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Nick Tsui is a senior associate with Alston & Bird's Intellectual Property Litigation Group. He focuses his practice on patents and patent litigation related to technologies including telecommunications, circuit design, software, mobile applications, biotechnology, and pharmaceuticals/ANDA.

Nick received his J.D. from Stanford Law School in 2014. He earned a B.S.E. from the University of Pennsylvania in 2002 and a Ph.D. from the Massachusetts Institute of Technology in 2007. Both degrees are in materials science and engineering. Before law school, Nick worked at a U.S. Department of Defense think tank.

Representative Experience

- Represented defendants Nokia Corporation, Nokia of America Corporation, and Alcatel Submarine Networks in a patent litigation dispute related to fiber-optic telecommunications networks. *Xtera Inc., et al. v. Nokia Corporation, et al.*, No. 6:19-cv-00278 (W.D.Tex.).
- Represented defendants Verizon Communications Inc. and Cellco Partnership d/b/a Verizon Wireless in a patent litigation dispute relating to wireless communications standards and technology. *Sol IP LLC v. Verizon Communications Inc., et al.*, No. 2:18-cv-00528 (E.D. Tex.).
- Represented petitioners Nokia Corporation and Alcatel Submarine Networks in inter partes review proceedings relating to fiber-optic telecommunications equipment. No. IPR2018-01157, -01158 (PTAB).
- Represented plaintiff MiMedx Group Inc. in a patent litigation dispute relating to tissue engineering. *MiMedx Group Inc. v. Tissue Transplant Technology Ltd., et al.*, No. 5:14-cv-00719 (W.D.Tex.).
- Represented respondents Alcatel Submarine Networks and Nokia Corp. in a patent litigation dispute related to fiber-optic telecommunications networks. *In the Matter of Certain Subsea Telecommunication Systems and Components Thereof*, Inv. No. 337-TA-1098 (ITC).
- Represented defendants Lupin Ltd. and Lupin Pharmaceuticals Inc. in an ANDA patent dispute. *Mitsubishi Tanabe Pharma Corp., et al. v. Lupin Limited, et al.*, No. 18-cv-00292 (D.N.J.).
- Represented plaintiff MiMedx Group Inc. in a patent litigation dispute relating to tissue engineering. *MiMedx Group Inc. v. NuTech Medical Inc., et al.*, No. 15-cv-00369 (N.D. Ala.).
- Represented plaintiff MiMedx Group Inc. in a patent litigation dispute relating to tissue engineering. *MiMedx Group Inc. v. Liventa Bioscience Inc., et al.*, No. 14-cv-01178 (N.D. Ga.).
- Represented plaintiffs Nokia Technologies Oy and Alcatel-Lucent USA Inc. in a patent litigation dispute relating to chipset and circuit design. *In the Matter of Certain Electronics Devices, Including Mobile Phones, Tablet Computers, and Components Thereof*, Inv. No. 337-TA-1039 (ITC).
- Represented plaintiffs Nokia Technologies Oy and Alcatel-Lucent USA Inc. in a patent litigation dispute relating to chipset and circuit design. *Nokia Technologies Oy and Alcatel-Lucent USA Inc. v. Apple Inc.*, No. 16-cv-01441 (E.D. Tex.).

- Represented defendants Lupin Ltd., Lupin Pharmaceuticals Inc., Lupin Inc., and Lupin Atlantis Holdings SA in an ANDA patent dispute. *Shire Pharmaceutical Development Inc., et al. v. Lupin Limited, et al.*, No. 15-cv-03437 (D. Md.).
- Represented plaintiffs Nokia Solutions and Networks US LLC and Nokia Solutions and Networks Oy in a patent dispute relating to wireless communications standards and technology. *Nokia Solutions and Networks US LLC, et al. v. Huawei Technologies Co. Ltd., et al.*, Nos. 16-cv-00753, -00754, -00755, -00756 (E.D. Tex.).
- Represented intervenors Nokia Solutions and Networks US LLC and Nokia Solutions and Networks Oy in a patent dispute relating to wireless communications standards and technology. *Huawei Technologies Co. Ltd., et al. v. T-Mobile US Inc., et al.*, Nos. 16-cv-00052, -00055, -00056, -00057 (E.D. Tex.).
- Represented defendants Dell Inc. and SonicWALL Inc. in a patent case relating to wireless communications technology. *NorthPeak Wireless LLC v. 3Com Corporation, et al.*, No. 09-cv-00602 (N.D. Cal.), aff'd by Nos. 2016-1477, -1481 (Fed. Cir.).
- Represented Merial Ltd. in a false advertising Lanham Act case relating to animal health and pharmaceutical products. *Merial Ltd. v. Elanco Animal Health*, No. 14-cv-00038 (M.D. Ga.).

Publications & Presentations

Publications

- "COMMENTARY: No Christmas in July for Patent Litigation," *Mealey's Litigation Report: Patents*, May 1, 2020.
- "The First 48: A TC Heartland Story," *American University Intellectual Property Brief*, Vol. 9, No. 2, 2018.
- "Could a Lack of Strong Patents Spur the Next Global Market Collapse?" *Wake Forest Journal of Business & Intellectual Property Law*, Vol. 16, No. 2, 2016.
- "Co-Pending Litigation," "Petitioner Reply Brief," "Contents of Petitioner's Reply," "Strategic Use of Petitioner's Reply," "Prohibition on New Arguments in the Petitioner's Reply," in *USPTO Post-Grant Trials Handbook*, Wolters Kluwer, 2016.
- "How I Learned to Stop Worrying and Love Patents," *IDEA*, Vol. 56, No. 2, 2016.
- "How Similar Is Too Similar: The Predictability of Court Decisions in Musical Lyrics Copyright Cases," *Journal of the Copyright Society USA*, Vol. 62, 2015.

Professional & Community Engagement

- Georgia
- U.S. Patent and Trademark Office
- U.S. Court of Appeals for the Federal Circuit
- U.S. District Court for the Middle District of Georgia
- U.S. District Court for the Eastern District of Texas
- U.S. District Court for the Northern District of Georgia

Education

- Stanford University (J.D., 2014)
- Massachusetts Institute of Technology (Ph.D., 2007)

- University of Pennsylvania (B.S.E., 2002)

Admitted to Practice

- Georgia
- U.S. Patent and Trademark Office

Related Services

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