



## MATTHEW J. GEARIN

### ASSOCIATE

St. Louis, MO

314.342.8044

[mgearin@atllp.com](mailto:mgearin@atllp.com)



Matthew Gearin is an associate in the firm's Intellectual Property, Trademark Services and Litigation practices. His main focus includes domestic and foreign trademark portfolio management.

Along with assisting clients in a variety of industries on trademark selection, Matthew provides a full range of trademark services on a global scale, including clearance searches, registration and prosecution, opposition and cancellation, and trademark-related litigation. He also represents clients by drafting agreements related to trademark licensing and the coexistence of intellectual property rights. Moreover, Matthew assists clients through all stages of patent prosecution, including patentability searches, patent applications and answering office actions from the U.S. Patent and Trademark Office.

In addition to providing Intellectual Property services, Matthew works with Armstrong Teasdale's health care litigators in representing clients in all types of medical malpractice, professional liability, breach of contract and other health care claims.

### EDUCATION

- Saint Louis University School of Law (J.D.)
- Southern Illinois University-Edwardsville (B.S.)
  - Biology: Medical Sciences

### BACKGROUND

Prior to joining the firm as an attorney, Matthew was a patent scientist in the firm's Intellectual Property practice group. Before that, Matthew worked as a technician and data analyst at an agrochemical and agricultural biotechnology company where he performed genetic testing of corn, soy, and various other vegetables, collecting and interpreting large amounts of genetic data, and communicating with in-house customers regarding seed quality data.

## EXPERIENCE

### Secured Motion to Dismiss for Hospital in Protected Health Information, Termination Case

Prevailed on a contested Motion to Dismiss in favor of hospital client. Plaintiff alleged

### SERVICES AND INDUSTRIES

Intellectual Property

Trademark

Copyright

Medical Malpractice

### ADMISSIONS

Missouri

employment termination in part, due to our client's allegedly inappropriate and unauthorized disclosure of protected health information. Plaintiff asserted a claim alleging breach of fiduciary duty of confidentiality, seeking both economic losses and punitive damages. Relying in part on HIPAA regulations, we filed a Motion to Dismiss and a Motion to Strike the punitive damages claims, and after oral argument, the Judge granted the Motion.

**Outside IP Counsel, Trademark Prosecution for Global Consumer Products Company**

Served as outside intellectual property counsel to a global consumer products company, advising on the clearance of proposed trademarks, prosecuting a high volume of applications across a wide range of consumer products, and managing the client's portfolios worldwide.

## **THOUGHT LEADERSHIP**

February 6, 2018

**Mum's the Word on Olympics Content to Avoid Infringement**

January 27, 2017

**USPTO Amendment Requires Additional Proof of Use for Trademarks**