

Sarah Butler

Senior Managing Director

Chair of NERA's Survey Research, Design, and Analysis Practice



Contact

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Sarah Butler is one of the world's foremost testifying experts in survey research and sampling, with over 15 years of experience designing and implementing complex consulting projects for clients involved in litigation, arbitration, regulatory proceedings, and business strategy. She has advised major brands including Apple, Walmart, Toyota, and Gatorade, and her research and testimony have been accepted in state and federal courts during bench and jury trials, by regulatory bodies like the ITC and the Copyright Board, and in arbitration venues.

Ms. Butler frequently conducts survey research and analysis in support of intellectual property disputes involving trademarks, patents, and alleged false advertising, including conducting surveys to establish likelihood of confusion, secondary meaning, and dilution. In patent matters, Ms. Butler has designed studies to determine the value attributable to a patented feature. She has also designed and implemented surveys in a range of consumer class action matters including those related to privacy and data sharing, product labeling, and product liability. In antitrust matters, she has designed and evaluated surveys offered to estimate market shares and as evidence of cross-shopping behaviors.

Ms. Butler is an expert in consumer perception studies and experimental design and has designed and evaluated complex survey designs including willingness to pay and hypothetical choice surveys. She has also reviewed secondary market research with a focus on evaluating its reliability and potential limitations as evidence.

Ms. Butler also offers expert testimony in sampling matters. She has designed and evaluated samples in employment litigation and product testing cases. Outside of litigation, Ms. Butler assists companies with brand awareness and brand tracking studies and claim substantiation work.

Prior to joining NERA, Ms. Butler worked in market research, conducting survey research, focus groups, and in-depth interviews.

Education

MA in applied sociology, Temple University

MA in philosophy, Trinity College, Dublin, Ireland

BA in sociology and history, with Honors, Wellesley College

Publications

- *A Tale of Two Cups: Acquired Distinctiveness and Survey Evidence Before the TTAB*
- *Survey Response Bias and the 'Privacy Paradox'*
- *The Value of Non-Personally Identifiable Information to Consumers of Online Services: Evidence from a Discrete Choice Experiment*

- *Damages Based On The Intrinsic Value Of Privacy?*
- *Pharmacy Practice: A Report on Pharmacists' Use of Printed Package Inserts*
- *The Use Of Statistical Sampling Post-Duran*
- *The Value of Personal Information to Consumers of Online Services: Evidence from a Discrete Choice Experiment*
- *Survey Evidence in False Advertising Cases*
- *Meeting The New Standard For Reasonable Royalties*
- *The Use of Surveys in Litigation: Recent Trends*
- *Emerging Issues in the Use of Surveys in Trademark Infringement on the Web*

Practice Areas

Intellectual Property

Life Sciences

Product Liability and Mass Torts

Statistical Sampling and Analysis

Survey Research, Design, and Analysis

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.