



Tod M. Melgar | Partner

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Tod M. Melgar, a partner in the firm's [Intellectual Property](#) practice team, has been litigating intellectual property cases throughout the U.S. district and appellate courts for more than 20 years, representing clients in a wide range of patent, trade secret, copyright and trademark disputes. He has negotiated resolution of disputes and successfully litigated cases through early settlement, mediation, dispositive motions and trial. Tod has also successfully argued and litigated patent validity disputes before the Patent Trial and Appeal Board (PTAB) including appeals, inter partes review (IPR) and reexamination proceedings.

He also provides general intellectual property counsel to clients on patent and trademark portfolio development, intellectual property due diligence, licensing and enforcement of rights, and intellectual property related agreements, including SaaS and other software use and development licenses.

Tod is a registered patent attorney licensed to practice before the U.S. Patent and Trademark Office (USPTO) for more than 20 years. During this time, he has prepared and prosecuted hundreds of patent and trademark applications. Early in his career, he was also a Patent Examiner at the USPTO.

Tod's technical background and experience includes degrees in mechanical, aerospace and biomedical engineer and client experience spanning leading industries, including, fashion, computer hardware and software, medical devices, cellular and digital transmission systems, LEDs and lasers.

Prior to joining Lippes Mathias, Tod chaired the Patent Law Practice and was a member of the Intellectual Property and Litigation Practices at Phillips Nizer LLP, in the New York office.

Tod was counsel to the litigation and intellectual property groups of Chadbourne & Parke and Cadwalader Wickersham & Taft, and a partner

CAPABILITIES

Intellectual Property

- Copyrights
- Intellectual Property Litigation & Dispute Resolution
- Patents
- Trademarks

REPRESENTATIVE MATTERS

- *Nugeneration Technologies, Inc. v. Shoeb Moiyadi, et al.*, 1:23-cv00459 (D.N.J.)
- *Noblewood IP LLC, v. Strengthen Lengthen Tone, LLC*, SDNY. 1-22-cv-01683 (S.D.N.Y.)
- *Patent Technology Holdings v. Park Assist, LLC*, Civil Action No. 1-20-cv-03156 (S.D.N.Y.)
- *Meng Koay Lim v. Richard Pola & Associates*, 2:19-cv-07163 (C.D.Cal.)
- *Indect USA Corp. v. Park Assist, LLC*, Civil Action No. 3-18-cv-02409 (S.D.Cal.).
- *Park Assist, LLC v. San Diego County Regional Airport Authority*, Civil Action No. 3-18-cv-02068 (S.D.Cal.).
- *Lexington Luminance LLC v. Lowe's Home Centers, LLC*, Civil Action No. 18-cv-00301 (E.D.Tex.).
- *Lowe's Companies, Inc. and Zhejiang Yankon Group, et. al v. Nichia Corporation*, IPR2018-00699 (PTAB), IPR2018-00601 (PTAB), IPR2017-02014 (PTAB), and IPR2017-02011 (PTAB).
- *Nichia Corporation v. VIZIO, Inc., Lowe's Home Center's et. al*, 2-16-cv-01453, 2-16-cv-01455; 2-16-cv-00613, 2-16-cv-00615 (E.D.Tex.).
- *Nichia Corporation v. Lowe's Companies, Inc. et al*, 5-16-cv-00142 (W.D.N.C.).
- *PNY Tech. v. Netac Tec. Co., Ltd.*, 2-18-cv-07932 (D.N.J.), 1-16-cv-00657 (D.Hi.), 5-06-cv-00029 (E.D.Tex.).
- *Shenzhen Kean Silicone Product Co., Ltd. v. PKOH NYC, LLC*, IPR2017-01327 (PTAB).
- *PKOH NYC, LLC v. Prometheus Design Werx, LLC*, 1-16-cv-09383 (S.D.N.Y.).
- *Davies Innovations Inc v. Sturm, Ruger & Company, Inc.*, 1-16-cv-00355, 1-16-cv-00352 (D.N.H., S.D.Tex.).
- *Princeton Digital Image Corporation v. Scholastic Corporation*, 1-13-cv-00410 (D. Del.).
- *Avid Technology, Inc. v. Harmonic, Inc.*, Civil Action No. 11-01040 (D. Del.).
- *Avid Technology, Inc. v. Harmonic, Inc.*, Civil Action No. 12-00627 (D. Del.).
- *Rockwell Automation, Inc. v. Wago Corporation*, Civil Action No. 10-00718 (W.D. Wisc.).
- *Convolve Inc. v. Compaq Computer Corp.*, Civil Action No. 00-5141 (S.D.N.Y.).
- *Guideflow v. Angiodynamics*, Civil Action No. 10-00963 (C.D. Utah).
- *Comcast Cable Commc'n Corp. v. Finisar Corp.*, Civil Action No. 06-

4206 (N.D. Cal.).

- *Man Roland Inc. v. Goss Int'l Americas, Inc. and Heidelberger Druckmaschinen AG*, Civil Action No. 04 Civ. 00357 (D.N.H.).
- *In the Matter of Certain Wireless Commc'n Devices, Components Thereof, And Products Containing The Same, Investigation No. 337-TA-583* (U.S.I.T.C. 2007).
- *SCO v. International Business Machines Corp.*, Civil Action No. 2:03-0294 (D. Utah).
- *International Business Machines Corp. v. Compuware Corp.*, Civil Action No. 04-00357 (S.D.N.Y.).
- *Compuware Corp. v. International Business Machines Corp.*, Civil Action No. 02-70906 (E.D. Mich.).
- *Casco Products Corp. v. Valeo Vision S.A.S.*, Civil Action No. 02-2327 (S.D.N.Y.).
- *Valeo Elec. Sys., Inc. v. Siemens Automotive Corp.*, Civil Action No. 99-40430 (E.D. Mich.).
- *Heidelberger Druckmaschinen AG v. Corel Corp.*, Civil Action No. 01-9697 (S.D.N.Y.).
- *Heidelberger Druckmaschinen AG v. Adobe Systems Inc.*, Civil Action No. 98-614 (D. Del.).
- *Rofin-Sinar Laser GmbH v. P.R.C. Corp.*, Civil Action No. 97-7247 (S.D.N.Y.).
- *AMI/REC-PRO, Inc. v. Illinois Tool Works, Inc.*, Civil Action No. 96-3260 (N.D. Ga.).
- *IRO AB v. Sarfati & Vischiani S.p.a.*, Civil Action No. 694-2834-3 (D.S.C.).

EDUCATION

- Brooklyn Law School, J.D.
- University of Miami, M.S.
- University at Buffalo, B.S.

PROFESSIONAL ASSOCIATIONS

- New York Intellectual Property Law Association
- American Intellectual Property Law Association
 - Japan Committee
 - Europe Committee
 - Litigation Committee
- International Trademark Association (INTA)

HONORS & AWARDS

- *New York Super Lawyers*®

SPEAKING ENGAGEMENTS

- "Standard Essential Patent," AIPLA/LES Japan Chapter - Tokyo, April

2024

- Mock *Inter Partes Review* Proceeding, AIPLA Delegate, AIPLA/JPAA Meetings - Tokyo and Osaka, April 2024

ADMITTED TO PRACTICE

- U.S. Court of Appeals, Federal Circuit
- U.S. Patent and Trademark Office
- U.S. District Court, District of Columbia
- U.S. District Court, Eastern District of New York
- U.S. District Court, Southern District of New York