

Breach of Contract

Venture Corporation Ltd And Venture Design Services, Inc. V. James Barrett

Mary Schultz Law (Spangle, WA) retained Hampton IP & Economic Consultants, on behalf of Mr. Barrett, with regard to Case No. 5:13-cv-03384 in the United States District Court, Northern District of California, to provide investigative accounting services.

Hampton IP calculated revenue and profit the parties may have realized had Venture Corporation Ltd. pursued sales commitments Mr. Barrett secured with mining industry customers.

Hampton IP submitted a Rule 26 report and a declaration.

VenVest Ballard, Inc. Et Al. V. Clockwork, Inc., Et Al

THE CASE SETTLED PRIOR TO TRIAL.

McGuire Woods LLP (Richmond, VA) retained Hampton IP & Economic Consultants, on behalf of Clockwork, Inc., et al., to provide an opinion on monetary damages arising from breach of contract and trademark infringement in Case No. 5:14-cv-00195 in the United States District Court in the Central District of California, Eastern Division.

VenVest Ballard, while a franchisee of Clockwork (One Hour Air Conditioning), encroached in the territories of fellow franchisees, causing a royalty dispute.

Hampton IP submitted a Rule 26 Report.

VF Imagewear, Inc., Et Al. V. Franco Apparel Group, Inc.

THE CASE SETTLED BEFORE A RULE 26 REPORT.

Franco Apparel Group, located in New York, New York, engaged Hampton IP & Economic Consultants to provide an opinion of damages arising from VF Imagewear, Inc. and Imagewear Apparel Corp.'s breach of contract, breach of contract-option,

detrimental reliance on Option, fraud, interference will sell off, and breach of covenant of good faith and fair dealing.

Since 1988, Franco Apparel had been in the business of selling MLB apparel as a sub-licensee of Major League Baseball, under master licensor Imagewear, which owned the Majestic Trademark. Franco Apparel sold products across the country through retailers such as Target, K-Mart, Walmart, J.C. Penney, Sears, Kohls, and Sports Authority.

VF Imagewear is a publicly traded apparel company that owns many brands including Red Kap, Chef Designs, Bulwark, Horace Small, Lee, and Wrangler Hero. VF acquired Majestic.

Franco Apparel alleged that VF Imagewear and Imagewear Apparel breached its contract with Franco dealing with the MLB license.

Mr. Hampton provided assistance with discovery and analysis of various lost profit damage scenarios.

Cequent Performance Products, Inc. F/K/A Cequent Towing Products, Inc. V. Let's Go Aero, Inc.

THE CASE SETTLED.

Silver & DeBoskey (Denver) retained Hampton IP professionals, on behalf of the defendant, with regard to Case No. 10-cv-02921 in the United States District Court for the District of Colorado, to provide an opinion of damages arising from the alleged breach of contract related to a license agreement. The plaintiff claimed the defendant failed to continue to maintain patents and applications related to trailer accessories.

Hampton IP professionals provided an opinion of damages and calculated a reasonable royalty rate.

Edizone, LLC V. Merck & Co., Et Al.

THE CASE SETTLED PRIOR TO A RULE 26 REPORT.

Edizone engaged Hampton IP & Economic Consultants to provide an opinion of damages arising from Defendants' breach of contract and other wrongful acts.

As the assignee of over 35 patents covering more than 13 different technologies, Edizone operates in the field of innovation. These technologies include Intelli-Gel, Ortho-Gel, Multi-Cell, Gelastic and DuraGel, Flavor Tape, E-Gel, Photographic Quality Images in Plastic, and Floam/Z-Flo.

Merck & Co. is the second largest healthcare company in the world.

Edizone alleged Merck & Co. breached its license agreement with Edizone by failing to properly mark products incorporating Edizone's patented technology.

Mr. Hampton provided analysis of damages.

Felix Alba, Et Al. V. Malvern Instruments Ltd.

Snell & Wilmer (Salt Lake City) retained our consultants, on behalf of the respondent, with regard to Case No. AAA 50 133 T 00018 05, to determine damages related to the alleged breach of a technology transfer agreement regarding acoustical spectroscopy instruments.

We provided lost royalty damage analyses, submitted a Rule 26 expert report, and provided testimony in deposition and at arbitration.

Flou S.P.A. V. Rid-Gid Products, Inc.

THE CASE SETTLED FAVORABLY FOR FLOU BEFORE TRIAL

Ropers Majeski Kohn & Bentley, PC, (Los Angeles) retained Hampton IP & Economic Consultants, on behalf of the defendant, with regard to Case No. 2:01-CV-05214 in the United States District Court for the Central District of California, to provide expert testimony regarding damages arising from the alleged disruption and interference of prospective economic relations with customers.

We identified economic factors contributing to alleged business loss, calculated damages, submitted a declaration, and provided a Rule 26 expert report.

MGA Entertainment, Inc. V. Ubisoft Entertainment, S.A.

THE CASE SETTLED FAVORABLY FOR UBISOFT.

Greenberg Glusker, LLP, (Los Angeles) retained Hampton IP & Economic Consultants, on behalf of the respondent, with regard to Case No. AAA 50 T 133 00467, to provide an opinion of damages arising from the alleged breach of a license agreement. The defendant agreed to create and market a video game based on the popular Bratz dolls, but had to delay sales due to the alleged breach of contract.

We calculated the defendant's lost profit damages in the North American and European markets and submitted a Rule 26 expert report. In addition, we provided deposition testimony and testified at arbitration.

One Hour Air Conditioning Franchising, LLC V. Dallas Unique Indoor Comfort, LTD.

Frost Brown Todd LLC (Louisville, KY) retained Hampton IP & Economic Consultants, on behalf of One Hour Air Conditioning Franchising, LLC, to provide an opinion on monetary damages arising from breach of contract claims in Case No. 8:13-cv-03278 in the United States District Court for the Middle District of Florida, Tampa Division.

Dallas Unique was a franchisee of One Hour for approximately 10 years before terminating its franchise relationship. After termination of the franchise agreement, Dallas Unique began to do business as “The On Time Experts.” One Hour claimed that Dallas Unique violated its franchise agreement through the use of the phrase “On Time,” coupled with the Clock-Themed Logo and Color Scheme.

Hampton IP submitted a Rule 26 Report and testified at deposition and trial.

One Hour Air Conditioning Franchising, LLC V. Southland Air Conditioning And Heating, Inc., Et Al.

McGuire Woods LLP (Richmond, VA) retained Hampton IP & Economic Consultants, on behalf of One Hour Air Conditioning Franchising, LLC, to provide an opinion on monetary damages arising from breach of contract and other wrongful acts of Southland Air Conditioning and Heating, Inc., et al. in Case No. 8:14-cv-01908 in the United States District Court for the Middle District of Florida, Tampa Division.

The case involved the Southland's early termination of its franchise agreement with One Hour, resulting in lost royalty and ad fees. Southland responded with counterclaims involving the encroachment of a fellow franchisee.

Hampton IP submitted a Rule 26 Expert Report and a Rebuttal Report in response to Southland's claims. Hampton IP also provided deposition testimony.

Andrx Therapeutics, Inc. V. Mallinckrodt, Inc.

THE CASE SETTLED.

Berger Singerman (Fort Lauderdale) retained Hampton IP & Economic Consultants, on behalf of the plaintiff, with regard to Case No. 0:06-CV-60210 in the United States District Court for the Southern District of Florida, to evaluate economic damages arising from the alleged breach of contract involving generic and branded sales of the pain relief medication hydrocodone bitartrate with acetaminophen.

We submitted a Rule 26 expert report and provided deposition testimony.