



Thomas R. Vuksinick

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As a senior member of the litigation group, Thomas R. Vuksinick's vast experience as an arbitrator and mediator in major patent and IP disputes enables him to successfully advise clients in matters of unfair competition claims, patent and trademark infringement, false advertising, and employer/employee relations, including non-compete covenants. Mr. Vuksinick is also involved in negotiating and preparing intellectual property license agreements, opinions relating to patent infringement, non-infringement and patent validity.

Experience

- International Prosecution of IP
- Complex IP Litigation, Inter Partes Conflicts & Mediation and Arbitration
- Patent and Trademark Infringement
- Unfair Business Practices
- Appeals before the U.S. Court of Appeals for the Federal Circuit
- Licensing of Intellectual Property Rights, Including Patents, Trademarks, Copyrights, Trade Secrets, and Know How
- 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
- *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., magna cum laude, J. Reuben Clark Law School, Brigham Young University, 1979

B.S., Business, Brigham Young University, 1975

Admissions

Utah State Bar

U.S. Circuit Court of Appeals, Tenth Circuit

U.S. Court of Appeals for the Federal Circuit

American Bar Association

Memberships

American Intellectual Property Law Association (AIPLA)

David K. Winder IP Inn of Court