



## Thomas J. Treutler

Partner and Managing Director, Tilleke & Gibbins Consultants Limited

T: +84 4 3772 5633 F: +84 4 3772 5568 E: thomas.t@tilleke.com

**Office:** Hanoi, Vietnam

**Practices:** Intellectual Property, Commercial Transactions and M&A, Dispute Resolution and Litigation, Technology, Multimedia, and Communications, Energy, Government Relations, Tax, Family Law and Private Clients

### BIOGRAPHY

Thomas J. Treutler is the managing director of Tilleke & Gibbins' Hanoi and Ho Chi Minh City offices. Tom is fluent in Vietnamese and is registered to practice as a Foreign Lawyer in Vietnam and before the United States Patent and Trademark Office and the United States Court of International Trade. Tom is a member of the State Bar of California.

Featured as a leading lawyer in intellectual property in *Chambers Asia* (2008-2012), Tom has extensive experience in IP enforcement and has secured a number of landmark victories for foreign investors operating in the life sciences and technology sectors. He is also an advisor to USAID's trade acceleration program, which encompasses such bold initiatives as the reform of Vietnam's IP laws. Tom teaches an Introduction to Intellectual Property Law course at the Law Department of the Diplomatic Academy of Vietnam in Hanoi, which is a university-level academy under Vietnam's Ministry of Foreign Affairs for training future diplomats.

Tom previously headed the IP practice group of another international law firm in Vietnam and practiced patent law in Silicon Valley and Los Angeles, where he protected intellectual assets in the high-tech, luxury goods, and pharmaceutical sectors. A believer in the strength and potential of the Vietnam economy, Tom says, "while originators must enter Vietnam with a clear strategy for IP protection, there has never been a better time to enter and profit in the Vietnamese market."

### EXPERIENCE

- Advised the Vietnamese government on post-WTO accession TRIPS compliance issues under the Beyond WTO Project funded by the World Bank.
- Provided IP training to judges at Vietnam's Supreme Court under an EU-sponsored project.
- Represented a major European appliance producer in a trademark infringement and unfair competition case in which a Vietnamese appliance maker falsely claimed that its products contained components produced by our client.
- Obtained several of the largest settlements in Vietnam IPR history in multiple copyright infringement actions.
- Obtained an expert opinion on an agrochemical patent infringement in favor of the patent owner in a landmark case in Vietnam.
- Secured on behalf of a major European apparel label the assessment of substantial fines (approximately USD 50,000) on infringers producing counterfeit shirts and shoes.
- Advised a leader in wireless technology on government authorities related to the telecommunications industry.
- Obtained professional conclusions on patent infringement by the Vietnam Intellectual Property Research Institute in an ongoing patent infringement case concerning several patented insecticides.
- Provided a freedom-to-operate opinion pertaining to a drug for inhibiting human gastric acid secretions.
- Helped a major U.S. hospitality chain to structure, draft, and negotiate management contracts and conduct due diligence for six hotel, resort, and condominium projects in compliance with Vietnamese law, including land title, zoning issues, complex brand licensing, and various taxation issues.
- Advised a timeshare entity on all aspects of its entry into the Vietnamese market including real estate ownership, leasing and management, marketing, advertising, and data privacy.
- Advised a major Japanese construction company in a USD 140,000,000 mixed-use office, condominium and serviced apartment project in Hanoi, including all licensing matters, land title issues, zoning variances, land subdivision, joint venture negotiations, corporate governance, and property management regulations.
- Provided in-depth advice to a global software solutions provider on doing business in Vietnam.

- Assisted a top American restaurant franchise with franchising registration, registration updates, and general business operations.
- Drafted the following patents granted by the United States Patent and Trademark Office:
  - Patent No. [7.359.393](#) "Method and apparatus for border gateway protocol convergence using update groups"
  - Patent No. [7.376.724](#) "Dynamic reconfiguration of nodes in a cluster file system"
  - Patent No. [7.389.529](#) "Method and apparatus for generating and using nested encapsulation data"
  - Patent No. [7.415.457](#) "Using a cache to provide cursor isolation"
  - Patent No. [7.472.183](#) "Approaches for capturing illegal and undesired behavior in network components and component interactions"
  - Patent No. [7.571.241](#) "Method and apparatus for advertising update messages to peers and peer groups in a border gateway protocol process"
  - Patent No. [8.001.112](#) "Using multidimensional access as surrogate for hash table"

## EDUCATION

JD, Indiana University – Bloomington

BSE, University of Michigan

## LANGUAGES

English, Vietnamese