

EXHIBIT A

CURRICULUM VITAE

NAME: Michael Sofocleous

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BIRTHDATE
and PLACE: 1943; Jersey City, N.J.

NATIONALITY: U.S.A

EDUCATION: 1965-B.S. Chemistry Rensselaer Polytechnic Institute
1973-J.D. The National Law Center
George Washington University

HONORS Alpha Nu chapter of Phi Lambda Upsilon (Chemical Honorary Society)

PROFESSIONAL ACTIVITIES:

CIVILIAN

| | |
|-----------|---|
| 1965-1966 | Food Chemist-General Foods Corp |
| 1966 | Patent Examiner U.S. Patent and Trademark Office Examined applications in Class 117 (now Class 427) (Coating Processes) Primarily in the area of electrophotography including processes and related apparatus. |
| 1969-1975 | Patent Examiner, Primary Examiner U.S. Patent and Trademark Office Examined applications in Class 117 (now Class 427) (Coating Processes) Primarily in the area of electrostatic coating, electrophotography and related apparatus, and fluidized bed coating processes and related apparatus. |
| 1975-1985 | Patent Interference Examiner |

Interlocutory Examiner & Acting Member of the Board of Patent Interferences

Responsible for managing over 1000 interferences from the date of declaration up to final hearing. While serving as an Acting Member, authored innumerable interlocutory board decisions on matters of special testimony, additional discovery, et seq and about 20 final decisions on priority of invention. The final decisions constituted final agency actions which were either directly appealable to the United States Court of Customs and Patent Appeals, now the United States Court of Appeals for the Federal Circuit or reviewable by civil action in a United States District Court.

1985-1999 Administrative Patent Judge
(Examiner-in-Chief)
Board of Patent Appeals & Interferences

On the Interference side of the Board, responsible for determining priority and patentability of inventions in interferences declared under 35 U.S.C. § 135(a). In that capacity, managed an annual docket of approximately 50 to 60 interferences from date of declaration up to final hearing. Authored innumerable Decisions on Preliminary Motions, and decisions on interlocutory matters. Participated in approximately 300 three-member final hearing panels, authoring about 100 final decisions on priority and patentability of inventions in interferences and participating as a member on approximately 200 final hearing panels. These final decisions constituted final agency actions, which were either directly appealable to the United States Court of Appeals for the Federal Circuit or reviewable by civil action in a United States District Court.

On the Appeals side of the Board, responsible for reviewing adverse decisions of examiners upon applications for patents. Participated in approximately 360 panels reviewing the adverse decisions of examiners, authoring approximately 120 decisions on appeals from the adverse decisions of examiners and participating as a member of approximately 240 hearing panels. These decisions constituted final agency actions, which were either directly appealable to the United States Court of Appeals for the Federal Circuit or reviewable by civil

action in a United States District Court.

- 1999-2002 Attorney with the firm of Greenblum & Bernstein, P.L.C.
- 2002-2004 Partner with the firm of Roberts, Mlotkowski & Hobbes, PC
- 2004-present Law Office of Michael Sofocleous

MILITARY

- Active Duty 1966-1969 Captain, U.S. Army
Ordnance Corps-Company Commander of a conventional ammunition company
- Reserve 1969-1977 Captain, U.S. Army Reserve
- May 1977 Commissioned as a Judge Advocate General in the Air Force Reserve
- 1977-1981 Assigned to Claims and Torts Litigation Division, HQ USAF
- 1981-1985 Assigned to Military Justice Division, HQ USAF
- 1985-1990 Assigned to Appellate Defense, HQ USAF
- 1990-1994 Assigned to Military Justice Division, HQ USAF
- 1994-1997 Assigned to HQ Air Force Office of Special Investigations
- 1997 Colonel, USAFR retired

BAR MEMBERSHIP:

- 1974 Admitted to the Bar of the Commonwealth of Virginia
- 1999 Registered to Practice before the U.S. Patent and Trademark Office Registration Number 45,305

PUBLICATIONS:

Calvert and Sofocleous, "Interference Statistics for Fiscal

Years 1992 to 1994" 77 J.Pat.Off.Soc 417 (May 1995)

Calvert and Sofocleous, "Interference Statistics for Fiscal Years 1989 to 1991," 74 J.Pat.Off.Soc. 822 (November 1992).

Calvert and Sofocleous, "Interference Statistics for Fiscal Years 1986 to 1988," 71 J.Pat.Off.Soc. 399 (May 1989).

Calvert and Sofocleous, "Interference Statistics for Fiscal Years 1983 to 1985," 68 J.Pat.Off.Soc. 385 (August 1986).

Calvert and Sofocleous, "Three Years of Interference Statistics," 64 J.Pat.Off.Soc. 699 (December 1982).

PUBLISHED AUTHORED FINAL INTERFERENCE DECISIONS:

Fiddes v. Baird, 30 USPQ2d 1481 (BPAI 1993). The subject matter relates to recombinant DNA molecules encoding basic fibroblast growth factors.

Brown v. Bravet, 25 USPQ2d 1147 (BPAI 1992). The subject matter relates to aircraft windshields.

Forssmann v. Matsuo, 23 USPQ2d 1548 (BPAI 1992), aff'd. mem., 1993. The subject matter relates to cardiodilatin, a protein hormone present in the right heart auricle.

Suh v. Hoefle, 23 USPQ2d 1321 (BPAI 1991). The subject matter relates to antihypertensive agents.

Grove v. Johnson, 22 USPQ2d 1044 (BPAI 1991). The subject matter relates to diphenyl ether compounds useful as herbicides.

Freerksen v. Gass, 21 USPQ2d 2007 (BPAI 1990). The subject matter relates to benzene sulfonamide compounds useful as pre-emergent or post-emergent herbicides.

Surabian v. Brecher, 16 USPQ2d 1312 (BPAI 1990). The subject matter relates to an improved device for securing bow knots used to tie laces on footwear.

Flehming v. Giesa, 13 USPQ2d 1052 (BPAI 1989). The subject matter relates to a process for culturing hepatitis A virus.

Hsing v. Myers, 2 USPQ2d 1861 (BPAI 1987). The subject matter relates to a process for isomerization of C₄ alkanes through a fixed bed.

Perrin v. Kalk, 1 USPQ2d 1881 (BPAI 1986). The subject matter relates to quaternary compounds that improve color yield and wet-fastness of anionic dyes on cellulose fibers.

Tsuchiya v. Woods, 220 USPQ 984 (Bd.Pat.Int. 1983), aff'd. 754 F.2d 1571, 225 USPQ 11 (Fed.Cir. 1985). The subject matter relates to an apparatus for cutting vegetation.

Mori v. Costain, 214 USPQ 295 (Bd.Pat.Int. 1981). The subject matter relates to lactone derivatives.

PUBLISHED AUTHORED NON-FINAL INTERFERENCE DECISIONS:

Richards v. Energy Department, 49 USPQ2d 1930 (BPAI 1999). This decision concerns a procedural issue--whether the Board has the jurisdiction to decide patentability in a title contest.

Shaked v. Taniguchi, 21 USPQ2d 1285 (BPAI 1990). The subject matter relates to cysteine containing Interleukin 2 polypeptide.

Holmwood v. Cherpeck, 2 USPQ2d 1942 (BPAI 1986). The subject matter relates to compounds useful as fungicides or plant growth regulators.

Feakins v. Matthewson, 231 USPQ 585 (BPAI 1986). The decision relates to procedural issues concerning document discovery.

Klinkowski v. Wills, 223 USPQ 303 (Bd.Pat.Int. 1984). The decision relates to procedural issues concerning additional discovery.

Jurek v. Foote, 220 USPQ 888 (Bd.Pat.Int. 1982).
The decision relates to procedural issues concerning additional discovery.

Brian v. Ferris, 211 USPQ 274 (Bd.Pat.Int. 1981).
This decision relates to procedural issue concerning the filing of a reissue application in response to an order to show cause why judgment should not be entered.

Jabloner v. Korshak, 194 USPQ 165 (Bd.Pat.Int. 1976).
This decision relates to procedural issues concerning additional discovery.

PUBLISHED AUTHORED DISSENTS

Hahn v. Wong, 13 USPQ2d 1211, 1216 (BPAI 1989).
The subject matter relates to a homopolymer of an olefinic benzocyclobutene monomer.

Kwon v. Perkins, 6 USPQ2d 1747, 1753 (BPAI 1988).
The subject matter relates to a trainer golf club.

AFFIRMED UNPUBLISHED AUTHORED DECISIONS

Chatterji v. Crooks, Affirmed w/o published opinion, 588 F.2d 844 (CCPA 1978).

Thomson v. Armitage, Affirmed, 665 F.2d 1032; 212 USPQ 65 (CCPA 1981).

Woods v. Tsuchiya, Affirmed, 754 F.2d 1571, 225 USPQ 11 (Fed. Cir. 1985).

Ewen v. Kaminsky, Affirmed, 914 F.2d 271 (Fed. Cir. 1990) (Unpublished).

Forssmann v. Matsuo, Affirmed w/o published opinion, 991 F.2d 809 (Fed. Cir. 1993).

Schendel v. Curtis, Affirmed, 83 F.3d 1399, 38 USPQ2d 1743 (Fed. Cir. 1996).

Fujikawa v. Wattanasin, Affirmed, 93 F.3d 1559, 39

USPQ2d 1895 (Fed. Cir. 1996).

Loesch-Fries v. Beachy, Affirmed, 104 F.3d 374, 41 USPQ2d 1158 (Fed. Cir. 1996) (Unpublished).

Kridl v. McCormick, Affirmed, 105 F.3d 1446, 41 USPQ2d 1686 (Fed. Cir. 1997).

Post v. Herskowitz, Affirmed, 152 F.3d 942 (Fed. Cir. 1998) (Unpublished).

Rapoport v. Dement, Affirmed, 254 F.3d 1053, 59 USPQ2d 1215 (Fed. Cir. 2001).

REVERSED UNPUBLISHED AUTHORED DECISIONS

Oka v. Youssefyeh, Reversed, 849 F.2d 581; 7 USPQ2d 1169 (Fed. Cir. 1988).

Bigham v. Godtfredsen, Reversed, 857 F.2d 1415, 8 USPQ2d 1266 (Fed. Cir. 1988).

Holmwood v. Sugavanam, Reversed, 948 F.2d 1236, 20 USPQ2d 1712 (Fed. Cir. 1991).

Bosies v. Benedict, Reversed, 27 F.3d 539, 30 USPQ2d (Fed. Cir. 1994).

AUTHORED DISSENTS ADOPTED

Winner Int'l Royalty Corp. v. Wang, 11 F. Supp2d 18, 48 USPQ2d (DCDC 1998), Affirmed, 202 F.3d 1340, 53 USPQ2d 1580 (Fed. Cir. 2000).

AUTHORED DISSENTS NOT ADOPTED

Hahn v. Wong, 13 USPQ2d 1211, 1216 (BPAI 1989), Affirmed, 892 F.2d 1028, 13 USPQ2d 1313 (Fed. Cir. 1989).

Kwon v. Perkins, 6 USPQ2d 1747, 1753 (BPAI 1988),

Affirmed, 886 F.2d 325, 12 USPQ2d 1308 (Fed. Cir. 1989).

MEMBER OF PANEL DECISION ON INEQUITABLE CONDUCT

Singer v. Reh fuss, 59 USPQ2d 1190, (BPAI 1998).

LECTURING:

One of three Speakers on “Advanced Practice Before the U.S. Patent and Trademark Office (PTO)”, sponsored by the Dallas Bar Association on March 21, 2000

Lecturer for the Patent Academy on Interference Practice.

One of three lecturers for the 3 day seminar, "Patent Interferences: The Practice Behind the Rules," sponsored by the San Francisco Patent and Trademark Law Association on November 12 to 14, 1993.

Speaker at an interference seminar sponsored by the Philadelphia Patent Law Association on January 19, 1989.

Lecturer at the Joint AIPLA/DC Bar Program, "Practice Under the New Interference Rules," given on March 27, 1986.

**Cases in Which Michael Sofocleous Testified
by Deposition Within Preceding Four Years**

Ortho-McNeil Pharmaceutical, Inc. v. Barr Laboratories, Inc. (Civil Action No. 99-CV-235 District Court New Jersey 2000) Deposition December 2000 and January 2001

SmithKline Beecham Corporation v. Synthron Pharmaceuticals, Ltd., Case No. 1:00CF01179 (M.D.N.C. 2002) Deposition January 2002

Bayer AG v. Carlsbad Technology, Inc., Case No. 01 CV 0867-B (LSP) Deposition February 2002

Apotex, Inc. v. Eon Labs Manufacturing, Inc., Civil Action No. 01 CV 0482 (E.D. N.Y.) Deposition April 2003 and January 2005

Syntex LLC and Allergan, Inc. v. Apotex, Inc., Case No. CV-01 2214 MJJ (N.D. CA.) Deposition April 2003

Eli Lilly and Company and Lilly Industries Limited v. Zenith Goldline Pharmaceuticals et al., Case Action No. IP 01-0443-C-Y/S (S.D. IN) Deposition October 2003

John Mezzalingua Associates, Inc., d/b/a/ PPC, Inc v. Corning Gilbert, Inc., Civil No. 03-C-0354-S (W.D. WI) Deposition October 2003

John Mezzalingua Associates, Inc., d/b/a/ PPC, Inc v. Arris International, Inc., Civil No. 03-C-0353-C (W.D. WI) Deposition November 2003

Sanofi-Synthelabo, Sanofi-Synthelabo, Inc. and Bristol-Myers Squibb Sanofi Pharmaceuticals Holding Partnership v. Apotex, Inc. and Apotex Corp., and Dr. Reddy's Laboratories, Ltd and Dr. Reddy's Laboratories, Inc., Civil Action Nos. 02-CV-2255 and 02-CV-3672 (SD NY) Deposition November 2004

Ortho-McNeil Pharmaceutical, Inc. v. Kali Laboratories, Inc., Civil Action No. 02-5707 (DC NJ) Deposition December 2004

ICU Medical, Inc. v. B. Braun Medical, Inc., Civil Action No. 01-3202 CRB (NDCA) Deposition March 2005

Teva Pharmaceuticals v. Pfizer Inc, Civil Action No. 03cv7423 and 04cv4979 (S.D.N.Y.) Deposition July 2005

Ariad Pharmaceuticals, Inc. et al. v Eli Lilly and Co., Civil Action No. 02 CV 11280 (DC MA) Deposition January 2006

Bavarian Nordic, A/S v Acambis, PLC, ITC Investigation No. 337-TA-550 Deposition March 2006

Innogenetics, N.V. v. Abbott Laboratories, Civil Action No. 05-C-0575-C (WD WI) Deposition September 2006

Omega Patents LLC v. Fortin Auto Radio, Inc and Directed Electronics, Inc., Case No.: 6:05-CV-01113-ORL-22-DAB (MD FI) Deposition September 2006

Honeywell International, Inc v. The United States and Lockheed Martin Corp., Case No. 02-1909C (Court of Federal Claims) Deposition October 2006

SmithKline Beecham, PLC et al. v. TEVA Pharmaceuticals USA, Civil Action Nos. 03-4037; 03-4179; 04-215; and 05-536 (DC NJ) Deposition January 2007

**Cases in Which Michael Sofocleous Testified
at Trial Within Preceding Four Years**

Syntex LLC and Allergan, Inc. v. Apotex, Inc., Case No. CV-01 2214 MJJ (N.D. CA) Trial Testimony June 2003 (Judge Jenkins)

Eli Lilly and Company and Lilly Industries Limited v. Zenith Goldline Pharmaceuticals et al., Case Action No. IP 01-0443-C-Y/S (S.D. IN) Trial Testimony January 2004 (Judge Young)

ICU Medical, Inc. v. B. Braun Medical, Inc., Case No. CV 01-3202 (N.D. CA) Trial Testimony April 2005 (Judge Breyer)

Bavarian Nordic, A/S v Acambis, PLC, ITC Investigation No. 337-TA-550 Trial Testimony April 2006

Omega Patents LLC v. Fortin Auto Radio, Inc and Directed Electronics, Inc., Case No.: 6:05-CV-01113-ORL-22-DAB (MD FI) Trial Testimony January 2007

Sanofi-Synthelabo, Sanofi-Synthelabo, Inc. and Bristol-Myers Squibb Sanofi Pharmaceuticals Holding Partnership v. Apotex, Inc. and Apotex Corp., and Dr. Reddy's Laboratories, Ltd and Dr. Reddy's Laboratories, Inc., Civil Action Nos. 02-CV-2255 and 02-CV-3672 (SD NY) Trial Testimony January 2007