ALSTON & BIRD



Nicholas T. Tsui

Partner

+1 404 881 4962 | nick.tsui@alston.com
Atlanta | One Atlantic Center, 1201 West Peachtree Street, Suite 4900 | Atlanta, GA 30309

Related Services

Intellectual Property Litigation ▪ Patent Litigation ▪ Intellectual Property ▪ Trademark & Copyright ▪ ITC Section 337

Nick is an experienced trial litigator and has won numerous patent trials for both defendants and patent owners in district courts, ITC, and PTAB. Focusing on cases involving complex, high-value technologies, Nick's deep technical background provides unique perspective and value for his clients.

Nick Tsui focuses his practice on patents and patent litigation in the district courts, ITC, and PTAB related to technologies including telecommunications, video coding, standard essential technologies, circuit design, software, mobile applications, biotechnology, and pharmaceuticals/ANDA. Nick was recognized as one of the "Top 25 Intellectual Property Attorneys of 2024" by *Attorney Intel* and is ranked as a top performing ITC and PTAB attorney by Patexia.

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 complainant Nokia in a patent litigation dispute related to video coding technologies. *In the Matter of Certain Video Capable Electronic Devices, Including Computers, Streaming Devices, Televisions, and Components and Modules Thereof*, Inv. No. 337-TA-1380 (ITC).
- Represented complainant Nokia in a patent litigation dispute related to video coding technologies. I*n the Matter of Certain Video Capable Electronic Devices, Including Computers, Streaming Devices, Televisions, Cameras, and Components and Modules Thereof*, Inv. No. 337-TA-1379 (ITC).
- Represented defendant Nokia in a patent litigation dispute related to networking and router technologies. *Correct Transmission, LLC v. Nokia Corporation et al.*, No. 2:22-cv-00343 (E.D. Tex.).
- Represented plaintiff Nokia in a patent litigation dispute related to video coding technologies. *Nokia Technologies Oy v. Amazon.com, Inc. et al.*, No. 1:23-cv-01236 (D. Del); *Nokia Corporation et al. v. Amazon.com, Inc.*, No. 1:23-cv-01232 (D. Del.).
- Represented plaintiff Nokia in a patent litigation dispute related to video coding technologies. *Nokia Technologies Oy v. HP, Inc.*, No. 1:23-cv-01237 (D. Del.).
- Represented defendant ASUSTek in a patent litigation dispute involving Wi-Fi 6 router technologies. *Atlas Global Technologies LLC v. ASUSTeK Computer Inc.*, No. 6:21-cv-00820 (W.D. Tex.).
- Represented the defendants, a multinational networking and telecommunications company and its subsidiary, in a patent litigation dispute related to 3G and 4G base station equipment and software. (E.D. Tex.).

- Represented petitioner Universal Electronics Inc. in inter partes review of remote-control equipment and software patent. Case IPR2022-00818.
- Represented patent owner Universal Electronics Inc. in ex parte re-examination proceedings for consumer electronics and remote-control equipment and software patent. Reexamination Control No. 90019072.
- Represented respondent Universal Electronics Inc. in a patent litigation dispute related to consumer electronics and remote-control equipment and software. *In the Matter of Certain Televisions, Remote Controls, and Components Thereof*, Inv. No. 337-TA-1263 (ITC).
- Represented complainants Nokia Technologies Oy and Nokia Corporation in a patent litigation dispute related to video coding technology. *In the Matter of Certain Electronic Devices, Including Computers, Tablet Computers, and Components and Modules Thereof*, Inv. No. 337-TA-1208 (ITC).
- Represented the petitioner, a multinational oilfield services company, in post-grant review proceedings relating to perforating guns for oil and gas applications. Case PGR2021-00089.
- Represented the defendant, a multinational oilfield services company, in a patent litigation dispute relating to perforating guns for oil and gas applications (W.D.Tex.).
- Represented defendants Verizon Communications Inc. and Cellco Partnership d/b/a Verizon Wireless in a patent litigation dispute relating to power control in mobile telecommunications systems. *TOT Power Control, S.L. v. Verizon Communications Inc. and Cellco Partnership d/b/a Verizon Wireless*, No. 6:21-cv-110 (W.D. Tex).
- Represented patent owner Nokia Technologies Oy in inter partes review proceedings relating to video coding technology. Cases IPR2020-01685, IPR2021-00035, -00036, -00037, -00038, -00039, -00040, -00041, -00042, -00043.
- Represented complainant Universal Electronics Inc. in a patent litigation dispute related to consumer electronics and remote-control equipment and software. *In the Matter of Certain Electronic Devices, Including Streaming Players, Televisions, Set Top Boxes, Remote Controllers, and Components Thereof*, Inv. No. 337-TA-1200 (ITC).
- Represented petitioner Nokia of America Corporation in inter partes review proceedings relating to fiber optic telecommunications equipment. Case IPR2020-00610.
- Represented appellees Nokia Corporation and Alcatel Submarine Networks in Federal Circuit appeal from inter partes review proceedings relating to fiber optic telecommunications equipment, No. 20-1386 (Fed. Cir.).
- Represented patent owner Universal Electronics Inc. in inter partes review proceedings related to consumer electronics and remote-control equipment and software. Cases IPR2019-01595, -01608, -01612, -01613, -01614, -01615.
- Represented the plaintiff, a large animal health pharmaceutical company, in a patent litigation dispute related to vaccine compositions and use. (D.N.J.).
- 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 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.
- *USPTO Post-Grant Trials Handbook,* 2nd Edition, Wolters Kluwer, 2018.
- "The First 48: A *TC Heartland* Story," *American University Intellectual Property Brief,* Vol. 9, No. 2, 2018.
- *USPTO Post-Grant Trials Handbook,* Wolters Kluwer, 2016.
- "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.

Presentations

- "Episode #15: Nick Tsui, Alston & Bird," Fish Post-Grant Radio, podcast, January 10, 2022.

Professional & Community Engagement

- 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 Western 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