



Thomas F. Bergert

Partner

Charlottesville, VA

Tysons, VA

P: 434.951.5710

P: 703.760.5237

F: 434.817.0977

tbergert@williamsmullen.com



As the chair of Williams Mullen's Patent Prosecution practice and a member of the Intellectual Property section, Tom Bergert counsels clients in all aspects of intellectual property, informing business decisions related to intellectual property procurement, management, assessment, litigation and transactions.

Clients who currently depend upon Tom for their intellectual property needs include companies involved in cybersecurity, artificial intelligence, industrial manufacturing, health care, financial services, financial and Internet technologies, medical devices, drone technologies, geospatial systems, security systems, lottery and gaming technologies, access control systems, government/defense contracting, consumer products and services, craft brewing, social media and data analytics, among other areas.

Tom helps clients with:

- Strategic patent and trademark portfolio development and counseling.
- Patent clearance, non-infringement, invalidity and design-around evaluations and opinions.
- Appeals and other proceedings before respective patent and trademark appellate bodies at the U.S. Patent and Trademark Office.
- Enforcement of intellectual property rights online.
- Litigation to assert patent, trademark and copyright rights and defend against such assertions by others.
- Post-grant patent challenges.
- IP transactions, including valuation, acquisition and sale of IP assets.
- IP issues related to government contracting.
- Establishing competitor intellectual property monitoring programs.
- Implementing IP best-practice programs.

- Anticipating change based on new legislation and court decisions.

One of Tom's focus areas is strategic patent portfolio development. He assists clients pursuing domestic and international patent protection for internally developed inventions, as well as those seeking to evaluate and acquire patent assets held by others. In addition, Tom advises companies in the establishment of regular internal procedures to best protect their intellectual assets, preserve long-term value and avoid conflicts with others.

Another of Tom's focus areas is trademark portfolio management, where he regularly counsels clients on the selection, use and registration of trademarks and service marks. Tom manages the trademark portfolios of dozens of clients, including a Fortune 500 provider of acute and behavioral health care services.

Clients can appreciate Tom's ability to simplify and clarify complex legal issues. He helps his clients gain industry-specific patent knowledge, which can be valuable in making decisions regarding intellectual property-related protection, transactions, enforcement and defense.

Tom has been recognized by *Chambers USA* for Intellectual Property Law (2017-present). He earned his Juris Doctor degree from the University of Florida Levin College of Law, and his Bachelor of Arts degree from the University of Virginia.

Practice Areas

- Intellectual Property
- IP Due Diligence & Opinions
- Patent Prosecution
- Intellectual Property Litigation
- Copyrights
- Trademarks
- Software & Electronic Commerce
- Manufacturing
- Alcoholic Beverage Control

Education

- University of Florida Levin College of Law (J.D.)
- University of Virginia (B.S.)
Omega Rho, International Honor Society

Professional Affiliations

- American Intellectual Property Law Association

Awards

- AV-Rated by Martindale-Hubbell
- Recognized by Chambers USA for Intellectual Property Law (2017-present)

- Listed in *Virginia Super Lawyers* magazine (2013-2018)
- Named among *Virginia Business* magazine's "Legal Elite" (2006, 2007, 2008, 2012)
- Named in *Washington SmartCEO* magazine's "Legal Elite" (2010)