

**ANNE CAI**  
**Vice President**

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Ms. Cai applies consumer behavior and marketing research methods to litigation issues and strategic business problems, including false advertising, product liability, trademark infringement, patent infringement, competition, and data privacy matters. She has extensive experience developing and evaluating quantitative and qualitative research to assess marketing, branding, and consumer perception and behavior. Ms. Cai specializes in the application of market research methods such as consumer surveys, experimental studies, social media analyses, and statistical methods. She has assisted clients and supported leading marketing experts throughout the litigation process, from preparation of expert reports to preparation for deposition and trial testimony. Ms. Cai's work spans a range of industries, including technology, consumer products and services, e-commerce, telecommunications, and media and entertainment.

**EDUCATION**

2018            M.B.A., MIT Sloan School of Management  
2014            B.S., mathematics and political science, Massachusetts Institute of Technology

**PROFESSIONAL EXPERIENCE**

2018–Present    Analysis Group, Inc.  
                    *Vice President (2024–Present)*  
                    *Manager (2021–2023)*  
                    *Associate (2018–2020)*

2017–2018      The Associated Press  
                    *Research Fellow*

2017              Comcast NBCUniversal  
                    *Enterprise Business Intelligence, Video Analytics Intern*

2013–2016      Analysis Group, Inc.  
                    *Senior Analyst (2016)*  
                    *Analyst (2014–2015)*  
                    *Summer Analyst (2013)*

## SELECTED CONSULTING EXPERIENCE

### False Advertising

- **Light beer advertising matter**  
Supported a marketing expert to rebut surveys intended to assess consumers' takeaways and purchase behavior resulting from a light beer advertising campaign containing allegedly false claims, as well as to rebut a social media analysis of the campaign's reach and impact on consumer sentiment.
- **Consumer class action involving LED lightbulbs**  
Supported a survey expert to rebut a conjoint analysis survey intended to measure consumers' willingness-to-pay associated with an advertising and packaging claim about lightbulb longevity.
- **Consumer class action involving multi-function printers**  
Supported a survey expert to develop and analyze surveys of consumer awareness and behavior pertaining to alleged misrepresentations and lack of disclosure regarding multi-function printer functionality.

### Data Privacy

- **Consumer class action regarding voice-activated devices**  
Supported a consumer behavior and survey expert to rebut a qualitative assessment of consumer understanding of and preferences for privacy, and also to rebut a proposed conjoint survey intended to assess consumers' willingness to pay for devices in light of additional disclosures.
- **Consumer behavior regarding online account settings**  
Supported a consumer behavior and survey expert to develop and analyze a survey experiment to assess consumers' account setting decisions under different disclosure conditions. Also supported expert to rebut qualitative assessments of consumer behavior and consumer perceptions.

### Competition

- **Consumer behavior regarding ride-sharing app pricing**  
Supported a survey expert to develop and analyze a survey experiment to assess consumers' transportation choices under different pricing scenarios.
- **Consumer behavior and perceptions regarding display and labeling of real estate listings**  
Supported a marketing and consumer behavior expert to rebut an analysis that attempted to assess consumers' perceptions of the display and labeling of real estate listings, as well as resulting consumer behavior.

### Trademark Infringement

- **Dating app matter**  
Supported a marketing and survey expert to rebut a survey experiment intended to assess whether consumers consider a dating app's alleged trademarks as identifiers of the brand (i.e., whether the terms had achieved secondary meaning).

- **Beverage packaging matter**  
Supported a marketing and survey expert to assess the fame and source identification of a trademarked beverage container, as well as to rebut a survey experiment intended to assess consumers' likelihood of confusion.
- **Pharmaceutical companies matter**  
Supported a marketing and survey expert to conduct a survey assessing consumer perceptions of a company name, as well as to rebut the sampling and analysis of a social media study intended to assess potential confusion.
- **Media and music streaming app matter**  
Supported a survey expert to develop and analyze survey experiments to assess consumers' likelihood of confusion relating to a photography/media company and a music streaming app. Conducted forward and reverse confusion studies.

### **Patent Infringement**

- **Digital streaming media player matter**  
Supported a survey expert to rebut a survey and statistical analysis intended to assess consumer purchase decisions pertaining to an allegedly infringing device feature and the valuation of that feature.
- **International Trade Commission matter regarding e-cigarettes**  
Supported a consumer behavior and survey expert to rebut a consumer survey intended to assess the preferences and behavior of e-cigarette consumers.

### **Product Liability**

- **Consumer class action involving automobile gearshifts**  
Supported a consumer behavior and survey expert to rebut a conjoint analysis survey intended to measure consumer valuations of an allegedly improved feature in a car and/or adequate risk disclosures.
- **Consumer class action involving automobile windshields**  
Supported a consumer behavior and survey expert to develop and analyze surveys to assess consumers' purchase drivers and usage behavior. Supported expert to also rebut a conjoint analysis survey intended to measure consumer valuations of risk disclosures.
- **Consumer class action involving automobile paint**  
Supported a consumer behavior and survey expert to develop and analyze configurator surveys to assess consumers' likelihood of purchase. Supported expert to also rebut damages opinions as they pertain to topics related to consumer behavior and decision-making.

### **Policy and Legislation**

- **Health warning label matter regarding advertisements for sugar-sweetened beverages**  
Supported a marketing and branding expert in the development of affirmative and rebuttal reports assessing the effects of government-mandated health warning labels on consumer perception and decision-making pertaining to sugar-sweetened beverages.

- **Automotive dealer software matter**

Supported a branding expert to develop a report assessing the impact on the corporate reputations and brand equities of automotive software providers that may result from a potential data security breach.

## **EXPERT WORK**

- **False advertising matter regarding product label on packaged food products**

Prepared an expert report rebutting a survey that attempted to measure consumer confusion as to the source of the at-issue product's flavor and assess consumer decision-making.

## **ARTICLES AND PUBLICATIONS**

“Choice Experiments: Reducing Complexity and Measuring Behavior Rather than Perception,” with Joel H. Steckel, Rebecca Kirk Fair, and Kristina Shampianier, chapter in *The Cambridge Handbook of Marketing and the Law*, ed. Jacob E. Gersen and Joel H. Steckel, pp. 207–220 (2023)

“Recent Cases on ‘Green’ Messaging in Food and Beverage Company Advertising,” with Rebecca Kirk Fair, Rene Befurt, and Helene Rowland, *Top Food and Drug Cases, 2022, & Cases to Watch, 2023*, ed. August T. Horvath (June 2023)

“The Use of Surveys in Lost Profits Analyses,” with Rene Befurt and Rebecca Kirk Fair, chapter in *Lost Profits Damages: Principles, Methods, and Applications*, ed. Jeffrey H. Kinrich and Everett P. Harry III, second edition (2022)

“New Survey Methods Address Consumer Uncertainty in Trademark Law,” with Joel Steckel and Helene Rowland, *IP Watchdog* (October 2021)

“Expert Analysis: New Survey Methods May Assess Trademark Dilution With More Detail,” with Rene Befurt and Joel Steckel, *Law360* (August 2020)

“Expert Analysis: How Surveys Can Affirm Materiality In Consumer Cases,” with Harriet Ho, Rebecca Kirk Fair, and Laura O’Laughlin, *Law360* (August 2019)

“Digital Monetization for Publishers: New Ways to Capture Consumer Revenue,” with Ryan Nakashima, *Associated Press Insights* (August 2018)

## **PROFESSIONAL ASSOCIATIONS AND MEMBERSHIPS**

2018–Present American Marketing Association

## **LANGUAGES**

English (native), Chinese (native conversational fluency)