



Tiffany D. Gehrke

Partner

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Tiffany D. Gehrke secures and protects intellectual property rights for a broad range of clients. In this role, her prior experience as a software engineer gives her valuable insider perspectives into clients' technologies. She regularly counsels clients regarding trademark prosecution and enforcement matters, as well as patentability assessments. She has extensive experience representing retailers, manufacturers, publishers, consulting companies, and organizations across a wide variety of industries. Tiffany understands the value of clients' intellectual property rights and assists those clients in obtaining and protecting those rights in the U.S. and throughout the world. She enforces clients' intellectual property rights through litigation in state and federal courts, through proceedings before the USPTO, and through other dispute resolution forums.

In 2016, Tiffany was named to the third annual list of Litigation Trailblazers and Pioneers published by the *National Law Journal*, a list which identifies litigation professionals who bring about meaningful change through their work. She has also been selected for inclusion in the *Illinois Rising Stars*[®] each year since 2013, featuring outstanding young attorneys in the state. Since 2017, she has been designated as an "Emerging Lawyer" by her peers, less than 2% of all lawyers licensed in each state have received the distinction. In 2018, she was selected for the inaugural edition of *Managing Intellectual Property's* Rising Stars list. *Managing Intellectual Property* recognizes her as one of the up-and-coming IP practitioners who has contributed to the success of Marshall Gerstein and the clients we serve. *Managing Intellectual Property* has also recognized Tiffany as a "Notable Practitioner" in their IP Stars Survey. *Crain's Chicago Business* named Tiffany to its 2021 Notable Rising Stars in Law list, noting in particular her legal acumen, pro bono advocacy, involvement with diversity initiatives, and her leadership within professional organizations.

In 2018, Tiffany received an Award for Excellence in Pro Bono Service from the United States District Court for the Northern District of Illinois and the Chicago Chapter of the Federal Bar Association. She was nominated by the Court for her pro bono representation of an incarcerated individual in pursuit of his constitutional rights under the Eighth Amendment.



Practices

- IP Litigation
- Trade Secrets
- Patent Prosecution
- Copyrights
- Trademarks
- Post-Grant Patent Proceedings

Industries

- Electrical & Computer Technologies
- Internet & Cyberlaw
- Consumer Products
- Industrial & Mechanical Technologies

Representative Experience

- Successfully secured multi-million dollar judgment against online retailer of counterfeit goods for trademark and copyright infringement.
- Counseled and provided patentability opinions and infringement analysis opinions.
- Successfully obtained transfers of domain names encompassing clients' trademarks through UDRP proceedings.
- Successfully secured trademark protection for client, overcoming merely descriptive refusal.
- Successfully resolved trademark opposition and cancellation proceedings in client's favor.
- Successfully negotiated resolution of patent infringement claims against client.

Tiffany also has experience investigating and analyzing issues relating to:

- Patent, trademark, and copyright infringement
- Trade secrets
- Patentability
- Trademark protection
- Counterfeiting
- Trademark dilution
- Breach of contract
- Unfair competition

Background and Credentials

Tiffany earned her J.D., with a Certificate in Trial Advocacy, from Loyola University Chicago School of Law where she was on the Dean's List, a two-time regional finalist, and a national quarter-finalist and semi-finalist as a member of the Giles S. Rich Intellectual Property Moot Court team, an Intellectual Property Fellow, and a Chicago IP Colloquium Fellow. She was also awarded Loyola's Laura Terlizzi Scholarship, given to a female student intending to practice intellectual property law. She also served as a senior editor of the *Annals of Health Law* journal. She completed a B.S.E. in computer science engineering from The University of Michigan. Tiffany is licensed to practice in the state of Illinois and before the United States Patent and Trademark Office.

Education

- Loyola University Chicago School of Law (J.D.)
- University of Michigan (B.S.E.)
 - Computer Science Engineering

Bar Admissions

- Illinois
- U.S. Patent and Trademark Office
- U.S. Supreme Court
- U.S. Court of Appeals, Federal Circuit
- U.S. District Court, Northern District of Illinois
- U.S. District Court, Eastern District of Texas
- U.S. District Court, Eastern District of Wisconsin
- Admitted to practice pro hac vice in various district courts throughout the U.S.

Publications and Presentations

May 13, 2020

"Assessing the Impact of American Axle Six Months Out"

IPWatchdog

March 15, 2017

"Patent Cases to Watch in 2017"

Intellectual Property Law Symposium

April 28, 2016

"Defend Trade Secrets Act Passes House and Senate"

Marshall Gerstein Alert

February 18, 2016

“Dissent: Deferential Review by Federal Circuit Falls Short of Purpose of Providing Optimum Determination of Patent Validity”

IP Litigator

June 12, 2015

“The Importance of Paying It Back”

The Woman Advocate

October 2013

“PTAB Zone”

The Richard Linn American Inn of Court

December 2012

“Incivility in the Legal Profession”

Loyola University Chicago School of Law at Middle Temple, London, England

September 2012

“Ethics Issues in Parallel International IP Litigation”

The Richard Linn American Inn of Court

Summer 2012

“To Declare or Not to Declare (Judgement): That is the Question”

The Illinois Manufacturer

February 2012

“Ethics: Difficult Depositions”

The Richard Linn American Inn of Court

September 9, 2011

“Traditional Trademark Enforcement Options”

ICANN's New Generic Top-Level Domain (gTLD) Program, Live Presentation

August 24, 2011

“Not All Endorsements Are Alike”

Medical Device + Diagnostic Industry

October 2010

“A Night at the Design Patent Museum”

The Richard Linn American Inn of Court

February 2010

"Constitutional Convention"

The Richard Linn American Inn of Court

April 2009

"ITC Practice"

The Richard Linn American Inn of Court

August 2008

"The Impact of KSR on the Obviousness Inquiry"

Community and Professional Involvement

- Intellectual Property Law Association of Chicago (IPLAC)
 - President-Elect, 2021–present
 - Vice-President, 2020–2021
 - Secretary, 2018–2020
 - Co-Chair, Symposium 2017–2018
 - Co-Chair, Membership Committee 2014–2017
- The Richard Linn American Inn of Court
 - Executive Committee, Dinner Chair 2016–2017
- International Trademark Association (INTA)
- Seventh Circuit Patent Jury Instructions Committee
- Women's Bar Association of Illinois (WBAI)
 - Board of Directors, 2019–2021
 - Mentorship Committee, 2020–present
 - Membership Committee, 2016–2020
 - Annual Dinner Committee, 2018–2020
 - Women's Leadership Institute 2015–2016
- Children's Home & Aid Associate Board 2015-2019
 - Development Chair 2016–2019
- Women's Leadership & Mentoring Alliance (WLMA)

In Tiffany's spare time, she volunteers with Children's Home & Aid and serves as a mentor for youth in foster care. She has also volunteered through several community-focused organizations and has served as a tutor to help at risk Chicago public high school students prepare for the ACT.