

Mark Miller

Partner

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Mark helps clients increase their business value through enforcing their intellectual property rights and defending against improper attacks. He has extensive experience in patent, trademark, and trade secret litigation in federal district courts nationwide, the international trade commission, and in federal circuit courts of appeal.

As a registered patent attorney, Mark is uniquely skilled in patent infringement litigation in federal court and post-grant proceedings before the United States Patent and Trademark Office. He has litigated patent infringement actions in federal courts across the country and in the U.S. International Trade Commission. Mark also has significant expertise with trademark and trade secret litigation in federal courts, as well as inter partes proceedings before the Trademark Trial and Appeal Board and the Patent Trial and Appeal Board.

Select Experience

CLIENT RESULTS

- *The Burton Corp. v. Smith Sport Optics, Inc.*, IPR2022-00354, (PTAB 2022): Represented patent co-owners Smith Sports and Koroyd SARL and defeated competitor's petition for inter-partes review.
- *Instructure, Inc. v. Canvas Tech., Inc.*, (D. Utah 2022): Represented Instructure in trademark enforcement action relating to the CANVAS trademark; prevailed in obtaining a preliminary injunction stopping the defendant from any further use of the CANVAS trademark.
- *ESIP Series 1, LLC et al. v. doTERRA, LLC et al.*, (Fed. Cir. 2020): Represented prevailing appellee Puzhen in appeal, obtaining affirmance of summary judgment of non-infringement of competitor's patent rights.
- *Wing Enterprises, Inc. v. Tricam Industries, Inc.* (Fed. Cir. 2020): Represented plaintiff-appellant Wing Enterprises in appeal of adverse summary judgment in false advertising case, obtaining reversal of the district court's judgment.

Court Admissions

Education

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

Bar Admissions

- Utah
- United States Patent and Trademark Office

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

Professional Affiliations

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

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

Accolades

- *Chambers USA*, Intellectual Property, Utah, 2021-2026
- *Mountain States Super Lawyers*®, 2025-2026
- *IAM Patent 1000*, "World's Leading Patent Practitioners," 2019-2026
- *Best Lawyers*® *Lawyer of the Year*, Trade Secrets, 2023, 2026
- *The Best Lawyers in America*®
 - Litigation – Intellectual Property, 2015-2016, 2018-2022, 2025-2026
 - Patent Law, Trademark Law, and Trade Secrets Law, 2016, 2018-2026
- *Managing IP*, IP STAR, 2018-2025
- Dorsey & Whitney – Scales of Justice Team Award (Veterans Rights Team), 2025
- IP Litigation, Mountain States Super Lawyers®, 2017-2025
- *Benchmark Litigation*, "Future Star", 2018, 2021-2022, and 2024
- *Utah Business Magazine*, Utah Legal Elite, Intellectual Property, 2020-2021
- IP Litigation, Mountain States Super Lawyers®, 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