

LAW OFFICE OF



ANGELA FOSTER

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Trained both as a scientist and an attorney, Angela is versed in the legal and scientific aspects of her clients' matters. She has worked with small startup, medium and large companies prosecuting patents and rendering freedom-to-operate, validity and patentability opinions in a broad spectrum of technologies from life sciences to mechanical devices. She has extensive experience evaluating and counseling intellectual property assets for life sciences, biotech, pharmaceutical, biomedical and diagnostic device industries.

In addition to her transactional work, Angela routinely litigates various intellectual property and complex commercial matters including complex contract & licensing disputes, patent, trademark and copyright infringements, and Hatch-Waxman litigation in federal court. She has negotiated and defended license agreements for complex commercial, entertainment and intellectual property matters for clients like GlaxoSmithKline and the late Prince.

Certified as a mediator and arbitrator, Angela has resolved and adjudicated over 500 disputes involving patent infringement/validity, licensing, commercial and business disputes, breach of contract and negligence actions, employment discrimination claims, trade secret theft, trademark and copyright infringement disputes.

Angela is immediate past chair of the Dispute Resolution Section of the New Jersey State Bar Association and a member of numerous alternative dispute resolution panels including the Commercial and Large Complex Case, and Life Sciences and Healthcare mediation and arbitration rosters of the American Arbitration Association (AAA), the Panel of Distinguished Neutrals of the Institute for Conflict Resolution & Prevention (CPR), the World Intellectual Property Organization (WIPO), a Financial Industry Regulatory Authority (FINRA) arbitrator, and the International Centre for Dispute Resolution (ICDR) panel of mediators and arbitrators. Angela was also appointed to the Silicon Valley Arbitration & Mediation Center's List of the World's Leading Technology Neutrals. She is an invited fellow of the College of Commercial

Arbitrators, a member of the AAA-ICDR Council and peer-reviewed member of the National Academy of Distinguished Neutrals.

The New Jersey State Bar Associated awarded the James B. Boskey Award to Angela -- as Alternative Dispute Resolution Practitioner of the Year for 2021.

In representing her clients, Angela provides multiple perspectives. Before launching her own firm, Angela served as a Deputy Attorney General for the State of New Jersey where she defended the State against civil actions including employment discrimination actions. Angela also served as a patent attorney for the former intellectual property firm, Pennie & Edmonds, prosecuting and litigating domestic and international patent matters. Prior to entering the legal field, she worked for several pharmaceutical companies as a scientist.

As adjunct professor for Seton Hall Law School, Angela teaches patent law and frequently publishes articles on intellectual property law and alternative dispute resolution, as well as, appears on various panels. She authored “Waiver of Privilege”, a chapter in the American Arbitration Association Handbook on Arbitration Practice, 2nd Edition and a chapter in Arbitration of International Intellectual Property Disputes (Thomas D. Halket ed., 2d ed. Juris Publishing 2021). Because of her knowledge in law and science, she was invited by the Law Library of Congress to speak on the “Gene Patent Debate”. Angela was also appointed by the New Jersey Supreme Court to serve on several committees including the *Ad Hoc* Committee on Firm Trade Names and the Supreme Court Advisory Committee on Professional Ethics. Angela is a Fellow of the American Bar (Association) Foundation.

Angela holds a doctorate in Biochemistry and Molecular Biology from Rutgers University & the University of Medicine & Dentistry of New Jersey; a juris doctorate for Rutgers Law School – Newark and a bachelor of arts from Rutgers University.

EDUCATION:

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|-------------------------------------------------------------|----------|
| Ph.D. Biochemistry & Molecular Biology - Rutgers University | Oct 1998 |
| J.D. Rutgers University School of Law - Newark, NJ | May 1998 |
| B.A. Microbiology - Rutgers University | May 1988 |

BAR ADMISSIONS:

United States Patent & Trademark Office
New Jersey
New York
U.S. District Court for the District of New Jersey
U.S. District Court for the Southern and Eastern Districts of New York
U.S. Court of Appeals for the Second, Third and Federal Circuits
Supreme Court of United States

EXPERIENCE:

Principal

Law Office of Angela Foster 2006-present
Counsel, prosecute patents & trademarks, draft and negotiate license agreements for biotechnology, pharmaceutical/chemical and agriculture inventions for universities and start-up companies. Litigate, mediate and arbitrate complex matters including complex contract disputes and intellectual property issues.

Deputy Attorney General

Special Project for the Attorney General Forensic Science Commission
Division of Criminal Justice, State of New Jersey 2004-2006
Advised and implemented statewide Forensic Science Best Practices and Guidelines and litigated criminal matters involving Forensic Science before the Appellate Division of New Jersey Superior Court.

Deputy Attorney General

Employment Counseling & Litigation
Division of Law, State of New Jersey 2002-2004
Litigated and counseled employment matters involving state and federal laws as well as negotiated and drafted settlement agreements.

Associate

Gibbons, Del Deo, Dolan, Newark, NJ 2000-2002
Prosecuted patents involving pharmaceutical, chemical, biotechnology and e-commerce inventions and litigated trade secret, patent and trademark infringement matters.

Associate

Pennie & Edmonds, New York, NY 1998-2000
Prosecuted and defended interference matters involving biotechnology, plant molecular biology and pharmaceutical inventions. Litigated and counseled patentability and infringement matters.

Adjunct Professor

Seton Hall Law School, Newark, NJ 2011 - present

Taught the following classes:

“Patent Law” - this course undertakes an intensive examination of the nature of patents and questions of patent validity and procurement, primarily for those intending to specialize in the patent area in their future practice. It includes: nature of patent property; problems in the procurement of patents including filing date, obtention and maintenance; international practice and problems; patent office practice; problems of validity including novelty, utility and non-obviousness; and transfers of property rights in patents.

Rutgers University, New Brunswick, NJ 2003-2008

Taught the following classes:

“Critical Thinking” - a course designed to aid in the development of cognitive study techniques for course work and to introduce students to the necessary tools for “Asking the Right Question”.

“Contemporary Issues in Forensic Science”, dealing with advanced cutting edge topics in Forensic Science by exploring contemporary issues affecting forensic science and the justice system by reviewing policy decisions and constitutional issues effecting the 4th; 5th and 6th Amendments.

“Discrimination, Bias, Hate Crimes and the Justice System” - a course designed to explore the dichotomy between the civil and criminal justice system when dealing with equality.

Visiting/Adjunct Professor

Rutgers University, New Brunswick, NJ

1999-2005

Taught Seminar Series:

“Trends in Biotechnology” - a colloquium for undergraduate students designed to promote group interaction and develop team projects, i.e., small biotechnology businesses by exploring current developments in the understanding and application of principles and processes in cellular and chemical biology as evident in contemporary biotechnology literature and core interests of the biotechnology industry.

“Biochemistry and Society” - a survey of the impact of biochemical advances on society with emphasis on the social context of major discoveries in biochemistry and applications on patents, patent law and patent litigation.

Law Clerk

Pennie & Edmonds, New York, NY

1998

Prosecuted foreign and U.S. patent for biochemical, chemical, biotechnology and plant applications.

Law Clerk

Mathews, Collins, Shepherd & Gould, Princeton, NJ

1997

Prosecuted patents, litigated unfair competition, infringement and interference matters relating to biotechnology, pharmaceutical and chemical inventions.

Judicial Externship

Hon. Joseph A. Greenaway, Jr., District Court of NJ

1996-1997

Drafted Habeas Corpus, Social Security and Intellectual Property Law legal opinions

Judicial Internship

Hon. Douglas K. Wolfson, Superior Court of NJ

Summer 1996

Researched and wrote legal memorandum for civil trial practice including motions, briefs and opinions with special emphasis on zoning and land use regulations.

AWARDS & HONORS:

2021 James B. Boskey Award ADR Practitioner of the Year
National Science Foundation (award recipient)
Minority Advancement Program Fellowship
New Jersey State Scholarship
New Jersey State Mediation and Arbitration Certifications
American Arbitration Association A. Leon Higginbotham, Jr. Fellow
New Jersey State Bar Association Legislative Award
American Bar Association Section of Litigation Fellow

ORGANIZATIONS:

College of Commercial Arbitrators – Fellow
Silicon Valley Arbitration and Mediation Center – Tech List
National Academy of Distinguished Neutrals
American Bar Association – Council Member, Section of Litigation
New Jersey Supreme Court Advisory Committee on Professional Ethics
New Jersey District VIII Ethics Committee (Member & Hearing Chair)
New Jersey State Bar Association (Chair Editorial Board, *New Jersey Lawyer*)
New Jersey State Bar Association (Chair, Dispute Resolution Section)
John Lifland Inn of Court (Barrister)
Association of University Technology & Management
American Bar Association - *Litigation News* Editor
American Bar Association – Co-chair Trial Evidence Committee
Executive Women of New Jersey (Chair, Board Appointments Committee)
Middlesex County Bar Association (Trustee & Legislative Liaison)
International Institute for Conflict Prevention & Resolution (Neutral)
New Jersey State Board of Mediation (Arbitrator)
American Arbitration Association (Neutral)
World Intellectual Property Organization (Neutral)
Financial Industry Regulatory Association (Arbitrator)
National Bar Association
Licensing Executive Society

PUBLICATIONS & OPINIONS:

Foster, Angela and Panarella, Merriann M. *Disclosure and Admission of Evidence in the International Arbitration of Intellectual Property Disputes, in Arbitration of International Intellectual Property Disputes* 379 (Thomas D. Halket ed., 2d ed. Juris Publishing 2021).

Foster, Angela. October 2019. Considering #MeToo When Drafting Sports and Entertainment Contracts. *New Jersey Lawyer Magazine*. 320:37.

Foster, Angela. August 2017. Genetically Modified Food-Truth or Fiction? *New Jersey Lawyer* 307:28.

Foster, Angela. December 15, 2015. AAA Handbook on Arbitration Practice, 2nd Edition. Chapter 35, "Waiver of Privilege". Juris Publishing, Inc.

Foster, Angela. August 2015. Admissibility of Social Media Evidence in Federal Court — Is it What it Purports to be? New Jersey Lawyer 295:28.

Foster, Angela. Spring 2015. Arbitration Deadlines are Real Deadlines. Alternative Dispute Resolution Newsletter, Vol. 19. No.1.

Foster, Angela. October 28, 2014. Increase in Attorney Fee Awards on the Horizon. ABA Litigation News.

Foster, Angela & Cox, Donald J. April 2014. U.S. Supreme Court Heightens Interest in Patent Law. New Jersey Law Journal 216.

Foster, Angela. September 2013. Is the Breast Cancer Gene Debate Over? Patenting DNA after Myriad — how the plot has unfolded. New Jersey Law Journal 214.

Foster, Angela. April 2013. 200 Years Later – The Race to the Patent Office Begins. New Jersey Law Journal 200.

Foster, Angela and Cox, Jr., Don, J. October 2012. Telecommunications– Message from the Special Editors. New Jersey Lawyer Magazine. Vol. 278:3.

Foster, Angela & Foster, Ebony J. September 2012. Reverse Payment Settlements – Legal, illegal or Unlawful.209 New Jersey Law Journal 916.

Foster, Angela. April 2012. The Patent Pilot Program: Are Specialized Courts on the Rise. 208 New Jersey Law Journal 64.

Steen, Richard H. and Foster, Angela. February 2012. Fee Issues and the Role of the Attorney as the Third Party Neutral. New Jersey Lawyer Magazine. Vol. 274:44.

Foster, Angela and Badolato, Richard. December 2011. Professional Ethics– Message from the Special Editors. New Jersey Lawyer Magazine. Vol. 273:6.

Foster, Angela. December 2011. What's in a Name - Of Counsel Designation. New Jersey Lawyer Magazine. Vol. 273:31.

Foster, Angela. October 2011. How Much Is a Patent Infringement Worth? Pharmaceutical Licensing Royalty Rates after Uniloc v. Microsoft.206New Jersey Law Journal 219.

Foster, Angela. Summer 2011. Does Standing Matter? The Breast Cancer Gene Debate Continues.– American Bar Association SciTech Lawyer Magazine. Vol. 8, Issue No. 1.

Foster, Angela. April 2011. Overhauling the Inequitable Conduct Doctrine. 204 New Jersey Law Journal 109.

Foster, Angela and Lifland, John C. April 2011. Alternative Dispute Resolution – Message from the Special Editors. New Jersey Lawyer Magazine. 269:6.

Foster, Angela. April 2011. Impact of Reverse Payment Settlement on Mediation. New Jersey Lawyer Magazine. 269:54.

Foster, Angela. March 2011. IP's Changing Playing Field: With Some Precedents 'Eviscerated,' The Arbitration v. Mediation v. Litigation Choices Aren't Clear. International Institute for Conflict Prevention & Resolution – Alternatives. Vol. 29, No.3.

Foster, Angela. Winter 2011. Who Owns Your Gene? – The Breast Cancer Gene Patent Dispute. American Bar Association SciTech Lawyer Magazine. Vol. 7, Issue No. 3.

Foster, Angela and Hogan, John. December 2010. Municipal Court Practice – Message from the Special Editors. New Jersey Lawyer Magazine. 267:6.

Foster, Angela. December 2010. Legislating Human Behavior: Cell Phone & Pedestrians Penalties. New Jersey Lawyer Magazine. 267:37.

Foster, Angela. October 2010. Reexamination As Patent Litigation Strategy. 202 New Jersey Law Journal 370.

Foster, Angela. February - April 2010. Waiver of Privilege under Evidence Rule 502 and Arbitration Proceedings. American Arbitration Association Dispute Resolution Journal Vol. 65, No. 1.

Book Review, June 2010, Robert Plotkin. Genie in the Machine: How Computer Automated Inventing is Revolutionizing Law and Business. Stanford University Press, 2009. New Jersey Lawyer Magazine. 264:48.

Foster, Angela and Cobert, Mitchell. October 2009. Big Brother – Message from the Special Editors. New Jersey Lawyer Magazine. 260:6.

Foster, Angela. October 2009. Counterpoint: Public Surveillance in Practice. New Jersey Lawyer Magazine. 260:67.

Foster, Angela. June 2009. Intellectual Property Law – Message from the Special Editor. New Jersey Lawyer Magazine. 258:6.

Foster, Angela. June 2009. Compulsory licensing after eBay. New Jersey Lawyer Magazine. 258:41.

Foster, Angela. Fall 2008. Case or Controversy -- Implications of the New Declaratory Judgment Rules on Biotechnology. American Bar Association SciTech Lawyer Magazine. Vol. 5, Issue No. 2.

Foster, Angela. Summer 2008. Is the Plague Back? -- Inequitable Conduct. American Bar Association Intellectual Property Lawyer Newsletter. Vol. 26:4.

Isasi v. U.S. Gov., 112 Fed Appx 120, 2004 WL2413426 (2nd Cir., N.Y.) Oct. 26, 2004.

DeGuzman v. N.J. Dept. of Military & Veterans Affairs, 113 Fed Appx 438, 2004 WL2294575 (3rd Cir., N.J.) Oct. 8, 2004.

Foster, Angela & Chase, Jr., Theodore; 1996, Induction and Activation of Pyruvate Decarboxylase, FASEB J., 10:2899.

Foster, Angela & Chase, Jr., Theodore; 1995, Characterization of Pyruvate Decarboxylase isozymes in tomato (*Lycopersicon esculentum*), FASEB J., 9:208.

Foster, Angela & Chase, Jr., Theodore; 1995, Characterization and comparative analysis of Pyruvate Decarboxylase of tomato (*Lycopersicon esculentum*) to monocot, J. Plant Physiology, 145.

Foster, Angela & Chase, Jr., Theodore; 1994, Pyruvate Decarboxylase induction in tomato fruit in response to cold and hypoxic stress, FASEB J., 8:48.

Foster, Angela & Chase, Jr., Theodore; 1994, Molecular cloning and characterization of Pyruvate Decarboxylase in tomato (*Lycopersicon esculentum*), J. Plant Physiology, 143.

SEMINARS:

Angela Foster (Speaker) - Explaining Complexity - Presenting Technical Information in Arbitration. 2021 ADR Day. New Jersey State Bar Association. September 30, 2021.

Angela Foster (Speaker) - Presenting your Case and Preserving the Award. American Inn of Court. August 18, 2021. Webinar.

Angela Foster (Mock Moderator) - Advanced Mediation Training: Part 2 - Business Litigation. Middlesex County Bar Association. July 22, 2021. Webinar.

Angela Foster (Speaker) - The All-Important Preliminary Hearing. 2021 ABA Dispute Resolution Arbitration Institute. June 14, 2020. Webinar.

Angela Foster (Speaker) - Post-Pandemic ADR: Do We Need to Be in the Room Where it Happens? New Jersey State Bar Association Annual Convention. May 19, 2020. Webinar.

Angela Foster (Speaker) - Selecting Arbitrators for Life Sciences Disputes. Institute for Conflict Prevention & Resolution. May 14, 2021. Webinar.

Angela Foster (Speaker): Not Business as Usual: Techniques for Resolving Life Science Disputes. Silicon Valley Arbitration & Mediation Center. December 9, 2020. Webinar.

Angela Foster (Speaker): Virtual Arbitration and Mediation of Complex Cases: Lessons Learned. Silicon Valley Arbitration & Mediation Center. October 8, 2020. Webinar.

Angela Foster (Speaker): Ensuring Efficiency in Complex Technology Arbitration. Silicon Valley Arbitration & Mediation Center. July 23, 2020. Webinar.

Angela Foster, Gail Gottelrher, Ronald Hedges, Justice Tanya Kennedy: Legal Implications of New Technologies, Part Four: Seeing Through Facial Recognition. Webinar. American Bar Association. March 24, 2020.

Angela Foster (Speaker): Ethics in ADR: The Ultimate Guide for New Jersey Attorneys. New Jersey Institute of Continuing Legal Education. November 7, 2019. Doubletree Hotel by Hilton, 690 Route 46 E Fairfield, NJ

Angela Foster (Speaker): - Arbitrating Domestic and International Life Science Disputes (including Pharmaceutical, Medical Device, and Biotechnology). American Arbitration Association. Oct 2, 2019. Robinson & Cole LLP, One Boston Place, 26th Floor, Boston, MA

Angela Foster (Speaker): What An Arbitrator Should Know About Sanctions, Immunity and Malpractice Insurance. Recorded AAA Webinar. July 2019.

Angela Foster (Moderator), Chief Justice James R. Zazzali (ret), Hon. William G Bassler, U.S.D.J. (ret): A View from the Federal and State Benches on Award and Post-Award Issues. ADR Day 2019 - New Jersey State Bar Association. June 5, 2019. Renaissance Woodbridge Hotel, Iselin, NJ 088830

Angela Foster (Speaker): - Trends in the Enforcement of Arbitration Agreement. New Jersey State Bar Association Annual Convention. May 16, 2019. Borgata Hotel Casino, Atlantic City, NJ

Angela Foster (Speaker): - Arbitrating Life Science Disputes. American Arbitration Association. May 1, 2019. Reed Smith, Three Logan Square, 1717 Arch Street, Philadelphia, PA

Angela Foster (Speaker): Mediating Technical Issues and Use of Technology in Mediation. New Jersey Institute of Continuing Legal Education. New Jersey State Bar Association. March 19, 2019. One Constitution Square, New Brunswick, NJ 08901

Angela Foster (Speaker): A Few Things Every AAA Arbitrator Should Know - Ethics, Standards and Responsibilities for Members of the AAA Roster of Arbitrators and Mediators, and Social Media. Recorded Webinar. February 2019.

Speaker: Angela Foster, Do's and Don'ts When Representing Your Client in Mediation. New Jersey State Bar Association Annual Conference. May 17, 2018.

Speaker: Angela Foster, Drafting Patent Counsel Engagement and Disengagement Letters. Strafford Publication Webinar. July 27, 2017.

Speaker: Angela Foster, Do's and Don'ts of Practice before Magistrate Judges. Association of the Federal Bar of New Jersey. April 21, 2016.

Speaker: Angela Foster, Hot Topics in Federal Rules & Procedures: Issues You're Likely to Face in the Next Year and Strategies to Overcome Them. New Jersey Institute of Continuing Legal Education. Association. December 1, 2015.

Speaker: Angela Foster, Thomas Mighell & Paul Unger. Trial by iPad: How to Try a Case with a Tablet. March 10, 2015. ABA Law Practice Division & Section of Litigation Webinar.

Speaker/Moderator: Emerging Issues in Patent Litigation in the Biotech Industry - 4th Annual Intellectual Property Law Regional CLE Workshop, May 9, 2014. Boston. American Bar Association Section of Litigation – Intellectual Property Litigation Committee.

Facilitator: Tips from the Masters – IP Trial Strategies. 3rd Annual Intellectual Property Law Regional CLE Workshop, June 7, 2013. New York. American Bar Association Section of Litigation – Intellectual Property Law Committee.

Speaker & Facilitator: Practical Tips to Recent Developments in Intellectual Property Law. May 17, 2013. New Jersey State Bar Association Annual Conference,

Speaker: Science, Ethics & Law – The Gene Patent Debate. 2012 International Council for Science and Technical Information Annual Conference. Law Library of Congress. October 15, 2012.

Panelist: Preserving & Improving the New Jersey Court-Ordered Mediation Program. October 11, 2012. New Jersey State Bar Association.

Facilitator: Hot Topics in Intellectual Property Litigation 2nd Annual Intellectual Property Law Regional CLE Workshop, June 8, 2012. Chicago. American Bar Association Section of Litigation – Intellectual Property Law Committee.

Speaker: Ethical Considerations Post Therasense. 25th Annual Pharmaceutical/Chemical Patent Practice Update. December 7, 2011, New Jersey Intellectual Property Law Association.

Facilitator: Arbitrating and Mediating Technology Cases. November 9, 2010. New Jersey State Bar Association Dispute Resolution Section.

Moderator: Best Practices in Intellectual Property Law Litigation. July 21, 2010. New Jersey Institute of Continued Legal Education.

Panelist: The Perfect Patent Storm: The Confluence of Court Cases, Rule Making and Patent Reform Legislation (session 1 of 2). July 21, 2008. Association of University Technology Managers Eastern Regional Annual Conference.

Panelist: The Perfect Patent Storm: The Confluence of Court Cases, Rule Making and Patent Reform Legislation (session 2 of 2). July 21, 2008. Association of University Technology Managers Eastern Regional Annual Conference.

Panelist: Steering a Course Through the Coming Storm: New Patenting and Licensing Strategies for Universities. July 21, 2008. Association of University Technology Managers Eastern Regional Annual Conference.

Speaker: The ABCs of Patent Law. April 11, 2005. Minorities in the Profession, New Jersey State Bar Association.

Panelist: Effects of Brown v. Board of Education on Employment Law. March 5, 2004. Middlesex County Bar Association Symposium, 50 years Later and Still Lots of Work to Do -- Brown v. Board of Education.

Presentation: Development of Fluorescence Gel Assay Method for Analysis of Pyruvate Decarboxylase. 1994. Theobald Smith Society Conference.