

CHERYL H. AGRIS, PH.D., JD
43 West 43rd Street, Suite 104
NEW YORK, NY 10035
TEL. (646) 593-7855
FAX (646) 365-6405
www.agrisvonnatzmerlaw.com
c.agris.patlaw@pobox.com or chagris@avn-law.com

PROFESSION

Attorney - Intellectual Property and Arbitrator/Mediator

EDUCATION

Goucher College (BA, Chemistry-1979, General Honors and Honors in Chemistry); Johns Hopkins University (PhD, Biochemistry-1986); Brooklyn Law School (JD-1992, recipient of Dean's Scholarship).

WORK HISTORY

Partner, Agris & von Natzmer (2012-present) (Intellectual Property (IP) (Patents, Trademarks, Transactional) Law Practice); The Law Offices of Cheryl H. Agris, PhD, PC (2005-present) (includes IP consulting and ADR); Cheryl H. Agris, PhD, Attorney at Law (1998-2005; includes Intellectual Property (IP) (Patents, Trademarks, Transactional) Law Practice and ADR from 2000); Patent Attorney, Novo Nordisk of North America, 1992-1998; Law Clerk, Biotechnology Group, Pennie & Edmonds, 1988-1992; Research fellow, Sloan Kettering Institute, 1986-1988

ALTERNATIVE DISPUTE RESOLUTION EXPERIENCE

- **MATTERS ARBITRATED** include breach of research and development, manufacturing, distribution and licensing agreements; inventorship disputes; trade secret theft; negligence; breach of fiduciary duty; fraud; breach of employment agreements; failure to supervise. Has arbitrated > 100 disputes, including multiparty matters and >30 matters with claims in excess of \$500,000.
- **MATTERS MEDIATED** include partnership matters, breach of contract, licensing agreements, research and development agreements, biotechnology and pharmaceutical matters, manufacturing agreements, employment contracts, construction matters. Has mediated > 60 disputes, including multiparty matters and > 15 matters with claims in excess of \$500,000.

PANEL MEMBERSHIPS: International Institute for Conflict Prevention & Resolution (CPR) Biotechnology, Healthcare and Life Sciences, Trademark and Technology Panels, 2009-present; American Arbitration Association's Commercial Panel (2003-present) and Large Complex Panel (2013-present); National Futures Association (NFA) Arbitrator, 2002-present; FINRA Arbitrator, 2000-present. Listed with the World Intellectual Property Organization's List of Mediators and Arbitrators, 2004-present and the United States Council for International Business (USCIB) of the International Chamber of Commerce as an Arbitrator and Mediator, 2004-present. Have also served as a Member

of the Westchester County Attorney Fee Dispute Resolution Arbitration Panel, 2004-present and Arbitrator for the Westchester Mediation Center's Lemon Law Program (administered by New York State Dispute Resolution Association (NYSDRA), 2004-2009. Mediator for NJ Supreme Court (Hudson, Union, Essex, Bergen, Middlesex, Monmouth counties, 2009-present); Member of the Eastern (EDNY) and Southern (SDNY) District of New York's Bankruptcy Mediation Panels, 2009-present; Panelist on the EDNY Mediation and Arbitration Panels, 2004-present; Member of NY Supreme Court, Commercial Division Mediation Panels in NY, Westchester and Queens Counties, 2004-present; Mediator for Westchester Mediation Center of Cluster (community and small claims court), 2003-2012; Special Master for 1st Department, Appellate Division, NY Supreme Court, 2009-2012.

ALTERNATIVE DISPUTE RESOLUTION TRAINING

EDNY FLSA Mediation Training; AAA Arbitrating in a Digital World; Fair & Expeditious Management of Electronic Discovery, 2015; "The ICC Scrutiny Process: A Mock Court Session", 2014; AAA, Arbitrators Conducting Legal Research - Good Idea or Bad?, AAA, Arbitrators Conducting Legal Research - Good Idea or Bad?, 2014; AAA Dealing With Delay Tactics in Arbitration (ACE004), 2013; AAA Maximizing Efficiency & Economy in Arbitration: Challenges at the Preliminary Hearing, 2012; EDNY Workshops on Impasse Breaking Techniques, 2009 and 2011; AAA Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics (ACE005), 2009; AAA Pro Se: Managing Cases Involving Self-Represented Parties (ACE002), 2008; AAA Arbitrator Ethics & Disclosure (ACE003), 2006; AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2005; Abrams Mediation and Negotiation: Advanced Negotiation and Mediator Skills Training Course & Reference Manual, 2005; AAA Commercial Arbitrator II Training: Advanced Case Management Issues, 2004; Arbitration of Intellectual Property and Licensing Disputes: Artful Drafting and Savvy Advocacy-A Winning Combination, 2004; Arbitrator Update 2004; AAA Arbitrator I Training- Fundamentals of the Arbitration Process, 2003; Westchester Mediation Center of Cluster, Inc., Basic Community Mediation Training, 2003; Franklin Pierce Law Center, Mediation Training, Concord, 2001; New Jersey Institute of Continuing Legal Education, ADR Day, 2001; New Jersey Institute of Continuing Legal Education, Negotiation Workshop, 2001; NASD Arbitrator Chairperson Training, New York, 2001; NASD Arbitrator Training Program, New York, 2000.

EXPERIENCE:

25 years of experience in the IP field.

- AREAS OF EXPERTISE include Biotechnology; Chemicals; Pharmaceuticals; Trade Secrets; Licensing, Joint Venture, Research and Development, Distribution, Manufacturing, Consortium, Employment and Consulting Agreements; Intellectual Property (Patents and Trademarks).
- HAS REPRESENTED large and medium sized corporations, startups and universities and other nonprofit entities.
- PRACTICE INCLUDES preparing and prosecuting U.S. patent applications (over

250 issued patents to date), overseeing the filing and prosecution of foreign patent applications, conducting reviews of IP portfolios for strategic planning and due diligence studies, conducting patent and literature prior art searches, preparing patentability, validity and infringement opinions, preparing and reviewing agreements (e.g. licensing, collaboration, consortium, consulting and confidentiality agreements), and drafting and prosecuting trademark applications.

- BEFORE ENTERING THE IP FIELD, conducted biomedical research on influenza virus and RNA processing at the Sloan-Kettering Cancer Center and doctoral dissertation research at the Johns Hopkins University on synthesis of oligonucleotide analogs (antisense nucleic acids) and perturbation of viral infection with anti-sense nucleic acids.

PROFESSIONAL LICENSES

Admitted to the Bar: New Jersey, 1992; New York, 1993; U.S. Patent and Trademark Office, 1990.

PROFESSIONAL ASSOCIATIONS

New York State Bar Association (Dispute Resolution Section, Intellectual Property Section); American Intellectual Property Law Association (Vice Chair Membership Committee 2010-2012, Membership Chair, 2012-2013); Eastern New York Intellectual Property Law Association (Member, Board of Managers, 2010-Present); Association of the Bar of the City of New York (member International Commercial Disputes Committee, member 2013-present; member Arbitration Committee, 2010-2013); International Intellectual Property Society; New York State Dispute Resolution Association.

PUBLICATIONS AND SPEAKING ENGAGEMENTS

- PUBLICATIONS: Co-Author, "Use of Arbitration In Resolving Disputes Involving Intellectual Property," chapter in Handbook of Commercial Arbitration, American Bar Association (forthcoming); Agris, C.H. (principal author), "Practitioner's Manual of Patent Examining Procedure", Thomson-Reuters, 6th Ed. 2012; Agris, C.H. "Practitioner's Patent Guidelines", Thomson-Reuters, 2012; Agris, C.H., "Comparison of Arbitration Procedures in IP Disputes", Proceedings of New York State Bar Association Intellectual Property Law Section Annual Meeting, January 2011; Co-Author, New York State Bar Association White Paper, "The Benefits Of Mediation And Arbitration For Dispute Resolution In Intellectual Property Law" (January 2011), reprinted in New York State Bar Association, New York Dispute Resolution Lawyer, 4:61-65 (Summer 2011); Agris, C.H., "Practitioner's Patent Guidelines", Thomson-Reuters, 2011; Comparison of International Arbitration Procedures, NYIPLA Bulletin, pages 8-10 (March/April 2005); Agris, C.H. (2000) "Biotechnology Applications: Depositing Biological Materials" Intellectual Property Today 7:12-13; Agris, C. (1999) "Patenting plants: What to claim", Nature BioTechnology 17:717-718; Agris, C.H. (1999) "Intellectual property protection for plants", Nature BioTechnology 17:197-198; Agris, C.H. (1998) "Patenting protein sequences", Nature BioTechnology 16:1075; Agris, C.H. (1998) "Patenting DNA sequences", Nature BioTechnology 16:877;

Agris, C.H. (1998) "International patent filing", *Nature BioTechnology* 16:479.

- REPRESENTATIVE SPEAKING ENGAGEMENTS: Lecturer, "Alternative Dispute Resolution in Intellectual Property Disputes", Nassau County Bar Association, 2013; Panelist, "The Writing and Updating of a Legal Treatise", Eastern New York Intellectual Property Law Association, 2013; Panelist, "Using IP Alternative Dispute Resolution-Is it Ready for Prime Time", New York State Bar Association Intellectual Property Law Section Annual Meeting, 2011; Lecturer, "The IP Toolkit-Part II: protecting intellectual property assets-Patents", 2009, West Legalworks Online Program; Lecturer, "The IP Toolkit-Part II: protecting intellectual property assets-Trademarks", 2009, West Legalworks Online Program; Lecturer "The IP Toolkit-Part I: Protecting Intellectual Property Assets, What Every Attorney Needs to Know", 2008, West Legalworks, Online Program; Panelist, "Critical Junctures in Mediation and How Best to Handle Them," New York State Bar Association Dispute Resolution Section Annual Meeting, 2009,"The MPEP as a Practice Tool: It Is Not Just a Paperweight", National Association of Patent Practitioner's Meeting, 2008; Moderator, International Intellectual Property Society Program Entitled "Alternative Dispute Resolution in Intellectual Property Disputes", September 14, 2006; Host, NYIPLA Luncheon Program, Arbitration and Mediation in IP cases, January 14, 2005; "What to Claim in Biotechnology Applications", National Association of Patent Practitioners Meeting Short Course, 2004; "Troubleshooting at the USPTO", National Association of Patent Practitioners Meeting Short Course, 2002 and 2003; "Intellectual Property Considerations", Angel Financing: Navigating the Legal & Business Issues, November 28, 2000;"Interesting Web Sites for the Patent Practitioner", National Association of Patent Practitioners New Jersey Chapter Meeting, November 2000; "Alternative Career Opportunities in Intellectual Property Law", New York Biotechnology Association, Women in Biosciences Section Meeting, June 2000; Panel chair, "Interactions Between In-House and Law Firm Patent Counsel to Develop Intellectual Property Strategy", *BIO* 1998, June 1998.