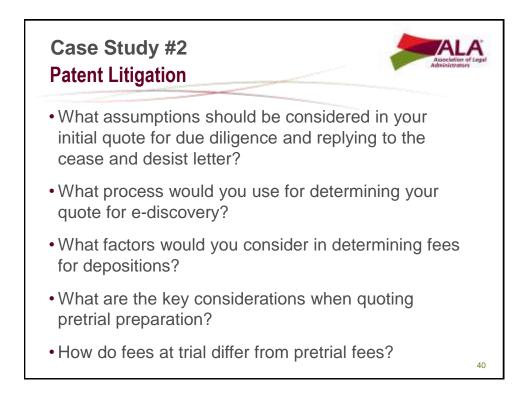


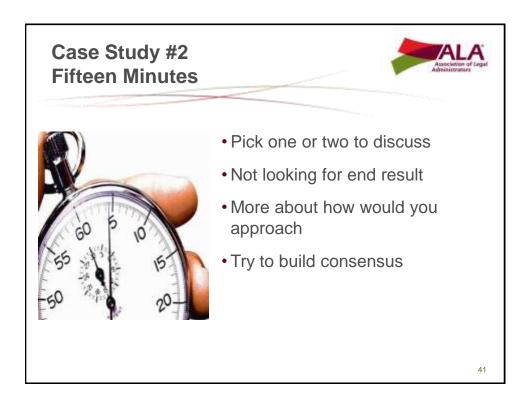
# Case Study #2 Patent Litigation At issue are: Claim 2 of U.S. Pat. No. n,nnn,621 and Claims 7 – 9 of U.S. Pat. No. n,nnn,787. The claims of the '621 and the '787 patents relate to the load bearing mechanism of the continuous hinge. DI filed suit against HPC in the N.D. of Texas.

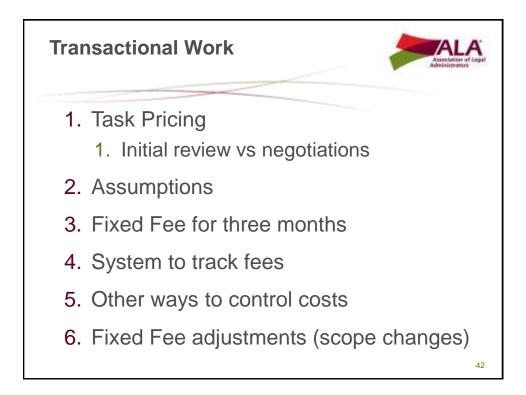


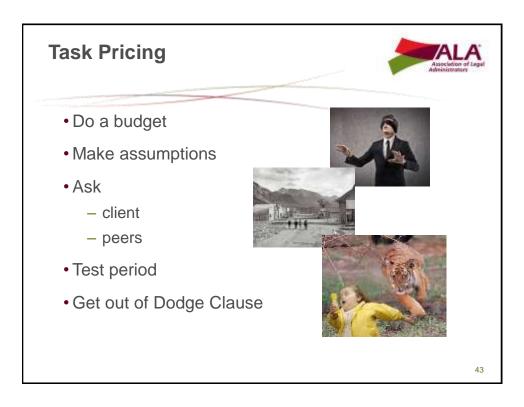






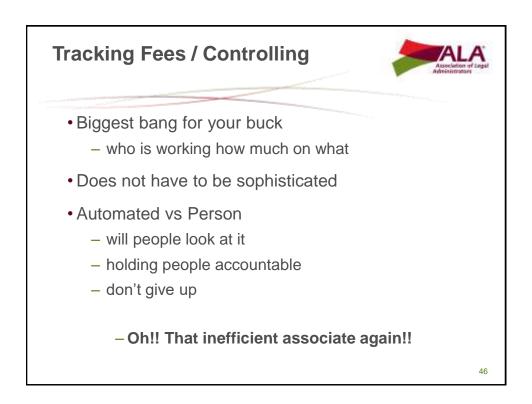




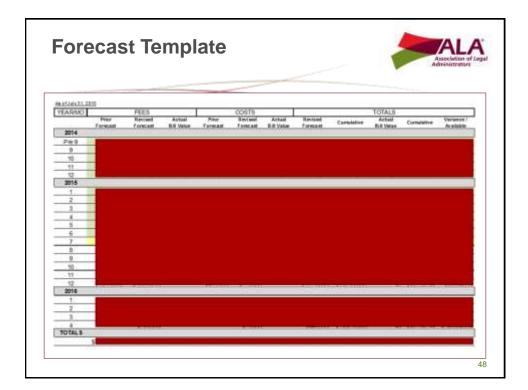








fit Statement				
				Adve
	2014	2015	2016	Ail Years
Hours Worked	6,908	2,640	496	10,044
Sitd Amit	\$1,601,794	\$859,879	\$253,841	\$2,715,514
Expected Amount	\$1,389,009	\$754,099	\$234,553	\$2,377,662
Expected Realization %	86.7%	87.7%	82.4%	87.6%
Standard Direct Timekeeper Costs	(\$815,343)	(\$440,533)	(\$119,971)	(\$1,375,847)
Relative Direct Contribution	\$561,811	\$305,262	\$114,559	\$981,628
RDC %	35.1%	35.5%	45.1%	36.1%
Overhead	(\$459,921)	(\$264,084)	(\$78,586)	(\$802,591)
Bonuses and comp adjustments	(\$245,610)	(\$152,002)	(\$82,397)	(\$400,017)
Relative Standard Contribution	(\$143,728)	(\$110,824)	(\$46,428)	(\$300,980)
RSC %	-9.0%	-12.9%	-18.3%	-11.15
Capacity Utilization Adjustment	\$266,835	\$152,942	(\$21,689)	\$396,088
Relative Contribution	\$123,107	\$42,119	(\$68,118)	\$97,108
RC %	7.7%	4.9%	-26.8%	3.6%
Partner Hours	1,089	599	197	1,985
Atty Non Partner Hours	1,625	849	281	2,755
Non Partner Hours	5,819	2,041	299	8,159
Attorney Leverage	1.6	1.4	1.4	1.6
Firm Leverage	5.3	3.4	1.5	4.3
Std Rate	\$232	\$326	\$511	\$270
Negotiated/System Rate	\$221	\$307	\$400	\$256
Bitted Rate	\$206	\$288	\$485	\$232
CostRate	(\$220)	(\$324)	(\$565)	(\$265)
RCNo Part Comp	5202,455	\$95,858	\$22,031	\$321,255
PPP Contribution	\$327,931	\$295,779	\$23,794	\$631,560
PPPH Contribution	\$186	\$160	\$116	\$170



Weekiy	<b>Monitor</b>	ing Re	pon				Atore	lation of Leg
		Apr	per Report # 2013	i i	P	epper H	lamiļt	on LL
		Lest	INTER (DA)	22+04/301	M	ONTH	1	YTD
Timekeepet		Time 04/30	Hours 17.9	Amount \$7,071	Hours	Amount	Hours	Anous
_	Partner	and the second se	71	54,254	45,5	\$18,191	261.9	\$91,12 \$33,94
0	Patter	04/30	14	\$2.023	5.9	\$3,511	22.0	\$11.70
	Partner	04/50	0.0	90.025	17	99,911	44	\$2,11
	- Aller	Partner Totals:	28.5	513.378	72.0	\$33,609	351.7	\$136.69
-	Associate	05/01	20.9	57.002	72.2	\$24,157	449.9	\$132.12
	According	04/30	42.2	54.691	96.2	\$25,483	410.0	\$96,48
	Associate	04/30	0.5	Side	57.5	\$19,397	257.9	\$75,51
	Annocate	04/30	6.3	\$1,723	33.5	58,954	238.4	555.24
	Associate	04/30	16.5	54,873	81.8	\$21,677	228.4	\$54,85
	Associate	04/30	10.8	54,508	33.8	\$15,721	208.1	\$71.63
	Ansociate	04/23	0.5	\$198	0.5	\$256	159.0	\$53,54
	Associate	84/26	0.5	5316	30.0	\$3,950	33.5	\$11,97
	Associate	04/10	0.0	\$8	2.0	\$530	17.3	\$3,99
	Associate	83/31	100	50	9.0	50	0.0	9
	4	Associate Totals:	74.3	\$22,774	394.3	\$120,136	2,002.8	\$556,37
	Contract Lawyer	04/30	65.0	\$3,770	200.0	\$11,600	765.0	\$39,56
	Contract Lawyer	04/30	60.0	\$5,480	195.2	\$11,322	760.7	\$39,30
_	Parishanak Lanana	01100		FR #71	108.3	\$77 ats	THE P	P40.31

