



TRADEMARK | DAUBERT HEARING
Goodwin Procter, Boston, MA
**Citizens Financial Group v. Citizens
National Bank of Evans City**

Interactive Presentation Drives Winning Arguments at Daubert Hearing

THE MATTER

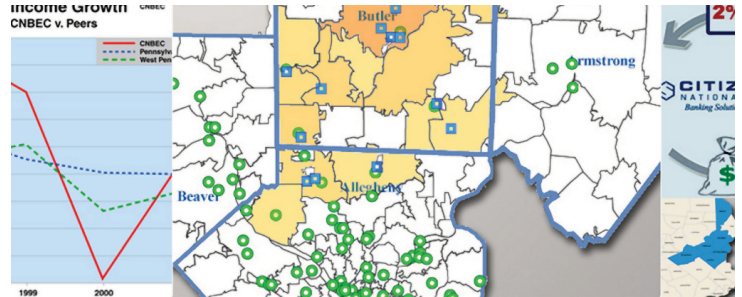
Trademark Infringement Declaratory Judgment Suit Filed to Enable Citizens' Business Expansion

In 2003, Citizens National Bank of Evans City ("CNB") sought to stop Citizens Financial Group ("CFG") from employing the name 'Citizens' in the state of Pennsylvania, specifically at over 40 bank branches purchased from Mellon Bank in four Western Pennsylvania counties. CFG responded by filing suit in the United States District Court for the Western District of Pennsylvania seeking a declaratory judgment that CNB could not prevent it from using the name. CFG hired Boston firm Goodwin Procter to help the company clear the way for its business expansion in Pennsylvania.

THE CASESIGHT EFFECT

Interactive Presentation Simplifies Complex Data and Builds Strong Non-infringement Record

To overcome the infringement allegations, Goodwin Procter needed to present a host of complex financial and commercial facts to the judge at the Daubert hearing. Goodwin retained CaseSight to develop an effective case presentation strategy and to design compelling case presentation assets that would simplify the complexities of the case, clarify the financial and business stakes involved, and help Goodwin lead attorney Paul Ware build a strong, unimpeachable record for his noninfringement argument. CaseSight designed and developed an interactive presentation that allowed Ware and his trial team to clearly present layers of complex data such as market penetration statistics, media coverage, branch locations, and a comparative analysis of the banking market in a single, integrated presentation. The presentation clearly showed



the flaws in the assumptions and results presented by the defense's expert witnesses, thus discrediting their testimony.

THE OUTCOME

Citizens Successfully Defends Brand and Business Expansion

CaseSight's interactive presentation helped to support a winning argument by the Goodwin Procter attorneys at the Daubert hearing. Judge Ambrose ruled that a key piece of evidence, a customer survey conducted for CNB, was deemed inadmissible due to flawed execution of the consumer analysis. Later at trial, a jury returned a verdict for Citizens Financial Group. The Goodwin Procter team set the stage for victory at trial by engaging CaseSight's expertise in the early stages of the litigation process to develop effective case presentation strategy and assets.

