



## MARC W. VANDER TUIG

### PARTNER

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Marc Vander Tuig focuses on high-stakes patent litigation. He has helped his clients win complex patent cases in district courts throughout the United States and at the U.S. Court of Appeals for the Federal Circuit. Marc also has extensive experience handling contested cases at the Patent Trial and Appeal Board (PTAB) at the U.S. Patent and Trademark Office, including *inter partes* review, covered business method review and interference proceedings.

Marc has litigated many other types of intellectual property and commercial disputes in federal court. These cases include trademark, trade dress, trade secrets and antitrust cases.

Marc assists clients with a variety of other intellectual property matters, including patent counseling and opinions, due diligence and licensing. His experience spans a wide range of industries, including semiconductors, pharmaceuticals, telecommunications, chemicals, electronics, motors and software.

### EDUCATION

- University of Missouri School of Law (J.D., 2002)
  - Order of the Coif
  - Law Review Editorial Board
- University of Missouri (B.S., 1996)

### PROFESSIONAL ACTIVITIES

- Bar Association of Metropolitan St. Louis (Former Chair, Patent, Trademark and Copyright Section)

### CHARITABLE AND CIVIC INVOLVEMENT

- Southminster Presbyterian Church (Member, Property and Finance Commission)

### ACCOLADES

- *The Best Lawyers in America*®, Patent Litigation (2015-present)
- [\*Missouri & Kansas Super Lawyers\*](#)® (2013-present)
- *Chambers USA: America's Leading Lawyers for Business*, Up and Coming Attorney (2014)

### SERVICES AND INDUSTRIES

Intellectual Property Litigation

Intellectual Property

Post Grant Proceedings

Appellate

Trademark

Copyright

Consumer Products and Services

Health Care and Life Sciences

Manufacturing and Innovation

Technology

### ADMISSIONS

Missouri

U.S. Patent and Trademark Office

U.S. District Court, Eastern District of Missouri

U.S. District Court, Western District of Missouri

U.S. Court of Appeals, Federal Circuit

U.S. District Court, District of Colorado

U.S. Court of Federal Claims

U.S. Supreme Court

- *Missouri & Kansas Super Lawyers*®, Rising Star (2009, 2011-2012)

## BACKGROUND

Before joining Armstrong Teasdale, Marc led the PTAB proceedings practice at another St. Louis law firm.

## EXPERIENCE

### **Successful Defense of Game-Changing Technology for Agricultural Manufacturer**

Successfully defended game-changing agricultural equipment patents before the USPTO during reexamination related to a pending infringement suit in which the major manufacturer is the plaintiff.

### **Summary Judgment Affirmed on Appeal in Trademark Case**

Secured summary judgment for a manufacturer in dispute over use of the client's mark. The plaintiff in the case sought a permanent injunction in Wisconsin and Michigan and disgorgement of profits. The U.S. District Court for the District of Wisconsin granted summary judgment precluding an award of profits and denied a permanent injunction after trial. Both rulings were affirmed on appeal to the U.S. Court of Appeals for the Seventh Circuit.

### **Inter Partes Review for Multinational Security Company**

Handled four different *inter partes* reviews for multinational company specializing in security and identity solutions.

### **Preliminary Injunction for Chemical Company in Patent Case**

Won a preliminary injunction for a large chemical company against its competitor in a patent case after beating an inter partes review petition challenging the company's patent.

### **Defense Verdict for Financial Institution in Patent Lawsuit**

Won a complete defense verdict for a Midwest financial institution in a patent lawsuit brought by a large patent-assertion firm by defeating multiple asserted patents in inter partes review proceedings and successfully defending these victories at the U.S. Court of Appeals for the Federal Circuit.

### **Successful Appeal for Steel Manufacturer in Response to IPR Petition**

Defeated an IPR petition filed by a large European competitor against our client, a steel manufacturer, including a successful appeal to the U.S. Court of Appeals for the Federal Circuit.

### **Defense Verdict for Financial Institution in Patent Lawsuit**

Won a complete defense verdict for a large financial institution in a patent lawsuit brought by a patent-assertion entity that had previously successfully enforced the asserted patent against numerous parties.

### **Eliminated Clean Energy Company Competitor's Patent Rights**

Eliminated a competitor's key patent rights in inter partes review proceedings for a startup clean energy company.

### **Summary Judgment for Electric Motor Manufacturer in Patent Case**

Defeated all patent claims after early summary judgment for an electric motor

manufacturer in a lawsuit brought against it by a direct competitor asserting design patent, utility patent and trade secret claims.

**Defeated IPR Petitions Filed by Chemical Company Competitor**

Protected a large chemical company's important patent portfolio by defeating multiple inter partes review petitions filed by a direct competitor.

**Seven-Figure Settlement for Chemical Manufacturer in Patent Case**

Won a high, seven-figure settlement and ongoing royalties for a large chemical manufacturer in a patent case brought against the company's direct competitor.

**Seven-Figure Settlement for Construction Client in Patent Case**

Won a high seven-figure settlement for a U.S. manufacturer of construction products in a patent case against a large European competitor.

**Defense Judgment for Utility Company in Patent Lawsuit**

Won a complete defense judgment for a utility company in a patent lawsuit brought by a patent-assertion entity asserting 16 patents relating to telecommunications.

**Favorable Settlement for Distributor in Patent Case**

Won a favorable settlement in a case defending a distributor against design patent, utility patent and trade dress claims in the Northern District of California.

**Favorable Settlement for Corporate Event Planning Company in Trademark Case**

Won a favorable settlement in a trademark case in the Northern District of Illinois regarding the name of a business unit for a large, privately held company in the event planning industry.

**Successful Jury Trial for Semiconductor Manufacturer in Patent Infringement Case**

Won a jury trial for a U.S. manufacturer in the semiconductor industry in a patent case against a primary competitor involving competing patent infringement claims.

**Defense Verdict for U.S. Manufacturer in Antitrust Case**

Won a complete defense verdict for a U.S. manufacturer in an antitrust case brought by a Japanese competitor seeking nine-figure damages.

**Favorable Settlement for Manufacturer in Trade Secret Case**

Won a favorable settlement in a trade secret case for a Midwest manufacturer brought against the company's former employee who went to work for a competitor.