



MATTHEW J. GEARIN

ASSOCIATE

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Matthew Gearin is an associate in the firm's Litigation practice group. His main focus includes representing clients, including hospitals, physicians and nurses, in all types of medical malpractice, professional liability, breach of contract and other health care claims, as well as defending against product liability claims in health care and other fields. He is skilled in pretrial matters, including drafting motions for both state and federal courts, preparing and responding to discovery, and conducting depositions of fact and expert witnesses.

In addition to his litigation practice, Matthew also provides Intellectual Property services, including trademark and copyright, with an emphasis on 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.

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

SERVICES AND INDUSTRIES

Intellectual Property

Trademark

Copyright

Medical Malpractice

ADMISSIONS

Missouri

Prevailed on a contested motion to dismiss in favor of hospital client. Plaintiff alleged 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