

Mark Miller

Partner

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Mark defends and enforces intellectual property rights — in patent, trademark, and trade secret litigation — so clients can protect their competitive advantage and grow their business value.

Mark Miller litigates high-stakes intellectual property disputes for companies that cannot afford to lose ground to competitors. Working across federal district courts nationwide, the U.S. International Trade Commission (ITC), and the U.S. Court of Appeals for the Federal Circuit, Mark represents both plaintiffs and defendants in patent infringement, trademark, and trade secret matters.

As a registered patent attorney, Mark brings particular depth to patent infringement litigation and post-grant proceedings before the United States Patent and Trademark Office (USPTO), including inter partes review (IPR) proceedings before the Patent Trial and Appeal Board (PTAB). He has successfully obtained and defeated preliminary injunctions, secured multi-million-dollar jury verdicts, and won affirmances and reversals at the Federal Circuit — results that directly shape his clients' market positions.

Mark's trademark practice spans enforcement actions in federal court and inter partes proceedings before the Trademark Trial and Appeal Board (TTAB). His trade secret work includes jury trials in federal court. Clients range from technology and software companies to consumer products manufacturers and outdoor recreation businesses.

Select Experience

- Represented defendant Maxeye in bet-the-company patent infringement action relating to electronic stylus pens in E.D. Texas resulting in favorable settlement and licensing agreement for the client. *Wacom Co. Ltd. v. Shenzhen Qianfenyi Intelligent Tech. Co., Ltd.*, (E.D. Tex. 2026).
- Served as lead first-chair trial counsel in a high-stakes patent infringement action involving multiple patents related to false-eyelash technology, managing a nationwide trial team and presenting the defense through a week-long jury trial in federal court.

Education

- Brigham Young University (J.D., 2002)
– *cum laude*
- University of Utah (B.S., 1998)

Bar Admissions

- Utah
- United States Patent and Trademark Office

Lashify, Inc. v. Qingdao Lashbeauty Cosmetic Company d/b/a Worldbeauty (W.D. Tex. 2024).

- Represented patent co-owners Smith Sports and Koroyd SARL in patent infringement action against competitor in federal court and in challenge to the patent in the Patent Office, obtaining highly favorable settlement and defeating competitor's petition for inter partes review. *Smith Sport Optics, Inc. et al. v. The Burton Corp.*, (D. Colo. 2022); *The Burton Corp. v. Smith Sport Optics, Inc.*, IPR2022-00354 (PTAB 2022).
- Represented K-TEC, Inc. in a patent infringement suit against Vita-Mix Corporation, won a willful infringement verdict after a nine-day jury trial, and successfully defended the \$24 million judgment on appeal. *K-TEC, Inc. v. Vita-Mix Corp.*, 696 F.3d 1364 (Fed. Cir. 2012); *K-TEC, Inc. v. Vita-Mix Corp.* (D. Utah 2010).

Court Admissions

- U.S. Courts of Appeal for the Ninth, Tenth and Federal Circuits
- U.S. District Courts for the Districts of Utah, Colorado, Northern Texas

Clerkships

- U.S. District Court for the District of Utah, Judge Dee Benson, 2002–2003
- United States Court of Appeals for the Federal Circuit, Judge Randall Rader, 2003–2004

Professional Affiliations

- Utah State Bar, Member
- Federal Circuit Bar Association, Member

Accolades

- *Salt Lake Magazine*, Top Lawyer, Intellectual Property and Patent Law, 2027
- *Benchmark Litigation*, "Future Star," 2018, 2021-2022, 2026
- *Best Lawyers® Lawyer of the Year*, Trade Secrets, 2023
- *Chambers USA*, Intellectual Property, 2021-2023
- *IAM Patent 1000*, "World's Leading Patent Practitioners," 2019-2023
- *Best Lawyers in America®*
 - Litigation – Intellectual Property, 2015-2016, 2018-2022, 2024, 2027
 - Patent Law, Trademark Law, and Trade Secrets Law, 2016, 2018-2024, 2027
- *Managing Intellectual Property Handbook*, "IP Star," 2018-2022
- *Mountain States Super Lawyers®*, IP Litigation, 2017-2022
- *Utah Business Magazine*, Utah Legal Elite, Intellectual Property, 2020-2021
- *Mountain States Super Lawyers®*, IP Litigation, Rising Star, 2008, 2010-2013
- *Utah Business Magazine*, Top 40 Under 40, 2012

Insights

June 1, 2023

Utah 2023 Legal Elite

February 23, 2018

IP Hires: BakerHostetler, Dickinson Wright, Dorsey

February 22, 2018

Personnel Changes at IP Law Firms, Organizations

February 22, 2018

Utah Business: People on the Move

February 22, 2018

Dorsey Scores Team Of 10 IP Attys From Holland & Hart