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EDUCATION

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

COURT ADMISSIONS

- United States District Court for the Eastern District of Pennsylvania
- 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)

TECHNICAL EXPERIENCE

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

PROFESSIONAL ASSOCIATIONS

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

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

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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 PhenolicN-(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"
- Youssefieh 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"
- 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"

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REPRESENTATIVE PATENTS

- 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-Anilino pyrimidines 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 Oxychlorination 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-Anilino pyrimidines Useful as Protein Kinase Inhibitors"
- Zhang et al., U.S. Patent No. 6,348,132, "Alkyl Succinic Anhydride Compositions and the Use Thereof"
- Perego 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"

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REPRESENTATIVE PATENTS

- Chatterjee et al., U.S. Patent No. 6,703,368, "Peptide-Containing α -KetoamideCysteineand Serine Protease Inhibitors"
- Kumar et al., U.S. Patent No. 6,750,216, "Kappa Agonist Compounds and Pharmaceutical Formulations Thereof"
- Le Bourdonnecet al., U.S. Patent No. 6,794,510, "Processes for the Preparation of Peripheral OpioidAntagonist Compounds and Intermediates Thereto"
- Porter et al., U.S. Patent No. 6,911,451, "Phenylalanine Derivatives"
- Porter et al., U.S. Patent No. 6,953,798, " β -AlanineDerivatives"
- Kruse et al., U.S. Patent No. 6,960,612, "Kappa Agonist Compounds, Pharmaceutical Formulations and Method of Prevention and Treatment of PruritusTherewith"
- Le Bourdonnecet al., U.S. Patent No. 6,992,193, "SulfonylaminoPhenylacetamideDerivatives and Methods of Their Use"
- Dyke et al., U.S. Patent No. 7,015,234, "HydroxamicAcid Derivatives"
- McGuiganet al., U.S. Patent No. 7,019,135, "Anti-Viral PyrimidineNucleoside Analogues"
- Dolle et al., U.S. Patent No. 7,034,051, "Fused BicyclicCarboxamideDerivatives and Methods of Their Use"
- Hudkins et al., U.S. Patent No. 7,074,793, "Cyclic Substituted Fused Pyrrolocarbazolesand Isoindolones"
- Dolleet al., U.S. Patent No. 7,087,749, "Substituted PiperidineCompounds and Methods of Their Use"
- Brand et al., U.S. Patent No. 7,122,556, "Phenylalanine EnamideDerivatives"
- Rasanenet al., U.S. Patent No. 7,202,280, "Methods for the Treatment and Prevention of Pancreatitis and forInduction 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, "SulfamoylBenzamideDerivatives and Methods of Their Use"
- Dolle et al., U.S. Patent No. 7,338,962, "SpirocyclicHeterocyclic Derivatives and Methods of Their Use"

REPRESENTATIVE LITIGATIONS

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