Holland & Hart



PRACTICES

Intellectual Property Litigation
Intellectual Property

EDUCATION

University of Colorado Law School, J.D., 1996
Order of the Coif
Law Review Editorial Board

University of California - Berkeley, B.A., 1990
Political Science

BAR ADMISSIONS

Colorado
Utah (pending)

Timothy (Tim) Getzoff

Partner

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Tim has served as lead trial counsel in high stakes patent, trademark, and copyright litigation matters throughout the United States.

Over the last 28 years, he has handled over 150 IP litigation cases in numerous federal district and appellate courts, including trials to a jury verdict or judgment in the districts of Colorado, Utah, Delaware, S.D. New York, E.D. New York, C.D. California, Idaho, Nevada, E.D. Wisconsin, and M.D. North Carolina.

Tim's IP litigation practice includes actions for temporary restraining orders and preliminary injunctions, practicing before the International Trade Commission, proceedings before the Patent Trial and Appeal Board, the Trademark Trial and Appeal Board, and appeals before the Federal, Second, Sixth, Ninth, Tenth, and Eleventh Circuit Court of Appeals.

In conjunction with his litigation practice, Tim counsels clients on all aspects of intellectual property protection, enforcement, and dispute resolution, with a focus on strategies to avoid unnecessary disputes and maximize the chances of success when litigation is necessary.

Tim currently serves on the firm’s five partner Management Committee, an elected position that oversees the firm's management and strategic direction.

EXPERIENCE

Tim’s experience involves managing and solving IP disputes for clients in a wide range of technologies and industries, including:

- Remote sensor technology
- Natural resources services and technology
- GPS and embedded firmware applications
- Computer data storage hardware and software
- WiFi design and deployment
- Telecommunications technology
- CPG including food, beverage, and nutritional supplements
- Sporting goods and sports equipment
- Media and publishing
- Pesticide products and pesticide application methods
- Electronics and on-line retailers

Prior to practicing with Holland & Hart, Tim was a law clerk for the Honorable Zita L. Weinshienk, Senior Judge, United States District Court for the District of Colorado.

CLIENT RESULTS

Trademark Litigation

- The Beauty Collective, Ltd. v. Burlington Stores, Inc. (D. Colo 2024) lead counsel for plaintiff in trademark and trade dress case concerning consumer home goods products, case settled.
- Christine Martin v. SGT Inc., f/k/a TGT Inc. (D. Utah 2022) lead counsel for defendant in case concerning rights to artwork, terminating and monetary sanctions against plaintiff obtained for discovery violations.
- Floyd's 99 Holdings, LLC v. Diesel Barbershop, LLC (W.D. Texas 2018) lead counsel for plaintiff in trade dress case concerning interior design, case settled.
- Hero Nutritionals v. Nutraceutical Corp. (C.D. Calif. 2013) lead counsel for defendant in bench trial, obtained judgment of non-infringement on all claims and products.
- Aceto Agricultural Chem. v. Bayer Crop Sciences (S.D.N.Y. 2012) lead counsel for defendant in bench trial, obtained non-infringement judgment on all claims and products, affirmed by Second Circuit (2013).
- SCJohnson & Co. v. Nutraceutical Corp. (E.D. Wis. 2013) lead counsel for defendant in bench trial, obtained judgment of common-law nationwide trademark rights, remainder of issues decided for client on appeal.
- Nature's Life v. Renew Life Formula (D. Utah 2006) lead counsel for plaintiff, defeated defendant's motion for preliminary injunction.
- Unique Sports Products, Inc. v. Babolat VS, et al. (N.D. Georgia 2006) lead counsel for defendant in jury trial concerning alleged trade dress rights in color, case settled during trial
- AutoZone v. RadioShack, Inc. (M.D. Tenn. 2001) co-lead counsel for defendant, obtained summary judgment of non-infringement, affirmed by Sixth Circuit (2004).

Patent Litigation

- In re: Certain Pillows and Seat Cushions, Investigation No. 337-TA-1328, U.S. International Trade Commission, and
- Purple Innovation, LLC v. Chuang Fan Handicraft Co., Ltd., et al. (D. Utah 2022) co-lead counsel for petitioner/plaintiff in enforcing patent, trademark and trade dress rights against foreign infringers
- LMT Mercer Group, Inc. v. Homeland Vinyl Products, Inc. (D. New Jersey 2020) lead counsel for defendant regarding vinyl fencing technology, successfully invalidated patent before PTAB resulting in dismissal of litigation.

- Warming Trends, LLC f/k/a Flaherty Holdings, LLC v. Ray Stone, et al. (D. Colo. 2019) lead counsel for defendants in gas burner technology, obtained summary judgment dismissing nearly all claims.
- Honeywell International Inc., et al. v. The Code Corporation (D. Delaware 2017) co-lead counsel for defendant/respondent in bar code scanner technology, case settled shortly before ITC trial.
- Bridgestone Americas Tire Operations, LLC v. Bridgeport-Schrader et al, (D. Delaware 2015) lead counsel for defendants in two-week jury trial, obtained verdict of non-infringement against all products and claims.
- Server Technologies, Inc. v. American Power Co. (D. Nevada 2014) co-lead counsel for plaintiff in two-week jury trial, obtained $13 million verdict of infringement and validity against all accused products and claims, case currently on appeal.
- Cellport Systems, Inc. v. Peiker acustic GmbH (D. Colo. 2013) lead counsel for defendant in two-week bench trial, obtained judgment of non-infringement against bulk of plaintiff's claims.
- Alcohol Monitoring Systems v. BI, Inc. (D. Colo. 2013) lead counsel for defendant, obtained summary judgment of non-infringement on all claims and products (6 F. Supp.3d 1184), argued and affirmed by Federal Circuit (2015).
- K-TEC v. VitaMix Corp. (D. Utah 2010) member of trial team for plaintiff in two-week jury trial, obtained verdict of infringement and validity against all products and claims, $22 million judgment affirmed by Federal Circuit (2012).
- Balivi Chemical v. Chemical Supply Co. (D. Idaho 2004) co–lead counsel for defendant in 8-day jury trial, obtained verdict of non-infringement on all claims.

Copyright Litigation

- Christine Martin v. SGT Inc., f/k/a TGT Inc. (D. Utah 2022) lead counsel for defendant in case concerning rights to artwork, terminating and monetary sanctions against plaintiff obtained for discovery violations.
- DCM Systems v. IntelliTec College (D. Mass. 2014) lead counsel for defendant, obtained jurisdictional dismissal for defendant, case not re-filed.
- Gowan Corp. v. Aceto Agricultural Corp. (D. Arizona 2009) lead counsel for defendant, after defeating plaintiff's motion for preliminary injunction, case settled on terms favorable to our client.
- IQ Group v. Wiesner Publishing (D. New Jersey 2006) lead counsel for defendant, obtained summary judgment against bulk of plaintiff's copyright and DCMA claims, case settled.

PUBLICATIONS

"Two Critical Takeaways From VLSI's Appellate Loss of Patent Mega-

Verdict," *IAM*, January 25, 2024

"Dazed and Confused in Colorado: The Relationship Among Abuse of Process, Malicious Prosecution, and the Noerr-Pennington Doctrine," *University of Colorado Law Review, Vol. 67*, 1996

SPEAKING ENGAGEMENTS

"Copyright Law 101," *National Business Institute Teleconferences*, 2010

"Re-examining the Patent System," *Panelist, Silicon Flatirons Conference, University of Colorado School of Law*, April 2006

"Understanding Basic Trademark Law: Trademark Infringement Primer," *Continuing Legal Education Seminar*, Denver, CO, February 2001

"Trade Secret Audits: Top 10 Ways To Protect Trade Secrets," *Seminar given to American Corporate Counsel Association*, Denver, CO, May 2000

RECOGNITION

- Managing Intellectual Property, Litigator of the Year (Colorado), 2025
- Managing Intellectual Property, IP Star, 2013-2026
- *Chambers USA,* Intellectual Property, 2022-2026
- *Colorado Super Lawyers*®, Intellectual Property Litigation, 2020-2026
- *The Best Lawyers in America*®, Litigation - Intellectual Property, 2016-2027; Trade Secrets Law, 2018-2027
- IAM Patent 1000 – The World's Leading Patent Practitioners, Litigation – Gold, 2015-2026
- IAM Global Leaders, 2020-2027
- World Trademark Review (WTR) 1000 - The World’s Leading Trademark Professionals, Colorado, Bronze Band, 2017, 2018; Silver Band, 2019-2025
- *5280 Magazine* Top Lawyers, Intellectual Property: Litigation, 2021-2026
- *Lawdragon* 500 Leading Litigators in America, IP Litigation, Patent, Trademark, 2025-2027
- *The Best Lawyers in America*® Lawyer of the Year, Litigation - Intellectual Property – Boulder, 2022
- *Benchmark Litigation*, Litigation Star, 2026

“Timothy Getzoff carries out all trademark instructions with impressive effectiveness – he is an expert negotiator, litigator and portfolio strategist, who is extremely successful in satisfying his clients’ needs.” (WTR 1000-2024)

PROFESSIONAL AND CIVIC AFFILIATIONS

- American, Colorado, Denver, & Boulder Bar Associations, Member
- International Trademark Association (INTA), Member
- American Intellectual Property Law Association (AIPLA), Member