

Dr. David Blackburn

Managing Director



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David Blackburn is an economic expert whose specialties include intellectual property, antitrust and competition policy, and econometric analysis. He also leads NERA's life sciences group. Dr. Blackburn provides thorough analysis and expert testimony for high-profile clients in industries including pharmaceuticals, medical devices, music and entertainment, technology, natural resources, and consumer products.

Dr. Blackburn has expertise in the economics of patent, trademark, and copyright infringement issues, as well as false and misleading advertising cases and royalty rate setting. He regularly conducts analyses related to the issues of commercial success and preliminary and permanent injunctions in Inter Partes Review and Abbreviated New Drug Application (ANDA) proceedings pursuant to the Hatch-Waxman Act.

In his antitrust and commercial damages practices, Dr. Blackburn has assessed liability and damages in disputes related to tying, price discrimination, monopolization, and breaches of contract, among others. He has also assessed the competitive effects of mergers and acquisitions and issues relating to impact and damages in class action litigation. In his antitrust and IP practices, Dr. Blackburn has experience critiquing damage models and designing and providing economic analysis. He writes and speaks publicly about a range of IP and antitrust issues in pharmaceuticals and entertainment.

Before joining NERA, Dr. Blackburn's PhD research focused on the economics of IP and the development of monetary systems. His doctoral dissertation was an analysis of the economics of copying, with a detailed examination of the effects of file sharing on the recorded music industry. His research was cited in testimony to the US Senate by the chairman and CEO of the Recording Industry Association of America in *MGM v. Grokster*.

Dr. Blackburn taught undergraduate-level courses at Harvard University and Framingham State University and a graduate-level course in the economics of regulation and antitrust at the Universidad Nacional de Tucumán in Argentina.

Education

PhD in economics, Harvard University

ScB in applied mathematics and economics, with Honors, Brown University

Publications

- *Economics in Life Sciences: Does Temporary Generic Competition Have a Lasting Impact on Branded Drug Sales?*
- *Glossary of Pharmaceutical Terms and Acronyms*
- *Expert Witnesses in Competition Disputes*
- *25 Percent, 50 Percent ... What is in a Number?*

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- *The 25 Percent Rule in Patent Damages: Dead and Now Buried*
- *Words Matter: Economics & A Literal Reading of Mars, American Seating, and Monsanto-Ralph -- Potholes Along the Road to Economic Rationality?*
- *Reasonable Royalties After eBay*
- *Where's the Economics Behind Lucent v. Gateway et al.?*

Practice Areas

Antitrust and Competition

Communications, Media, and Internet

Intellectual Property

International Arbitration

Life Sciences

Languages

English, Spanish

About NERA

NERA Economic Consulting (www.nera.com) is a global firm of experts dedicated to applying economic, finance, and quantitative principles to complex business and legal challenges. For over half a century, NERA's economists have been creating strategies, studies, reports, expert testimony, and policy recommendations for government authorities and the world's leading law firms and corporations. With its main office in New York City, NERA serves clients from more than 25 offices across North America, Europe, and Asia Pacific.