



Tyler B. Pensyl

PARTNER

Columbus

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Columbus, Ohio 43215

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Practice Areas

eControl

Labor and Employment

Litigation and Appeals

Mass / Toxic Tort and Product
Liability Litigation

Education

The University of Toledo College
of Law, J.D., *summa cum laude*,
2006, Valedictorian

University of Toledo Law Review,
Associate Member, 2004-2005,
Technical Editor, 2005-2006

Denison University, B.A., *cum
laude*, 2003

Bar & Court Admissions

Ohio

U.S. Court of Appeals for the Sixth
Circuit

U.S. District Court for the
Southern District of Ohio

U.S. District Court for the Eastern

Tyler is a partner in the Vorys Columbus office and a member of the **Vorys eControl** team and litigation group. Tyler's practice focuses on counseling manufacturers and brands on issues related to eCommerce and online brand protection. As part of his eControl practice, Tyler works with brands to develop customized strategies for addressing the challenges they face related to the unauthorized sales of their products online and on online marketplaces.

Tyler has worked with over 50 brands, including multiple Fortune 500 companies, in helping them gain control of their sales online. Tyler's experience includes working with brands to develop their eCommerce strategy, preparing authorized reseller policies for brands to implement within their distribution channels, assisting brands with implementing authorized reseller programs and communicating with their channel partners, developing enforcement strategies to remove unauthorized online sellers, and investigating and enforcing against unauthorized sellers on Amazon, Walmart, eBay and other online marketplaces.

Tyler has also filed lawsuits and obtained judgments against several unauthorized sellers, including on claims for violations of the Lanham Act, trademark infringement, unfair competition, false advertising and tortious interference. His recent litigation experience against unauthorized sellers includes:

- Obtaining a six-figure judgment, award of attorneys' fees and injunction on behalf of a supplement company against an unauthorized seller on Amazon
- An award of damages, attorneys' fees and injunction on behalf of an electronic accessories company against an unauthorized seller on Amazon and eBay
- Obtaining multiple orders denying defendants' motions to dismiss and holding that brands can assert claims against the unauthorized sellers listing their products on Amazon

Tyler also has significant experience litigating other commercial, employment, intellectual property, non-compete and trade secret matters. He has tried cases in both federal and state court. His trial

District of Michigan

U.S. District Court for the Western
District of Michigan

*Admitted to practice law only in
the states listed above.*

Industries

Retail and Consumer Products

experience includes obtaining a seven-figure jury verdict in a misappropriation of trade secrets case and a large jury verdict on behalf of a real estate developer against a township.

Tyler received his J.D. *summa cum laude* from The University of Toledo where he graduated as valedictorian and was an associate member and technical editor of the *University of Toledo Law Review*. He also participated on the Constitutional Law Moot Court Team. He received his B.A. *cum laude* from Denison University, where he also competed on the varsity track and cross country teams.

Events

11.6.2019

Inaugural eControl360 Summit to Address Growing Challenges for Brands in the Amazon Age