

# Tam Thanh Pham

PRINCIPAL  
she / her / hers

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Tam Thanh Pham integrates complex technological and legal concepts to deliver practical, timely advice that helps clients achieve their business goals. She develops intellectual property strategies tailored to the unique challenges of clients ranging from startups to publicly traded companies, ensuring their innovations are protected and positioned for growth.

Clients turn to Tam for guidance when:

- Developing a new product or service and seeking protection for their innovations
- Preparing for a funding event or acquisition
- Looking to enhance company valuation
- Responding to a cease-and-desist letter or complaint
- Navigating litigation activity within their industry
- Competing in fast-moving technological markets

Tam counsels clients on patent acquisition, enforcement, defense and acceleration strategies, covering both domestic and foreign utility and design patents. She has deep experience in all aspects of patent preparation and prosecution, including reexamination, reissue, appeals and post-grant proceedings before the Patent Trial and Appeal Board (PTAB), as well as appeals to the U.S. Court of Appeals for the Federal Circuit.

Her practice also includes developing and implementing litigation strategies for U.S. District Court and International Trade Commission (ITC) proceedings, preparing opinion letters regarding non-infringement and invalidity, and conducting intellectual property due diligence for venture capital financing and acquisitions.

## Education

- University of California, Los Angeles (B.S., 2000)
- University of Southern California Gould School of Law (J.D., 2003)

## Bar Admissions

- Admitted to practice before the United States Patent and Trademark Office, 2002

## Capabilities

- Artificial Intelligence & Machine Learning
- Electrical Engineering & Computer Science Patent Prosecution
- Intellectual Property
- Intellectual Property Counseling & Opinions
- Intellectual Property Litigation
- International Patent Filings & Strategy
- Patent Litigation
- Patent Preparation & Prosecution
- Post-Grant Proceedings
- Technology
- International Intellectual Property

- California, 2003

## Court Admissions

- U.S. Court of Appeals, Ninth Circuit
- U.S. Court of Appeals, Federal Circuit
- U.S. District Court, Central District of California
- U.S. District Court, Northern District of California

## Memberships

- Asian American Bar Association of the Greater Bay Area (AABA)
  - Director-at-Large
- Vietnamese American Bar Association of Northern California (VABANC)
- National Asian Pacific American Bar Association (NAPABA)
- Bar Association of San Francisco, Intellectual Property Section
  - Intellectual Property Executive Committee
- American Bar Association
- State Bar of California
- Intellectual Property Owners Association (IPO)
  - Women in IP Committee
- TEDxConstitutionDrive
  - Co-Founder
- ChIPs (Advancing Women in Technology)

## Recognition

- Selected for inclusion in *Best Lawyers in America*® for Litigation - Intellectual Property, 2023-2026

# Matters

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## Patent Prosecution and Related Transactions:

- Advising clients and developing strategies for protecting the value of their intellectual property
- Assisting clients with patent searches and analysis
- Representing various companies and inventors in connection with all aspects of patent prosecution before the United States Patent & Trademark Office
- Managing and maintaining patent portfolios including domestic and foreign patents and patent applications
- Representing patent applicants in ex parte appeals to the Patent Trial and Appeal Board
- Analyzing new rules proposed by the United States Patent Office and submitting comments and recommendations on behalf of affected companies
- Representing patent owners and petitioners in post-grant proceedings, including reexaminations and inter partes review, covered business method review, and other proceedings before the Patent Trial and Appeals Board
- Counseling companies on best practices, employment agreements, nondisclosure agreements, developer agreements, licenses, and assignment of rights
- Evaluating and performing due diligence on patent acquisition targets on behalf of

acquiring companies

- Assisting companies with due diligence related to being acquired or funded
- Drafting opinion letters regarding freedom to operate, validity, and infringement

**Patent Litigation:**

- Representing patent applicants in appeals to the United States Court of Appeals for the Federal Circuit
- Representing amici before the United States Court of Appeals for the Federal Circuit in overturning the United States Patent Office’s maligned “continuation rules package” that would have significantly limited the rights of patent applicants
- Working with experts to develop expert reports in a variety of technologies, including automated teller machines (ATMs), RF wireless communication systems and interference mitigation, and computer science/software.
- Representing NRT Technologies, Inc. and NRT Technology Corp. in parallel proceedings before the federal district court, the International Trade Commission, and the Patent Trial and Appeal Board
- Successfully obtaining summary judgment on patent invalidity and non-infringement on behalf of Ruckus Wireless, Inc.
- Obtaining favorable claim construction and summary judgment of patent infringement for Scientific Specialties, Inc.

## Publications

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December 12, 2022

**Legal Education Series - Patent 101**

*Presenter, TRTCLE*