



THOMAS R. VUKSINICK

Equity Shareholder

Mr. Vuksinick is a senior member of the firm's litigation group. His areas of practice include the litigation of patent infringement issues, unfair competition claims, trademark infringement, false advertising, and employer/employee relations, including covenants not to compete.

He has also been involved in the negotiation and preparation of intellectual property license agreements, opinions relating to patent infringement, non-infringement and patent validity, and he has participated as an arbitrator and as a mediator in major patent and IP disputes. Mr. Vuksinick has also served on the firm's board of directors.

Primary Practice Focus

- Complex IP Litigation, Inter Partes Conflicts & Mediation and Arbitration
 - Patent Infringement
 - Trademark Infringement
 - Unfair Business Practices
- Appeals
 - Before the U.S. Court of Appeals for the Federal Circuit

Other Practice Experience

- International Prosecution of IP
 - Licensing of Intellectual Property Rights, Including Patents, Trademarks, Copyrights, Trade Secrets, and Know How
 - International Patent Prosecution
- Licensing, Other Transactional Work & Client Counseling
 - Employment Agreements & Invention Ownership
 - Non-Competition Covenants
 - Non-Disclosure Agreements
 - Assignments of Intellectual Property Rights
 - Patentability Opinions
 - Patent Infringement Opinions
 - Defensive Opinions of Non-infringement and Design Around Strategies

Professional Accomplishments of Note

- *Free Motion Fitness, Inc. v. Cybex Int'l, Inc.*, 423 F.3d 1343 (Fed. Cir. 2005) (vacating grant of summary judgment of noninfringement).

- *Ultradent Products, Inc. v. Life-Like Cosmetics, Inc.*, 127 F.3d 1065 (Fed. Cir. 1997) (affirming findings of infringement).
- *The Nautilus Group, Inc. f/k/a Direct Focus, Inc. v. ICON HEALTH & FITNESS, INC.*, United States District Court for the Western District of Washington at Seattle, Civil No. C-02-2420-RSM (summary judgment dismissing patent infringement claims).
- *Leisa Hancock v. Richard Paul Evans*, United States District Court for the District of Utah, Civil No. 1:99CV-0068DB (summary judgment dismissing copyright infringement claims).
- *ICON HEALTH & FITNESS, INC. v. Bodyflex Manufacturing Group*, United States District Court for the District of Utah, Civil No. 95: CV-0121G (preliminary injunction enjoining trade dress infringement).

Education

- J.D., J. Reuben Clark Law School, *magna cum laude*, Brigham Young University, 1979
- B.S., Brigham Young University, 1975

Professional Admissions and Associations

- Utah State Bar
- American Intellectual Property Law Association (AIPLA)
- American Bar Association

Other Information of Interest

Law school

- J. Reuben Clark Scholar
- Associate Editor of the Law Review
- Legal Writing Instructor at the J. Reuben Clark Law School, BYU