

Area of Law

Intellectual Property

Trademark, patent, industrial design, copyright and royalty disputes that depend on quantification.

Three possible measures of damages. Each requires different data.

The right holder's loss, the infringer's profit or the fee that would have been paid under a license: each measure depends on different data, often held by the other side. SGEx defines which data are needed and how to treat them, and calculates the amounts by period and by product.

When clients call on SGEx

Unauthorized use of a trademark, patent or industrial design.

Royalty disputes under a license agreement.

Determination of copyright payments and remittances.

Quantification of judgments in infringement actions.

Review of a calculation submitted by the other side.

How SGEx works

Measure identified

The calculation starts from the measure of damages in dispute.

Data set defined

The data required are specified before they are requested.

Costs allocated with criteria

Cost allocation and margin assumptions documented.

SGEx does not provide legal advice: it calculates the amounts under the measure in dispute, with explicit assumptions.

What We Solve

Questions in an intellectual property dispute.

What did the right holder lose?

Quantification of the right holder's damages.

What did the infringer gain?

Review of billing, revenue and profits from the infringement.

What would a license have cost?

Reference fee based on comparable licenses.

Were royalties properly paid?

Determination of royalties owed and paid.

Which costs can be deducted?

Attributable costs and contribution margins.

Does the opposing report hold up?

Analysis and review of expert reports.

How We Approach It

Steps applied to this type of engagement.

1

Measure

Identifying the measure of damages in dispute.

2

Data

Defining and obtaining the required data set.

3

Calculation

Amounts by period and by product.

4

Assumptions

Documenting cost and margin allocation.

What we examine: sales by product, invoices, margins and costs, license agreements, royalty reports and the parties' financial statements.

Deliverables: technical quantification opinion, royalty calculation, expert report, technical questions and review of the other side's calculations.

Related Topics

More on each topic at sgexpericias.com.br

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Disputes and Litigation Support
Arbitration
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Damages and Loss of Profits
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Areas of Law

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Civil and Contract Law
Family, Estates and Succession

Industries

Construction, Engineering and Infrastructure
Insurance and Reinsurance
Financial Services and Capital Markets
Technology and Telecommunications
Healthcare

SGEx at a Glance

Figures reported by SGEx, updated periodically.

400+

engagements completed

100+

court cases in progress

300+

clients served

200+

law firms served

500+

reports, expert reports and opinions delivered

BRL 100M+

in fraud and irregularities identified

Why Talk to SGEx

Expert Services, Disputes and Forensics.

Technical independence

SGEx does not provide legal advice or represent interests: it examines, calculates and demonstrates.

Multidisciplinary team

Accounting, economics, law, business administration, finance and engineering on the same engagement.

Forensic experience

Professionals with prior roles at FTI Consulting, PwC, BDO, Deloitte, KPMG and Mazars.

Traceable methodology

Explicit assumptions, calculation workpapers and conclusions that third parties can replicate.

Who Leads the Work

Damages quantification in court and out-of-court matters.



Sidney Gomes
Founder and Managing Partner of SGEx Group

Works on loss of profits, damages and direct losses, enforcement and quantification of judgments, and expert evidence before arbitral tribunals. Accountant, economist, attorney and auditor.



Fabricio Franco
Operations Coordinator and Senior Expert, Disputes, Investigations and Forensic Services

Accounting expert (CNPIC-CFC no. 8116) specializing in loss of profits and direct losses in court and out-of-court matters, as well as business valuation.

Request an Assessment

Describe the right in dispute, the measure of damages and the data available. SGEx will assess the scope before submitting any proposal.

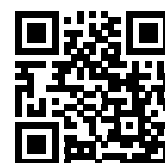
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