



P. Marshall Ticer

Associate

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A skilled litigator and transactional attorney, Marshall serves as a trusted adviser to clients in the United States and abroad on a variety of intellectual property and construction matters.

Marshall often represents construction contractors, helping them promptly resolve claims for equitable adjustment and challenge unjust terminations. He also represents owners in construction defect claims, delay claims and productivity claims.

Marshall's intellectual property practice includes handling disputes before the U.S. Patent and Trademark Office, the Patent Trials and Appeals Board and various U.S. District Courts, as well as arbitration panels and dispute resolution boards.

After receiving his engineering degrees in college, Marshall worked as a project engineer for a large general contractor. This construction industry experience provides him with a deep technical knowledge of best practices and building codes and standards. He has firsthand experience with productivity tracking, inspections and critical path schedule management with Primavera P6.

A former LEED Accredited Professional, Marshall is passionate about sustainable engineering design and greening initiatives. He also is a member of the American Society of Civil Engineers and the American Society of Mechanical Engineers.

Marshall is a former Patent Agent who has worked for more than 10 years handling patent portfolios and preparing and prosecuting patent applications in the United States and internationally. He is skilled with examiner interviews, ex parte patent appeals, broadening exams, Patent Cooperation Treaty (PCT) applications, and strategic patent portfolio counseling.

Marshall's experience extends to medical devices, automotive technologies, heavy construction technologies, construction means and methods, drilling and mining technologies, clean energy technologies such as solar and wind farms, and the intersection between software-controlled and mechanically implemented machinery and sub-systems.

Services

- Intellectual Property
- IP Litigation
- Construction
- IP Transactions & Licensing
- Patents
- Federal Government Contracts

Before Fox Rothschild

Prior to joining Fox, Marshall was a patent agent at an internationally recognized intellectual property law firm in Washington, DC. He also served as a legal intern to Senior Judge Edward Damich of the Court of Federal Claims, where he assisted in reviewing the merits of contractors' technical claims for equitable adjustment.

Before pursuing a career in law, Marshall was a project engineer for a construction firm in Washington, DC. He assisted with the management of the project schedule, productivity tracking and quality control measures for a complex, fast track project that is now one of the Smithsonian's most visited museums.

Bar Admissions

- District of Columbia
- U.S. Patent & Trademark Office

Education

- George Washington University Law School (J.D., *Order of the Coif*, 2018)
 - George Washington Scholar (Top 5%)
 - Law Review
- Vanderbilt University (Master of Engineering, 2012)
 - Civil & Environmental Engineering with a concentration in Construction Management
- Vanderbilt University (Bachelor of Engineering, 2010)
 - Civil & Environmental Engineering
 - Chi Epsilon National Engineering Honor Society

Representative Matters

- Complex and confidential construction litigation arbitration involving the construction of two nuclear power reactors. Successfully proved entitlement to over \$1.4 billion in increased costs borne by contractor.
- *Dupont DC Investors, LLC v. Lend Lease, et al*, 2024-CAB-002985 (D.C. Sup. Ct.). Representing owner in a construction defect case involving a high-end residential property.
- *Delta T, LLC. v. Department of Veterans Affairs* (CBCA 8012, 8373). Representing contractor in an appeal of a Termination for Default and a Request for Equitable Adjustment action involving site improvements for the U.S. Veterans Association.
- *Edge Systems LLC v. Ageless Serums LLC*, 2:20-cv-09669, (C.D. Cal.). Represented defendant manufacturer in a case involving alleged patent infringement of a medical device.
- *Amsted Rail Company, Inc. v. Hum Industrial Technology*, 4:22-cv-00445-AGF (E.D. VA). Represented plaintiff manufacturer in a case involving alleged patent infringement of electronic devices for assessing health of railway cars.
- *Hum Industrial Technology Inc. v. Amsted Rail Co. Inc.*, IPR2023-00540 (P.T.A.B. Aug. 6, 2024). *Represented patent owner in a patent invalidity proceedings associated with electronic devices for assessing health of railway cars.*
- *Hum Industrial Technology Inc. v. Amsted Rail Co. Inc.*, IPR2023-00539 (P.T.A.B. July 18, 2024). Represented patent owner in a case involving patent invalidity proceedings associated with electronic devices for assessing health of railway cars.
- *Hum Industrial Technology. Inc. v. Amsted Rail Co. Inc.*, IPR2023-00538 (P.T.A.B. Aug. 11, 2023). Represented patent owner in a case involving patent invalidity proceedings associated with electronic devices for assessing health of railway cars.