

Jeffrey A. Tinker

Of Counsel

jtinker@bellnunnally.com

214-740-1411



FROM ONLINE RETAILERS AND SOFTWARE LICENSEES TO MANUFACTURERS AND APP DEVELOPERS, JEFF HELPS CLIENTS ACROSS A VAST RANGE OF INDUSTRIES PROTECT, PRESERVE AND MONETIZE THEIR INTELLECTUAL PROPERTY. WHETHER SAFEGUARDING A PATENTED PROCESS, A DISTINCTIVE LOGO OR ENCRYPTED SOFTWARE, HIS SKILLFUL GUIDANCE ALLOWS COMPANIES TO MAINTAIN THEIR COMPETITIVE EDGE.

Representing clients ranging from startups to Fortune 100 companies, Jeff's practice focuses on patent, copyright and trademark law. He is proficient in U.S. and foreign patent and trademark application preparation and prosecution. Jeff brings extensive experience negotiating intellectual property licenses, as well as filing and defending reexaminations, oppositions and cancellations at the USPTO. He has represented both plaintiffs and defendants in a variety of lawsuits involving intellectual property rights.

In addition to patent and trademark prosecution, Jeff regularly performs due diligence studies of intellectual property assets, including analyzing patent and trademark portfolios, conducting patent and trademark searches, and preparing opinions regarding infringement and validity. His practice involves counseling clients and negotiating a wide array of IP and technology agreements, including patent and trademark licenses, manufacturing agreements, software licenses and technology services agreements.

Jeff advises clients in a wide range of compliance-related issues that companies face when doing business in the U.S., such as FDA and FTC advertising and labelling requirements, open-source software licensing, and privacy issues related to the collection and use of Personally Identifiable Information (PII) and Protected Health Information (PHI) under HIPAA and state laws. His work abroad includes assisting clients with export controls governing encrypted software, FCPA issues when bidding on contracts, and privacy issues under the GDPR and PIPEDA when importing data into the U.S.

Representative Experience

- Successfully defended a client in a jury trial in the Eastern District of Texas, obtaining a non-infringement verdict.

- Obtained a no-fee dismissal with prejudice for a defendant in a trademark cancellation proceeding at the USPTO.
- Secured the early dismissal of a patent infringement case filed against a shopping mall regarding a patent deemed to cover an ineligible subject matter relating to features on the mall's website.
- Negotiated a co-existence agreement with a Major League Baseball team for a client.
- Appointed as a Special Assistant Attorney General for the State of Michigan in a dispute between the State of Michigan and a Fortune 100 company related to a multimillion-dollar software development contract.
- Negotiated multiple IT services contracts for a Fortune 100 company.
- Won an arbitration award against a Fortune 500 company in a dispute over a patent license agreement.
- Oversaw open-source software license compliance as part of several mergers and acquisitions, including in a client's acquisition by a Fortune 10 company.
- Assisted dozens of property management companies, including four of the largest in the U.S., with their music licenses.
- Obtained no-fee dismissals in several copyright infringement suits filed against apartment communities.

Activities and Memberships

- American Intellectual Property Law Association (AIPLA)
 - Member
- International Trademark Association (INTA)
 - Member
- American Bar Association
 - Intellectual Property Division, Member
- Dallas Bar Association
 - Member
- State Bar of Texas
 - Native American Law Section, Member

- National Native American Bar Association
 - Member

Publications

- "COVID-19 Changes How Office Owners Approach Music Licensing," *Real Estate Business*, author; June 8, 2020.
- "COVID-19 Changes Affecting U.S. Intellectual Property Filings and Proceedings," Bell Nunnally Client Alert, co-author; March 18, 2020.

Presentations

- "Latest Trends in Music Licensing at Apartment Communities," National Apartment Association (NAA) General Counsel Group; June 13, 2019.

Noteworthy

- Selected by attorney peers for inclusion in *The Best Lawyers in America*®, 2024–2025

Credentials

Education

- JD, Southern Methodist University Dedman School of Law, *cum laude*, 2007
- BS, Electrical Engineering, Texas A&M University, 2002

Admissions

- Texas
- United States Patent and Trademark Office
- United States District Courts for the Northern, Southern, Eastern and Western Districts of Texas
- United States Court of Appeals for the Federal Circuit