HUSCH BLACKWELL

Thomas A. Miller

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OVERVIEW

Tom works with engineers, innovators, corporate executives and in-house legal teams on a daily basis to develop strategies to protect their valuable IP.

For 30 years Tom has helped companies of all sizes protect their intellectual property assets from early-stage product development through to commercialization and corporate transactions. He routinely works with in-house patent attorneys to manage patent portfolios, advise on protection strategies, and maximize the value of their innovations. Tom has deep experience in building large intellectual property portfolios for innovator companies.

Clients appreciate Tom's sound judgment, practical approach and his ability to distill difficult concepts into actionable advice. He serves as first point of legal contact to several clients and brings that business-centered perspective to his IP work.

Tom frequently provides legal opinions during the product development process and works closely with in-house IP attorneys and engineering and product managers to determine if their concepts are patentable prior to expending the time and cost of filing for patent protection. He also manages IP due diligence in the deal setting, offering a wealth of experience evaluating intellectual property assets included in M&A transactions to assess their strategic value, their ability to be integrated into existing product lines, and their potential for opening new areas of business for his clients.

Tom's clients span multiple industries. He has represented companies in heavy equipment manufacturing, financial services and the software service (SaaS)

Industries

Manufacturing

Technology

Services

Copyrights

Intellectual Property

Intellectual Property Counseling

Intellectual Property Litigation

Internet of Things

Patent Preparation & Prosecution

Post-Issuance Proceedings

Trade Secrets & Business Information Protection

Trademarks

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sector. He has particular experience with machine-control systems and software, including various applications for autonomous machine operation, Internet of Things (IoT), and radio frequency identification (RFID) technology.

Prior to entering law, Tom worked as a field service engineer for a manufacturer of medical devices, providing him with the perspective needed to develop practical, real-world legal solutions for his clients over the course of his 30 years in private practice.

Experience

- Works with in-house patent attorneys and engineering leaders in managing and advising on protection strategies, IP portfolio development strategies and due diligence during M&A transactions. In one case, Tom worked with the founders of Textura Corporation to build its intellectual property portfolio from the beginning. Along the way Tom helped guide the company's IP strategy, guide the company through an IPO (including presenting on the IP portfolio to investment bankers) and eventually guide the sale of Textura to Oracle.
- Represented clients in heavy equipment manufacturing, medical devices, water management systems, financial services, and the software-as-a-service (SaaS) sector; patenting machine-control systems and software, including various applications for autonomous machine operation, Internet of Things (IoT), and radio frequency identification (RFID) technology.
- Worked with a significant client in the mining equipment industry developing and building the company's patent portfolio over a period of 9 years from 550 patents and pending patent applications to over 2500 patents and pending patent applications.
- Experience in the renewable energy and electrification space has included patenting kinetic energy storage systems for battery operated mining shuttle cars and battery powered mining jumbos, and patenting hybrid electric/diesel powered machines and systems as well as hydro-electric battery charging systems for IoT connected devices.
- Vast experience in the provision of freedom-to-operate, infringement, validity and patentability legal opinions during the product development process.

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Experience

- Serves as the first point of legal contact to clients, and frequently as an outside GC managing client relationships with the Firm. In one case, the client (J. J. Keller & Associates, Inc.) transitioned Tom's role from outside GC and trusted advisor to a member of the company's Board of Directors.

Recognition

- *The Best Lawyers in America®*
  - Copyright Law, 2011-2027
  - Litigation - Intellectual Property, 2011-2027
  - Litigation - Patent, 2011-2027
  - Patent Law, 2011-2027
  - Trademark Law, 2011-2027
  - Best Lawyers® Litigation - Intellectual Property "Lawyer of the Year," Milwaukee, 2022
  - Best Lawyers® Trademark Law "Lawyer of the Year," Milwaukee, 2013
- *The Legal 500*, Wisconsin Elite, Intellectual Property, 2026
- *Wisconsin Law Journal*
  - Wisconsin Legal 250, Intellectual Property, 2026
  - Powerlist for Intellectual Property law, 2025
- *BizTimes Milwaukee*
  - Notable Intellectual Property Attorney, Class of 2024
- *Finance Monthly* Magazine Fintech Awards, Winner in the Category of Technology, Data Privacy, 2022
- Martindale-Hubbell, Peer Review Rated as AV® Preeminent™

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Education

- J.D., Marquette University Law School
- B.S., Marquette University
    - Engineering (Biomedical Electronics and Software Track)

Admissions

- Wisconsin
- U.S. Patent and Trademark Office
- U.S. Court of Appeals, Federal Circuit
- U.S. District Court, Eastern District of Wisconsin
- U.S. District Court, Western District of Wisconsin

Community Leadership

- Advisory Member, Board of Directors, J. J. Keller & Associates, Inc.
- Member, Board of Directors, Zoological Society of Milwaukee (2019–present)

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