


Tyler R. Train

Associate

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Overview

About Tyler

Tyler Train focuses his practice on intellectual property litigation. He has significant experience litigating a variety of matters in district courts, the Federal Circuit, the Patent Trial and Appeal Board (PTAB), and the International Trade Commission (ITC), including utility and design patent infringement, trademark and copyright infringement, Lanham Act violations, unfair competition, and trade secret misappropriation. His practice also encompasses *inter partes* review, post-grant review, and *ex parte* reexamination matters before the United States Patent and Trademark Office (USPTO).

With a technological background in biomedical engineering, Tyler also prosecutes utility and design patent applications for his clients in the fields of medical devices, semiconductors, optics and lighting, and software and mobile applications, among many others. He provides IP counseling on matters such as patentability and prior art, and has drafted, negotiated, and redlined settlement agreements, licenses, IP transfer agreements, and non-disclosure agreements. Tyler has also prosecuted trademark applications and worked on Trademark Trial and Appeal Board (TTAB) proceedings.

Outside of the office, Tyler volunteers on the board of a non-profit medical device organization that provides networking and growth opportunities within the Southern California medtech industry. Tyler's scholarship has been published in a number of peer-reviewed journals, and he is a named inventor on U.S. patent application No. 16/785,631.

Focus Areas

Services

- Litigation
- Patent
- Patent Portfolio Management
- Patent Prosecution
- Startup and Early-Stage Companies
- ITC Litigation
- Patent Litigation

Industries

- Academic Research and Medical Centers
- Digital Health
- Electrical and Computer Technology
- Life Sciences
- Medical Devices

Education

M.S., Biomedical Engineering, Johns Hopkins University (2020)

J.D., Pepperdine University School of Law (2017)

B.S., Louisiana State University (2012)

Insights

Publications

“*NHK-Fintiv*: Reaching the Tipping Point?,” *World Intellectual Property Review* (Apr. 1, 2021).

“End of the Iancu Era: Is the PTAB Pendulum Poised to Swing Again?,” *Daily Journal* (Feb. 1, 2021).

“A Novel Framework for PTAB Parallel Petition Denials,” *Law360* (Dec. 9, 2020)

“Creating a Better Framework for PTAB Serial Petition Denials,” *Law360* (Nov. 17, 2020)

“A Proposed Alternative to PTAB Discretionary Denial Factors,” *Law360* (Oct. 1, 2020)

“Possibilities if Justices Review PTAB Judge Constitutionality,” *Law360* (July 10, 2020)

Heads or Thales? A Comparative Mathematical Analysis for the Head-Mounted Display Technology Behind the Federal Circuit’s Thales Decision, ALB. L. J. SCI. & TECH. (2018)

Was Diehr a Flock in the System? A Systems Analysis for Two Landmark Patent Eligibility Supreme Court Decisions, Vol. 44, No. 2, RUTGERS COMPUTER & TECH. L.J. (June 2018)

Illuminating Patterns: Predicting Fair Use Outcomes in Copyright Law, S.D. L. REV. (Apr. 2018)

Inter Partes Review: An IP Power Switch, U. ILL. J.L. TECH. & POL’Y. (Oct. 28, 2017)

The Appeals of Patent Mediation, Vol. 21, Issue 2, INTELL. PROP. L. BULL. (Spring 2017)[JC1]

Speaking Engagements

“What’s New in Neuro!,” *DeviceAlliance* (November 3, 2022)

“What the Tech? The Future of Medical Device Predictive Analytics and Big Data,” *Womble Bond Dickinson*, Irvine, California (February 24, 2022)