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EDUCATION

- JD, Temple University School of Law, 1991
- MS, Organic Chemistry, Drexel University, 1986
- BS, Chemistry, Drexel University, 1983; Dean's List

COURT ADMISSIONS

- Pennsylvania Supreme Court
- New Jersey Supreme Court
- United States Patent and Trademark Office

DAVID A. CHERRY is a Registered Patent Attorney with extensive experience in patent law. Mr. Cherry focuses his practice on patent procurement and other complex matters before the United States and foreign patent offices, including reexaminations, reissues, oppositions, public protests, due diligence studies, technology in-licensing, IPO's, stock and bond offerings, acquisitions and divestitures. Mr. Cherry is also proficient in drafting opinions of counsel, including infringement, validity and patentability opinions, conducting freedom to operate and state of the art searches and analyses, global patent strategies, licensing and confidentiality, material transfer and other agreement work, litigation support and general client counseling on patent and related matters. Mr. Cherry has represented clients in the United States and worldwide, including individual inventors, start-up, mid-size and Fortune 100 companies, as well as universities and non-profit organizations. He has argued cases before the United States Patent and Trademark Office and The Hague.

Mr. Cherry began his legal career as a Scientific Advisor for a Philadelphia IP boutique firm while he was attending Temple University School of Law. During law school, Mr. Cherry was an Associate Editor of the *Temple Environmental Law and Technology Journal*. He later joined Philadelphia's oldest intellectual property law firm as an Associate Attorney where he was responsible for drafting and prosecuting foreign and domestic patent applications, and conducting patentability and infringement assessments. Mr. Cherry then moved to Philadelphia's largest intellectual property law firm, first as an Associate Attorney and then as a Partner. Throughout his career, Mr. Cherry has worked in a wide range of technical fields including pharmaceuticals, diagnostic contrast agents, organic, inorganic and polymer chemistry, chemical process technologies, lipid chemistry, protein and peptide chemistry, chemical additives, electrochemistry, natural products chemistry, food sciences, surface sciences, metallurgical sciences, catalysts, fibers, textiles, lithography, cosmetics, medical devices, mechanical inventions and business methods, including risk management programs for prescribing and distributing pharmaceutical products.

Prior to beginning his legal career, Mr. Cherry worked as a synthetic organic chemist in medicinal and process research chemistry for McNeil Pharmaceuticals. While at McNeil, Mr. Cherry invented a process and authored a paper relating to the synthesis of antihypertensive drug candidates. Mr. Cherry holds a Bachelor of Science Degree in Chemistry and a Master of Science Degree in Organic Chemistry from Drexel University.

PROFESSIONAL EXPERIENCE

- Member, Feldman Gale, P.A. (2008 to Present)
- Partner, Woodcock Washburn, LLP (2000 to 2008)
- Associate, Woodcock Washburn, LLP (1994 to 1999)
- Associate, Synnestvedt & Lechner, LLP (1991 to 1994)
- Scientific Advisor, Panitch, Schwarze, Jacobs & Nadel, P.C. (1989 to 1991)

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TECHNICAL EXPERIENCE

- Process Research Chemist, McNeil Pharmaceuticals (1985 to 1988)
- Medicinal Chemist, McNeil Pharmaceuticals (1983 to 1985)

PUBLICATIONS

- Cherry *et al.*, "Process for Producing 1-(5-Substituted-2-Ethynylphenyl)-2-Propanones," U.S. Patent No. 4,798,893, 1989.
- "Ligand Assisted Nucleophilic Additions. Control of Site and Face Attack of Nucleophiles on 4-Oxidoenones," *Journal of the American Chemical Society*, 1988, *110*, 3702-3704.
- Associate Editor, *Temple Environmental Law and Technology Journal*, 1991

PROFESSIONAL ASSOCIATIONS

- American Bar Association
- Pennsylvania Bar Association
- American Intellectual Property Law Association
- Philadelphia Intellectual Property Law Association
- American Chemical Society

REPRESENTATIVE PATENTS

- Haigh, U.S. Patent No. 4,981,742, "Dye Impermeable, Distortion Resistant Textile Identification Products"
- Wei *et al.*, U.S. Patent No. 4,986,886, "Polymerization of Thiophene and its Derivatives"
- Myers, U.S. Patent No. 5,041,545, "2-HydroxyBenzophenone Hydrazides and Derivatives Thereof"
- Conti *et al.*, U.S. Patent No. 5,057,149, "Method and Apparatus for Introducing Uniform Quantities of a Material into a Metallurgical Sample"
- Wicher, U.S. Patent No. 5,068,356, "Hindered Phenolic N-(Amido)Imides"
- Lindstrom *et al.*, U.S. Patent No. 5,175,310, "Process for Producing Alkylthio- and Arylthio-Substituted Carboxylic Acids and Their Thioesters"
- Beard *et al.*, U.S. Patent No. 5,196,799, "Method and Apparatus for Testing a Protective Barrier Material for Pinholes and Tear Strength"
- Stein, U.S. Patent No. 5,238,978, "Peroxide Masterbatches Using Polycaprolactone as the Carrier"
- Youssefyeh *et al.*, U.S. Patent No. 5,246,942, "Pharmaceutically Useful Dibenzofurancarboxamides of Specific Stereoconfiguration"
- Spada *et al.*, U.S. Patent No. 5,302,606, "Styryl-Substituted Pyridyl Compounds which Inhibit EGF Receptor Tyrosine Kinase"
- Stein, U.S. Patent No. 5,319,130, "Functionalized Peroxides for Polymerization Reactions"
- Macleay *et al.*, U.S. Patent No. 5,338,853, "Derivatives of N-HALS-Substituted Amic Acid Hydrazides"
- Spada *et al.*, U.S. Patent No. 5,418,245, "Styryl-Substituted Monocyclic and Bicyclic Heteroaryl Compounds which Inhibit EGF Receptor Tyrosine Kinase"
- Rupp, U.S. Patent No. 5,451,428, "Method for Pretreating the Surface of a Medical Device"
- Josefowicz, U.S. Patent No. 5,451,476, "Cathode for a Solid-State Battery"
- Unger *et al.*, U.S. Patent No. 5,466,438, "Liposoluble Compounds Useful as Magnetic Resonance Imaging Agents"
- Boyd *et al.*, U.S. Patent No. 5,491,147, "Trisubstituted Phenyl Derivatives and Their Use in Pharmaceutical Compositions and Methods of Treatment"
- McElroy, Jr. *et al.*, U.S. Patent No. 5,499,936, "Monolithic Metallic Drive Shafts Which are Resistant to Corrosion and Wear"
- Smith *et al.*, U.S. Patent No. 5,539,025, "Stable, One-Component, Curable Epoxy/Polyamide Resin Dispersions"
- Berrier *et al.*, U.S. Patent No. 5,550,005, "Photosensitive Elastomer Polymer Compositions for Flexographic Printing Plates"
- Warrellow *et al.*, U.S. Patent No. 5,580,888, "Styryl Derivatives as Anti-Inflammatory Agents"
- Fournie-Zaluski *et al.*, U.S. Patent No. 5,591,891, "N-[Mercaptoacyl (Amino Acid or Peptide)] Compounds and S-Lipophilic Aliphatic Carbonyl Derivatives Thereof as Antihypertensives"
- Reynolds, U.S. Patent No. 5,595,687, "Emulsion Stability"
- Heebner, U.S. Patent No. 5,605,944, "Heat-Resistant Adhesive for Use Especially in Making Sterilizable Packaging"
- Alexander *et al.*, U.S. Patent No. 5,608,070, "Enantioselective Process for the Preparation of Chiral Triaryl Derivatives and Chiral Intermediates for Use Therein"
- Warrellow *et al.*, U.S. Patent No. 5,622,977, "Trisubstituted(Aryl or Heteroaryl) Derivatives and Pharmaceutical Compositions Containing the Same"
- Regan *et al.*, U.S. Patent No. 5,674,482, "Polymers with Alkyl- or Heteroalkyl-Aryl Backbone and Pharmaceutical Compositions Incorporating Same"
- Head *et al.*, U.S. Patent No. 5,693,659 "Substituted Oxime Derivatives and Processes for Their Preparation"
- Unger, U.S. Patent No. 5,705,187, "Compositions of Lipids and Stabilizing Materials"
- Warrellow *et al.*, U.S. Patent No. 5,723,460, "Cyclo(Alkyl and Alkenyl) Phenyl-Alkenyl Heteroaryl Compounds and Pharmaceutical Compositions Containing Same"
- Unger *et al.*, U.S. Patent No. 5,733,572, "Gas and Gaseous Precursor Filled Microspheres as Topical and Subcutaneous Delivery Vehicles"
- Unger, U.S. Patent No. 5,736,121, "Stabilized Homogenous Suspensions as Computed Tomography Contrast Agents"
- Warrellow *et al.*, U.S. Patent No. 5,739,144 "Trisubstituted Phenyl Derivatives"
- Clegg *et al.*, U.S. Patent No. 5,763,710, "Oxychlorination Process"
- Unger, U.S. Patent No. 5,769,080, "Gas Filled Liposomes and Stabilized Gas Bubbles and Their Use as Ultrasonic Contrast Agents"
- Unger *et al.*, U.S. Patent No. 5,773,024, "Container with Multi-Phase Composition for Use in Diagnostic and Therapeutic Applications"
- Warrellow *et al.*, U.S. Patent No. 5,776,958, "Trisubstituted Phenyl Derivatives and Processes for Their Preparation"
- Head *et al.*, U.S. Patent No. 5,780,477, "Trisubstituted Phenyl Derivatives and Processes for Their Preparation"
- Alexander *et al.*, U.S. Patent No. 5,780,478, "Trisubstituted Phenyl Derivatives and Processes for Their Preparation"
- Frihart *et al.*, U.S. Patent No. 5,786,086, "Conductive Wire Coating"

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- Warrellow *et al.*, U.S. Patent No. 5,786,354, "Trisubstituted Phenyl Derivatives and Processes for Their Preparation"
- Warrellow, U.S. Patent No. 5,798,373, "Trisubstituted Phenyl Derivatives Useful as PDE IV Inhibitors"
- Unger *et al.*, U.S. Patent No. 5,824,312, "Sunscreen Agents from Natural Sources"
- Unger *et al.*, U.S. Patent No. 5,830,430, "Cationic Lipids and the Use Thereof"
- Unger, U.S. Patent No. 5,846,517, "Methods for Diagnostic Imaging Using a Renal Contrast Agent and a Vasodilator"
- Head, U.S. Patent No. 5,849,770, "Trisubstituted Phenyl Derivatives Useful as PDE IV Inhibitors"
- Owens *et al.*, U.S. Patent No. 5,851,784, "Human Phosphodiesterase Type IVC, and Its Production and Use"
- Warrellow *et al.*, U.S. Patent No. 5,859,034, "Trisubstituted Phenyl Compounds Which Have Useful Pharmaceutical Activity"
- Segal, U.S. Patent No. 5,863,455, "Colloidal Insulating and Cooling Fluid"
- Warrellow *et al.*, U.S. Patent No. 5,866,593, "Trisubstituted Phenyl Derivatives and Processes for Their Preparation"
- Unger, U.S. Patent No. 5,874,062, "Methods of Computed Tomography Using Perfluorocarbon Gaseous Filled Microspheres as Contrast Agents"
- Unger, U.S. Patent No. 5,885,549, "Phosphorylated Materials as Contrast Agents for Use in Magnetic Resonance Imaging of the Gastrointestinal Region"
- Warrellow *et al.*, U.S. Patent No. 5,891,896, "Trisubstituted Phenyl Derivatives Useful as PDE IV Inhibitors"
- Davis *et al.*, U.S. Patent No. 5,922,741, "5-Aminopyrazoles Useful as Tyrosine Kinase Inhibitors"
- Dixon *et al.*, U.S. Patent No. 5,944,703, "Wound Drainage System"
- Davis *et al.*, U.S. Patent No. 5,958,935, "Substituted 2-Anilinopyrimidines Useful as Protein Kinase Inhibitors"
- Koo *et al.*, U.S. Patent No. 5,965,666, "Thermoplastic Resin Composition with High Impact Strength at Low Temperatures"
- Jessee *et al.*, U.S. Patent No. 5,972,502, "Self-Crimping Fibers and Methods for Their Preparation"
- Brown *et al.*, U.S. Patent No. 5,975,145, "Arc-Quenching Fuse Tubes"
- Unger, U.S. Patent No. 5,985,246, "Contrast Agents for Ultrasonic Imaging and Methods for Preparing the Same"
- Unger, U.S. Patent No. 5,997,898, "Stabilized Compositions of Fluorinated Amphiphiles for Methods of Therapeutic Delivery"
- Unger, U.S. Patent No. 6,028,066, "Prodrugs Comprising Fluorinated Amphiphiles"
- Unger *et al.*, U.S. Patent No. 6,033,645, "Methods for Diagnostic Imaging by Regulating the Administration Rate of a Contrast Agent"
- Elsayed *et al.*, U.S. Patent No. 6,045,501, "Methods for Delivering a Drug to a Patient While Preventing the Exposure of a Foetus or Other Contraindicated Individual to the Drug"
- Van Saarloos, U.S. Patent No. 6,056,741, "Dual Beam Laser Ablation"
- Davis *et al.*, U.S. Patent No. 6,057,329, "Fused Polycyclic 2-Aminopyrimidine Derivatives"
- Boyd *et al.*, U.S. Patent No. 6,080,790, "Trisubstituted Phenyl Derivatives and Processes for Their Preparation"
- Unger *et al.*, U.S. Patent No. 6,090,800, "Lipid Soluble Steroid Prodrugs"
- Head *et al.*, U.S. Patent No. 6,093,696, "Tyrosine Derivatives"
- Davis *et al.*, U.S. Patent No. 6,093,716, "Substituted 2-Pyrimidineamines and Processes for Their Preparation"
- Beeley *et al.*, U.S. Patent No. 6,096,747, "Phenylaminocarbonyl Derivatives and Processes for Their Preparation"
- Head *et al.*, U.S. Patent No. 6,110,945, "Aromatic Amine Derivatives"
- Unger, U.S. Patent No. 6,117,414, "Method of Computed Tomography Using Fluorinated Gas-Filled Lipid Microspheres as Contrast Agents"
- Unger, U.S. Patent No. 6,120,751, "Charged Lipids and Uses for the Same"
- Batchelor *et al.*, U.S. Patent No. 6,133,257, "Fused Polycyclic 2-Aminopyrimidine Derivatives"
- Unger *et al.*, U.S. Patent No. 6,139,819, "Targeted Contrast Agents for Diagnostic and Therapeutic Use"
- Adams *et al.*, U.S. Patent No. 6,171,533, "Multipurpose Composite Tubing"
- Fatutto *et al.*, U.S. Patent No. 6,180,841, "Single Stage Fixed Bed Oxchlorination of Ethylene"
- Head *et al.*, U.S. Patent No. 6,197,794, "Phenylalanine Derivatives"
- Unger *et al.*, U.S. Patent No. 6,231,834, "Methods for Ultrasound Imaging Involving the Use of a Contrast Agent and Multiple Images and Processing of Same"
- Nicolini *et al.*, U.S. Patent No. 6,241,962, "Radiopharmaceutical Compositions and Matrices and Uses Thereof"
- Sander, U.S. Patent No. 6,312,730, "Psyllium-Hydrocolloid Gum Composition"
- Alexander *et al.*, U.S. Patent No. 6,319,922, "Propanoic Acid Derivatives"
- Archibald *et al.*, U.S. Patent No. 6,329,362, "Cinnamic Acid Derivatives"
- Head *et al.*, U.S. Patent No. 6,329,372, "Phenylalanine Derivatives"
- Hutchings *et al.*, U.S. Patent No. 6,337,335, "Substituted 2-Anilinopyrimidines Useful as Protein Kinase Inhibitors"
- Zhang *et al.*, U.S. Patent No. 6,348,132, "Alkenyl Succinic Anhydride Compositons and the Use Thereof"

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- Peregó *et al.*, U.S. Patent No. 6,388,025, "Method for Increasing the Molecular Weight of Polyester Resins"
- Unger *et al.*, U.S. Patent No. 6,414,139, "Silicon Amphiphilic Compounds and the Use Thereof"
- Hudkins *et al.*, U.S. Patent No. 6,451,786, "3'-Epimeric K-252a Derivatives"
- Farrar, U.S. Patent No. 6,451,806, "Methods and Compositions Involving Opioids and Antagonists Thereof"
- Warrellow *et al.*, U.S. Patent No. 6,465,471, "Cinnamic Acid Derivatives"
- Farrar *et al.*, U.S. Patent No. 6,469,030, "Methods for the Treatment and Prevention of Ileus"
- Zhang *et al.*, U.S. Patent No. 6,492,351, "Kappa Agonist Compounds, Pharmaceutical Formulations and Method of Prevention and Treatment of Pruritus Therewith"
- Archibald *et al.*, U.S. Patent No. 6,521,626, "Thiocarboxamide Derivatives"
- Unger *et al.*, U.S. Patent No. 6,528,039, "Low Density Microspheres and Their Use as Contrast Agents for Computed Tomography and in Other Applications"
- Langham *et al.*, U.S. Patent No. 6,545,013, "2,7-Naphthyridine Derivatives"
- Davis *et al.*, U.S. Patent No. 6,552,029, "2-Pyrimidineamine Derivatives and Processes for Their Preparation"
- Archibald *et al.*, U.S. Patent No. 6,555,562, "Phenylalanine Derivatives"
- DeHaven *et al.*, U.S. Patent No. 6,630,462, "Delta Agonist Analgesics"
- Chatterjee *et al.*, U.S. Patent No. 6,703,368, "Peptide-Containing α -Ketoamide Cysteine and Serine Protease Inhibitors"
- Kumar *et al.*, U.S. Patent No. 6,750,216, "Kappa Agonist Compounds and Pharmaceutical Formulations Thereof"
- Le Bourdonnec *et al.*, U.S. Patent No. 6,794,510, "Processes for the Preparation of Peripheral Opioid Antagonist Compounds and Intermediates Thereof"
- Porter *et al.*, U.S. Patent No. 6,911,451, "Phenylalanine Derivatives"
- Porter *et al.*, U.S. Patent No. 6,953,798, " β -Alanine Derivatives"
- Kruse *et al.*, U.S. Patent No. 6,960,612, "Kappa Agonist Compounds, Pharmaceutical Formulations and Method of Prevention and Treatment of Pruritus Therewith"
- Le Bourdonnec *et al.*, U.S. Patent No. 6,992,193, "Sulfonylamino Phenylacetamide Derivatives and Methods of Their Use"
- Dyke *et al.*, U.S. Patent No. 7,015,234, "Hydroxamic Acid Derivatives"
- McGuigan *et al.*, U.S. Patent No. 7,019,135, "Anti-Viral Pyrimidine Nucleoside Analogues"
- Dolle *et al.*, U.S. Patent No. 7,034,051, "Fused Bicyclic Carboxamide Derivatives and Methods of Their Use"
- Hudkins *et al.*, U.S. Patent No. 7,074,793, "Cyclic Substituted Fused Pyrrolocarbazoles and Isoindolones"
- Dolle *et al.*, U.S. Patent No. 7,087,749, "Substituted Piperidine Compounds and Methods of Their Use"
- Brand *et al.*, U.S. Patent No. 7,122,556, "Phenylalanine Enamide Derivatives"
- Rasanen *et al.*, U.S. Patent No. 7,202,280, "Methods for the Treatment and Prevention of Pancreatitis and for Induction of Liver Regeneration"
- Sherbine *et al.*, U.S. Patent No. 7,208,596, "Processes for the Preparation of Pyrazolo[1,5-a]-1,3,5-Triazines and Intermediates Thereof"
- Kruse *et al.*, U.S. Patent No. 7,294,647, "Kappa Agonist Compounds and Pharmaceutical Formulations Thereof"
- Dolle *et al.*, U.S. Patent No. 7,297,796, "Sulfamoyl Benzamide Derivatives and Methods of Their Use"
- Dolle *et al.*, U.S. Patent No. 7,338,962, "Spirocyclic Heterocyclic Derivatives and Methods of Their Use"

REPRESENTATIVE LITIGATIONS

- Counsel to biopharmaceutical company in patent dispute involving contrast medium for diagnostic imaging (D.C. Del. 2000) (Civil Action No. 1:99 cv273)