



James D. Ratliff, PhD

CURRICULUM VITAE

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SUMMARY:

James Ratliff has over 25 years of experience as an economist in academia and litigation consulting, specializing in antitrust analysis in a variety of litigation and regulatory contexts. He has provided analyses of allegations of monopolization and attempted monopolization, price fixing, and predatory pricing, as well as of mergers and acquisitions, licensing of intellectual property, direct and indirect-purchaser class certification, patent misuse and antitrust counterclaims to patent infringement, and various business and contracting practices such as distribution, vertical restraints, bundled rebates, and exclusive dealing. Dr. Ratliff has testified in federal court.

Dr. Ratliff's consulting has brought him experience with diverse products and services in dozens of industries, including:

beef packing, bone mills for spinal surgery, brand-name prescription drugs, cell-culture products, cable TV, cable-TV digital set-top boxes (middleware), commercial paper products, concert promotion, consumer payment methods (*e.g.*, credit and debit cards, etc.), credit-card currency conversion, cybersecurity software and services, direct broadcast satellite, disposable contact lenses, domain name system (DNS) infrastructure and Internet security, ebook publishing and retailing, electric-vehicle charging infrastructure, fiber optics (erbium-doped fiber-optic amplifiers), graphics processing units, hard-disk drives, interactive program guides (for cable/DBS set-top boxes), Internet browsers, investment banking (IPO underwriting), laser refractive surgical equipment (IP), licensing of standard-essential patents, mainframe computers and their software, mobile-phone chip sets, online search and online (including mobile) advertising, outpatient surgical services, pharmaceuticals (generic and interbrand competition; wholesaling; retailing; pharmacy benefit management, patent settlements), private-equity leveraged buyouts, private-label consumer goods, rental housing, secondary markets for event ticket sales, semiconductor capital equipment, speech recognition, telecommunications, telephone headsets, third-party maintenance in aftermarket, transparent tape (bundling), uninterruptible power supplies, videoconferencing and unified communication, wholesale electricity markets, wireless technologies (3G, 4G, CDMA, WiMAX, OFDM, etc.), and wooden pallets.

EDUCATION

1993, PhD, Economics, University of California, Berkeley

Fields of specialization: Industrial Organization and Advanced Microeconomic Theory

1979, BA, Physics and Mathematics (double major), Oberlin College

PROFESSIONAL EXPERIENCE:

October 2006 – Present, Compass Lexecon, Oakland, CA

Executive Vice President (2013–present), Senior Vice President (2007–2013), Vice President (2006–2007)

March 1998 – October 2006, LECG, Emeryville, CA

Senior Managing Economist (1999–2006), Managing Economist (1999), Senior Economist (1998–1999)

Fall 1999, Haas School of Business, University of California, Berkeley

Visiting Professor

1992–1998, Economics Department, College of Business and Public Administration, University of Arizona

Assistant Professor

1996–1998, Virtual Perfection Web Solutions

Owner

1986–1992, University of California—Berkeley, Economics Department

*Research Assistant, funded by National Science Foundation grant IRI-8902813
Graduate Student Instructor*

1989, Massachusetts Institute of Technology, Economics Department

Research Assistant, provided technical and pedagogical assistance to Drew Fudenberg and Jean Tirole during their writing of Game Theory (MIT Press, 1991)

1979–1985, University of Texas at Austin, Applied Research Laboratories

Research Physicist Associate

PUBLICATIONS:

“Is There a Market for Organic Search Engine Results and Can Their Manipulation Give Rise to Antitrust Liability?,” with Daniel Rubinfeld, *Journal of Competition Law & Economics* 10(3), 2014, 517–541.

“The Use and Threat of Injunctions in the RAND Context,” with Daniel Rubinfeld, *Journal of Competition Law & Economics* 9(1), 1–22, 2013.

“Online Advertising: Defining Relevant Markets,” with Daniel Rubinfeld, *Journal of Competition Law & Economics*, 6(3), 653–686, 2010.

“Sky Wars: The Attempted Merger of EchoStar and DirecTV (2002),” with Richard J. Gilbert, in *The Antitrust Revolution*, fifth edition, 115–139, edited by John E. Kwoka, Jr. and Lawrence J. White, 2009, Oxford Press.

“The California Electricity Manifesto: Choices Made and Opportunities Lost,” with Carl R. Danner and David J. Teece, in Ahmad Faruqui and B. Kelly Eakin (eds.), *Electricity Pricing in Transition*, 231–243, 2002, Kluwer Academic Publishers.

“Monolog vs. dialog in costly bilateral communication,” with Fred Kofman, *Journal of Economic Behavior & Organization*, 31:3 (December 1996), pg. 431–443.

AWARDS:

Antitrust Writing Award for Best Antitrust Academic Article: Dominance Category, awarded jointly with Daniel Rubinfeld
2015, *Concurrences Journal* in cooperation with George Washington University, for
“Is There a Market for Organic Search Engine Results and Can Their Manipulation Give Rise to Antitrust Liability?”

Received Outstanding Graduate Student Instructor Award
1990–1991, *University of Arizona*

Awarded University of California Regents Fellowship
1988–1989, *University of California, Berkeley*

Awarded John H. Wheeler University Fellowship
1986–1987, *University of California, Berkeley*