

Eyal H. Barash

Education

J.D., 1997, Northwestern University School of Law, Chicago, IL

M.S. (Physical Chemistry), 1994, University of California at Berkeley, Berkeley, CA

B.S. (Chemistry) and B.A. (History), 1991, Indiana University, Bloomington, IN

Employment

Jan. 2009 - Current **Member, Barash Law LLC, West Lafayette, IN**

- sole law practitioner focusing on patent opinions in pharmaceuticals and related technologies with worldwide clients
- expertise includes contract and licensing work

Member, BarCon LLC, West Lafayette, IN

- business development for CROs/CMOs
- invited lectures at national and international organizations and pharmaceutical companies on lifecycle management and drug repositioning

Chief Intellectual Property Counsel, Endocyte, Inc., West Lafayette, IN

- part-time position, responsible for IP portfolio
- responsible for contracts and other agreements

Oct. 2006-Jan. 2009 **Principal, Aptuit Consulting, West Lafayette, IN**

- Intellectual property consulting for pharmaceutical companies
- Expert witness liaison
- Contract negotiations

Chief Patent Counsel, Aptuit Inc., West Lafayette, IN

- Responsible for managing IP portfolio of Aptuit
- Assist R&D and SAB functions to identify and protect Aptuit innovations

Sept. 2005-Oct. 2006 **General Counsel, SSCI, Inc., West Lafayette, IN and Office Counsel (part time) to Bose, McKinney & Evans LLP**

- Responsible for IP for contract research organization including prosecution, opinion work, contract negotiation, and licensing with technology emphasis on pharmaceuticals

- Performed long-term strategic patent analysis for small pharmaceutical products company in anticipation of drug launch (as office counsel)
- Invited speaker at AIPLA, AAPS, and IQPC conferences on solid-state chemistry and pharmaceutical patents

1997-2005

**Finnegan, Henderson, Farabow, Garrett & Dunner LLP,
Washington, DC**

- Experience with all aspect of Hatch-Waxman litigation including developing and implementing infringement and validity theories, liaising with scientists and experts, devising test methodologies, coordinating expert reports, and taking and defending expert and fact witness depositions
- Counseling to pharmaceutical companies on patent protection and litigation strategies
- Experience in patent prosecution including appellate practice before the board of Patent Appeals and Interferences
- Advising and preparing patent applications and patent strategies on solid-form and polymorph technologies
- Strategic patent counseling for start-up, small, and mid-sized life sciences companies
- Patent drafting and counseling directed to chemical syntheses, analytical techniques, and research tools
- Familiarity with patent procurement and litigation aspects of mass spectrometry, infrared spectroscopy, Raman spectroscopy, nuclear magnetic resonance spectroscopy and imaging, partial-least squares analyses, x-ray powder diffraction, solid-form preparations, formulations, scale-up, and chiral chemistry

Awards and Achievements

Northwestern University School of Law

- Articles Editor for Northwestern Univ. Law Review
- Moot Court Winner
- Co-President of Intellectual Property Law Society

University of California at Berkeley

- Research with Professor Alex Pines on solid-state NMR
- Synthesized nanocrystalline particles and analyzed them with solid-state NMR
- Laboratory Instructor for first-year chemistry students
- Coursework in quantum mechanics and solid-state physics

Indiana University

- Barry Goldwater Science Scholarship (full scholarship)
- Performed research synthesizing and characterizing crystalline organometallic compounds

Presentations

1. Invited lecturer on pharmaceutical patents for scientists, SSCI short courses, Washington, DC, May 2002, May 2003, May 2004, May 2005, March 2006, April 2007, April 2008; May 2009; May 2010 in U.K. April 2008; in San Francisco, May 2008; May 2009; and June 2010
2. Guest Faculty at Purdue University Short Courses on Regulatory Affairs, lectures on pharmaceutical patents, West Lafayette, IN, May 2003, February 2004, February 2005, September 2005, February 2006, September 2006-2008; August 2010.
3. Special seminar speaker on pharmaceutical patent law, University of Minnesota, Minneapolis, MN, June 2003.
4. Invited speaker on polymorph patents, Barnett Polymorph Conference, Brussels, Belgium, October 2003.
5. Special seminar speaker on patent law for scientists, University of California at Berkeley, Berkeley, CA, December 2003.
6. ACS "Chemistry and the Law" section lecturer on attorney work product, Anaheim, CA, March 2004; symposium leader on IP issues for knowledge based companies, Philadelphia, PA, August 2004; and symposium leader on polymorph patents, San Diego, CA, March 2004.
7. Lecturer on IP portfolio strategies for pharmaceutical companies, Barcelona, Spain, June 2004.
8. Invited speaker on patent law for pharmaceutical scientists, University of Kansas, Lawrence, KS, October 2004.
9. Invited lecturer on polymorph patents at AAPS Arden House symposium, Harriman, NY, January 2005.
10. PEA Associates featured speaker on Hatch-Waxman law, Washington, DC, February 2005.
11. Invited lecturer on polymorph patents at the International Center for Diffraction Data, Barcelona, Spain, February 2005.
12. Lecturer on Hatch-Waxman Law, 4th Annual Polymorphism and Crystallization Conference, Philadelphia, PA, March 2005.
13. Lecturer on polymorph patent litigation, AIPLA, Philadelphia, PA, May 2005.
14. Seminar speaker on polymorph patent strategies, World Pharmaceutical Congress, Philadelphia, PA, May 2005.
15. Lecturer on patent issues for scientists, International Hydrogen Peroxide Conference, Purdue University, West Lafayette, IN, September 2005.
16. Invited seminar speaker on basics of patent law, Purdue University Department of Chemistry, West Lafayette, IN, October 2005.
17. Special seminar speaker on *Phillips* decision, Purdue Research Park Seminar, West Lafayette, IN, October 2005.
18. Invited lecturer on pharmaceutical patent law issues, AAPS PT Open Forum, Nashville, TN, November 2005.
19. Invited lecturer on patent law in the global supply chain, International Global Supply Chain Management Conference, Purdue University, West Lafayette, IN, February 2006.
20. Invited speaker on general aspects of IP law at Indo-U.S. Chamber of Commerce Presentation, Purdue University, West Lafayette, IN, February 2006.

21. Lecturer on solid form patent strategies, International Center for Diffraction Data, Newtown Square, NJ, February 2006.
22. Lecturer on latest trends in solid form patent strategies, IQPC, London, UK, March 2006.
23. Invited speaker, AIPLA Summer Road Shows, Boston, MA, and San Jose, CA, June 2006.
24. Invited speaker on IP aspects of global supply chain issues and author of case study, International Global Supply Conference, St. Louis, MO, July 2006.
25. Workshop leader and invited speaker on cocrystal patents, IQPC, Amsterdam, Netherlands, September 2006 and September 2007.
26. Invited speaker on procuring and enforcing solid form patents, AAPS, San Antonio, TX, October 2006.
27. Invited lecturer on solid form patent strategy at the International Center for Diffraction Data, Barcelona, Spain, February 2007; Florida, February 2008; Edinburgh February 2009.
28. Invited Speaker on Solid Form IP Strategies at the IP Section of the Washington, DC Bar, March 2007
29. Invited Speaker at AAPS National Meeting, November 2007, San Diego on IP Aspects of QbD
30. Presented at Aptuit Solid State Summit, February 2008, Oxford, UK
31. Invited Speaker at AAPS Biotech Conference, June 2008 and AAPS National Conference November 2008
32. Invited Speaker at Inorganic Chemistry Symposium, October 2008, Indiana University
33. Invited Speaker, ACS National Meeting on IP aspects of solid forms, Boston, MA August 2010
34. Guest lecturer at Purdue University Courses in Entrepreneurship (Professor Ken Kahn and Professor Marshall Porterfield); Guest lecture for Chemical Engineering on pharmaceutical patents (Professor Rex Reklaitis) and for PRF and OTC to engaged faculty and staff on best IP practices at a university
35. Invited Speaker to EPTM, September 2010, Somerset, NJ on Pharmaceutical IP
36. Lecturer on pharmaceutical patent law, patent litigation, corporate attorney-client privilege and work product, polymorph patents, and Hatch-Waxman litigation at numerous small to mid-sized life science companies in the United States, Europe, and Japan.

Publications

1. Barash, E. Experimental Uses, Patents, and Scientific Progress (Winter 1997). Northwestern Univ. Law Rev. 91(2):667.
2. Barash, E., A. Newman, S. Bates, S. Comella. Amorphous Pharmaceuticals (June 2006). AAPS News Magazine 9(6):30.
3. E. Barash, Book Chapter author on pharmaceutical patent law in "Prodrugs and Targeted Delivery: Towards Better ADME Properties", Vol. 47, Wiley Tech (to be published in late 2010)

Memberships

1. AAPS
2. ACS
3. AIPLA
4. Registered U.S. Patent Attorney 43,483
5. Admitted to Practice in Indiana, Illinois, and D.C