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ASTRACHAN GUNST THOMAS RUBIN, P.C.
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EDUCATION

University of Baltimore School of Law
Juris Doctor Magna Cum Laude 1993
• *University of Baltimore Law Review*

University of Richmond
Bachelor of Science Cum Laude 1985
• *Business Administration*

PROFESSIONAL EXPERIENCE

1997 to Present *Astrachan Gunst Thomas Rubin, P.C.*
Co-Owner practicing in the fields of business law, intellectual property and advertising law, including mergers and acquisitions, business transactions and agreements; clearance, protection, registration and licensing of trademarks and copyrights; clearance and protection of advertisements; and the prosecution and defense of intellectual property litigation matters, including trademark and trade dress infringement, copyright infringement, unfair competition, trade secret misappropriation and opposition actions before the Trademark Trial and Appeal Board.

1994 – 1997 *Weiner Astrachan Gunst Hillman & Allen, P.C.*
Associate practicing in the fields of business law, intellectual property law, and advertising law.

1993 – 1994 *Hazel & Thomas, P.C.*
Associate practicing in the field of general commercial litigation.

PROFESSIONAL ACTIVITIES

Chair, *Intellectual Property Section of the Maryland State Bar Association, Inc.*, 2008-2009

Fellow, Maryland Bar Foundation, 2009

Co-author of the legal treatise *The Law of Advertising*, published by Matthew Bender - Lexis/Nexis

Member and General Counsel, *Intelligence and National Security Alliance, Inc.*

Named Legal Elite by *SmartCEO* Magazine, 2007

Named Maryland Super Lawyer, 2008, 2009 and 2010

Speaker on business, intellectual property and advertising law issues for advertising clubs, corporate counsel groups, trade associations, bar associations and other organizations.

BUSINESS TRANSACTIONS

Represented seller in the sale of its business assets, and acquisition of an ownership interest in the buyer in the civil engineering, landscape architecture and surveying industries. The terms of the transaction are confidential.

Represented Aquatic Ventures, LLC, a business venture between Michael Phelps and Bob Bowman, in negotiating, documenting and closing a Lease and License to Operate the Meadowbrook Swim Club in Baltimore, Maryland. The terms of the transaction are confidential.

Represented Gallagher & Associates, L.L.C., a domestic professional design services firm, in negotiating and documenting an international joint venture to promote, identify and develop opportunities to secure museum, visitor, science center and exhibit design and development projects in Asia and the Middle East.

Represented Imperial Stone Paving, Inc. (a stone and concrete paving installation business) and its sole stockholder in the sale of their business under an asset purchase agreement and purchase and sale agreement for personal goodwill. The terms of the transaction are confidential.

Represented a seller and its sole stockholder in the sale of a skilled nursing facility in Maryland, including the real property and substantially all of the assets of the facility. The purchase price and the terms of the transaction are confidential.

Represented sellers in the sale of four skilled nursing facilities in Maryland, including real property and substantially all of the assets of the facilities. The purchase price and terms of the transaction are confidential.

Represented Essex Corporation, a technology company focused on the government intelligence industry, in acquiring The Windermere Group LLC for more than \$69 million dollars.

Represented Applied Signal and Image Technology, Inc., an engineering and technology company specializing in signal processing systems, in the sale of its business to L-3 Communications Corporation, a publicly traded company providing intelligence, surveillance and reconnaissance systems, secure communications systems, aircraft modernization, training and other services to U.S. government defense and intelligence agencies, contractors and other companies. The purchase price and terms of the transaction are confidential.

Represented the stockholders of Curtis Engine & Equipment Company, Inc., a provider of generators, power solutions equipment and engineering services, in a multi-million dollar sale of the business. The terms of the transaction are confidential.

Represented Chodak, Inc., a publisher of genealogical reference books, in negotiating and closing a multi-million dollar content license agreement.

Represented a psychologist in connection with his purchase of a 50% ownership interest in a psychology practice and the purchase and lease of real property to the practice.

Represented New Millennium Eyewear Group, Inc., a wholesale distributor of eyewear products, in concluding a trademark license and distribution agreement.

Represented corporation in the consolidation and merger of multiple affiliated entities.

Represented a senior level executive in concluding a business separation agreement with his former employer (confidential).

Represented healthcare and medical device company in the negotiation of worldwide trademark consent and coexistence agreements (confidential).

CASES

Acme Pad Corp v. Warm Products, Inc., Case No.: S98-2830 (D. Md.). (Represented Plaintiff /Counter-Defendant in case involving trademark and trade dress infringement, false advertising and unfair competition.)

Applera Corporation v. Alpha Genesis, LLC, Opposition No.: 91153994 (TTAB). (Represented Applicant in trademark opposition action.)

Applied Signal & Image Technology, Inc. v. Harlesyville Mutual Insurance Co., Case No.: CCB02CV1944 (D. Md.) (Represented Plaintiff in case involving breach of insurance contract.)

Bareco, Inc. v. Bare Necessities, Ltd., Case No.: 00CIV.5464 (SDNY) (Represented Defendant in case involving trademark infringement and unfair competition.)

Jean-Claude Cesar v. Raymond Geddes & Company, Inc., Case No.: CV 02 0685 (EDNY). (Represented Defendant in case involving copyright infringement.)

Educational Commission for Foreign Medical Graduates v. Repik, et al., Case No.: 99-CV-1 (M.D. Pa.). (Represented Plaintiff in case involving copyright infringement.)

Educational Commission for Foreign Medical Graduates v. Teknology-Laine, L.L.C., et al., Case No.: 6:99-1676-24 (D. S.C. Greenville Div.). (Represented Plaintiff in case involving trademark infringement.)

James W. Gonos t/a American Security Educators v. National Sheriffs' Association, Case No. 98-912-A (E.D. Va.). (Represented Defendant/Counter-Plaintiff in case involving trademark infringement and unfair competition.)

GrandBanks Yachts Pte Ltd. v. Old European Brewery Company, Opposition No.: 118,303 (TTAB). (Represented Opposer in trademark opposition action.)

GrandBanks Yachts Pte Ltd., et al. v. Oviatt Marine, Inc., et al., Case No.: 01-7813 (SD Fl.). (Represented Plaintiff in case involving trademark infringement and unfair competition.)

Joseph M. Hejl, Jr. v. Applied Signal and Image Technology, Inc. et al., Case No. C-2001-72790-OC (Circuit Court Anne Arundel County, Maryland). (Represented Defendant in case involving a shareholder dispute.)

LabWare, Inc. v. InnaPhase Corporation, Case No.: 03-6199 (E.D. Pa.). (Represented Plaintiff in case involving false advertising.)

LabWare, Inc. v. Thermo Labsystems, Inc., Case No.: 04-CV-2545 (E.D. Pa.). (Represented Plaintiff in case involving false advertising.)

Lorillard Tobacco Company v. Creative Management, Inc., et al., Case No. 03-CV-4844 (D. N.J.) (Represented Defendant in case alleging trademark counterfeiting and infringement, dilution and unfair competition.)

National Sheriffs' Association v. International Printers d/b/a National Neighborhood Watch Institute and George L. Grossman, Case No.: 98-275-A (E.D. Va.). (Represented Plaintiff in case involving trademark infringement, unfair competition, false advertising and deceptive trade practice.)

Performance Technology Group, Inc. v. SupplyForce (Represented Claimant in arbitration involving breach of contract.)

Pelikan Technologies, Inc. v. The Johns Hopkins University, Cancellation No. 92040705 (TTAB). (Represented Applicant in trademark cancellation action.)

Phillips v. Kidsoft, L.L.C., Case No.: CCB-96-3827 (D. Md.). (Represented Plaintiff in case involving internet, copyright and trademark infringement.)

Rose Art Industries, Inc. v. Raymond Geddes and Co., 31 F. Supp. 2d 367 (D.N.J. 1998), rev'd, 235 F.3d 165 (3d Cir. 2000). (Represented Defendant in case alleging trade dress infringement and trade secret misappropriation.)

Sandler v. Lifetime Books, Inc., Civil Action No.: MJG-96-4078 (D. Md.). (Represented Plaintiff in case involving copyright and trademark infringement.)

Starad, Inc. v. Inge-Glas GMBH & Co. KG, et al., Case No.: 01CV8828 (SDNY). (Represented Defendant in case alleging trademark infringement.)

Stone Care International, Inc. v. PMC Stonecare Enterprises, Inc., et al., Case No.: 03-CV-2521 (D. Md.) (Represented Plaintiff in case involving trade dress infringement.)

United States Surgical Corporation v. Abbott Cardiovascular Systems, Inc., Opposition No. 91171428 (TTAB). (Represented Opposer in trademark opposition action).

United States Surgical Corporation v. Linvatec Corporation, Opposition No. 91162613 (TTAB). (Represented Opposer in trademark opposition action.)