

# Merchant & Gould

An Intellectual Property Law Firm



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Dr. Dorn practices intellectual property law with an emphasis on patent prosecution and opinion work. He advises clients regarding patent filing strategy, clearance searching, patentability searching, validity analysis, and infringement analysis. Dr. Dorn's practice is concentrated in biotechnology and pharmaceuticals. His experience includes prosecuting patents and providing regarding stem cells, therapeutic peptides, humanized antibodies, small molecule pharmaceuticals and therapeutic uses, pharmaceutical delivery systems, antimicrobials, diagnostic and immuno-assays, phage display systems, microarrays, transgenic animals, and medical device coatings.

Dr. Dorn's practice also includes international work. He works with patent attorneys in other countries to obtain patents in those specific countries and in the U.S. for non-U.S. applicants.

Dr. Dorn also serves on the Advisory Board for the University of Minnesota's Joint Degree Program in Law, Health & the Life Sciences. As a member of the Advisory Board, Dr. Dorn is among a group of attorneys, physicians, researchers and policy makers who counsel the program and mentor joint degree students. Additionally, Dr. Dorn serves on the Board of Directors of the American Israel Chamber of Commerce of Minnesota.

### Education

University of Michigan  
*B.S., Microbiology, 1993*

University of Florida  
*M.S., Biomedical Sciences, 1998 (concentration in molecular genetics and microbiology)*  
*Ph.D., Biomedical Sciences, 2003 (concentration in immunology and microbiology)*  
*J.D., magna cum laude; Order of the Coif, 2003*

### Bar Admissions

Minnesota State Bar, 2003  
Minnesota Federal Bar, 2003

Atlanta

Denver

Knoxville

Madison

Minneapolis

New York

Seattle

Washington DC

## Brian R. Dorn (Continued)

U.S. Patent and Trademark Office, 2005  
U.S. Court of Appeals for the Federal Circuit, 2010  
U.S. Supreme Court, 2010

### Legal Presentations

“Exploiting New Opportunities in Biologics and Subsequent Entry Biologics” at the Canadian Institute’s 9<sup>th</sup> Annual Forum on Pharma Patents, Toronto, ON, November 4, 2010.

“Reviewing Significant Cases in Canada and the United States and Their Impact on Patent Prosecution and Litigation” at the Canadian Institute’s 9<sup>th</sup> Annual Forum on Pharma Patents, Toronto, ON, November 4, 2010.

“Biosimilars” presented with Katherine M. Kowalchuk at Minnesota Intellectual Property Law Association (October 2010).

“The Patentability of DNA Claims after *Myriad*,” presented with Katherine M. Kowalchuk, Minnesota CLE webinar, June 28, 2010 (<http://www.minncle.org/webcasts/ondemand/127761001/>).

“Are Genes Patentable?” presented with Katherine M. Kowalchuk and Mark T. Skoog at Medtronic World Headquarters, Fridley, MN, May 19, 2010.

“Biosimilars” presented with Katherine M. Kowalchuk at Biosimilars: Current Laws and Trends in Legislation, Minneapolis, MN, February 26, 2010.

“Are Genes Patentable?” presented with Katherine M. Kowalchuk and Mark T. Skoog at American Bar Association Intellectual Property Roundtable, Minneapolis, MN, February 4, 2010.

Atlanta

### Legal Writings

**Brian R. Dorn** *Biosimilars Law in Limbo: An Update on Biosimilars and Politics*, FDLI Update, July/August, 2011.

Denver

Co-author of *amicus curiae* brief on behalf of Kane Biotech Inc. in *Assn. for Molecular Pathology, et al. v. USPTO, et al. (ACLU v. Myriad Genetics)* (“gene patenting” case), October 29, 2010.

Knoxville

**Brian R. Dorn** and Katherine M. Kowalchuk, *Biosimilars: Recently Enacted Legislation for an Approval Pathway*, THE EDGE, April 2010.

Madison

**Brian R. Dorn** and Katherine M. Kowalchuk. *Wyeth v. Kappos: the New Calculation for Patent Term Adjustment*, 2010 EMERGING ISSUES 4862, February 2010.

Minneapolis

**Brian R. Dorn**. *Diagnosing Bilski*. Bio•IT WORLD. (January/February 2010). <http://www.bio-itworld.com/comment/2010/1/7/bilski.html>

New York

**Brian R. Dorn**. Providing Real Value to Clients (Chapter 4), M. Kraham (ed.), *Life Sciences Law Client Strategies: Leading Lawyers on Intellectual Property Management, Disputes, and Other Key Business Considerations (Inside the Minds)*. Aspatore Books. Boston, Massachusetts (2007).

Seattle

Anthony R. Zeuli and **Brian R. Dorn**, *Perspectives on the Law: Intellectual Property*, BENCH & BAR, April 2004, at 11.

Anthony R. Zeuli and **Brian R. Dorn**, *Perspectives on the Law: Intellectual Property*, BENCH & BAR, July 2002, at 33.

Washington DC

**Brian R. Dorn**, *Chakrabarty in the Era of Genomics*, 6 JOURNAL OF TECHNOLOGY LAW & POLICY 101 (2001).

# Brian R. Dorn (Continued)

## Roundtables

“Medical Technology Roundtable” hosted by U.S. Representative Erik Paulsen and Senator Amy Klobuchar, Eden Prairie, MN, July 8, 2010.

“U.S.-Israel Biotechnology Business Roundtable” at the Biotechnology Industry Organization (BIO) 2010, Chicago, IL, May 5, 2010 (hosted by the U.S.-Israel Science & Technology Foundation) (commented on the recently enacted biosimilars legislation).

## Quoted

“Dispute over DNA Patent Could Upend Biotech Industry.” MedCity News (November 8, 2010) (Commenting on The Myriad “gene patenting” case (*Ass. of Molecular Pathology v. USPTO*) before the Federal circuit and possible impact on the biotech industry).

“Supreme Court Gives Some Relief, But Leaves Open Questions For Dx Patents” *The Gray Sheet* 36(27): 3 (July 5, 2010) (commenting on diagnostic methods in view of the U.S. Supreme Court's *Bilski* decision).

“*Bilski v. Kappos*: High Court Opinion Gives Some Relief, but Leaves Open Questions for Dx Patents” *The Gray Sheet* (June 29, 2010) (commenting on diagnostic methods in view of the U.S. Supreme Court's *Bilski* decision).

## Scientific Publications

Jandik, K.A., Bélanger, M., Low, S.L., **Dorn B.R.**, Yang, M.C.K., and Progulsk-Fox, A. Invasive differences among *Porphyromonas gingivalis* strains from healthy and disease periodontal sites. *Journal of Periodontal Research*. 43: 524-530 (2008).

Atlanta

Kozarov, E.V., **Dorn, B.R.**, Raynald, M., Shelburne, C.E., Dunn, Jr., W.A., and Progulsk-Fox, A. Human Atherosclerotic Plaque Contains Viable Invasive *Actinobacillus actinomycetemcomitans* and *Porphyromonas gingivalis*. *Arteriosclerosis, Thrombosis, and Vascular Biology*. 25: e17-e18 (2005).

Denver

Dunn, W.A., Jr., **B.R. Dorn**, and A. Progulsk-Fox. Trafficking of bacterial pathogens to autophagosomes (Chapter 19), p. 233-240. D.J. Klionsky (ed.), *Autophagy*. Landes Bioscience. Georgetown, Texas (2003).

Knoxville

**Dorn, B.R.**, Harris, L.J., Wujick, C.T., Vertucci, F.J., and Progulsk-Fox, A. *Porphyromonas endodontalis* in vitro invasion of vascular cells. *International Journal of Endodontics*. 35: 366-371 (2002).

Madison

**Dorn, B.R.**, Dunn, William A., Jr., and Progulsk-Fox, A. Bacterial interactions with the autophagic pathway. *Cellular Microbiology*. 4: 1-10 (2002). (Cover Article).

Minneapolis

**Dorn, B.R.**, Dunn, William A., Jr., and Progulsk-Fox, A. *Porphyromonas gingivalis* traffics to autophagosomes in human coronary artery endothelial cells. *Infection and Immunity*. 69: 5698-5708 (2001).

New York

**Dorn, B.R.**, Burks, J.N., Seifert, K.N., and Progulsk-Fox, A. Invasion of endothelial and epithelial cells by strains of *Porphyromonas gingivalis*. *FEMS Microbiology Letters*. 187: 139-144 (2000).

Seattle

Progulsk-Fox, A., Kozarov, E., **Dorn, B.**, Dunn, W., Burks, J., and Wu, Y. Virulence factors of *Porphyromonas gingivalis* and invasion of cells of the cardiovascular system. *Journal of Periodontal Research*. 34: 393-399 (1999).

Washington DC

**Dorn, B.R.**, Dunn, William A., Jr., and Progulsk-Fox, A. Invasion of human coronary artery cells by periodontal pathogens. *Infection and Immunity*. 67: 5792-5798 (1999). Cited in *ASM News Journal Highlights*, 2000, 66: 29.

## Brian R. Dorn (Continued)

**Dorn, B.R.**, Leung, K.-P., and Progulsk-Fox, A. Invasion of human oral epithelial cells by *Prevotella intermedia*. *Infection and Immunity*. 66: 6054-6057 (1998).

### Scientific Presentations

**Dorn, B.R.**, Dunn, Jr., W.A., and Progulsk-Fox, A. (2001). *Porphyromonas gingivalis* Persistence and Exiting in Endothelial Cells. Abstract presented at the General Meeting of the American Society for Microbiology. Orlando, Florida.

**Dorn, B. R.**, Dunn, Jr., W. A., and Progulsk-Fox, A. (2000) Intracellular trafficking of *Porphyromonas gingivalis* in endothelial cells. Oral session presented at the University of Florida Medical Guild Graduate Student Research Competition. Gainesville, FL (First place in the University of Florida College of Medicine's Microbiology/Immunology Concentration; Fifth in the University of Florida College of Medicine's Interdisciplinary Program).

**Dorn, B.R.**, Kozarov, E.V., Harris, L., Whitlock, J.A., and Progulsk-Fox, A. (2000). Both *hagA* and *hagB* Hemagglutinins of *Porphyromonas gingivalis* Act as Adhesins for Invasion of HCAEC. Abstract presented at the General Meeting of the American Society for Microbiology. Los Angeles, California.

**Dorn, B.R.**, Burks, J.N., and Progulsk-Fox, A. (2000). *Porphyromonas gingivalis* *FimA* expression is not sufficient for invasion. Abstract presented at the General Session and Exhibition of the International Association for Dental Research. Washington, D.C.

**Dorn, B. R.**, Dunn, Jr., W. A., and Progulsk-Fox, A. (2000) Intracellular trafficking of *Porphyromonas gingivalis* in endothelial cells. Abstract presented at the General Session and Exhibition of the International Association for Dental Research. Washington, D.C. (Finalist in both the International and the American Associations for Dental Research's Warner-Lambert Hatton graduate student competitions).

Atlanta

Progulsk-Fox, A., Kozarov, E., **Dorn, B.**, Dunn, W., Burks, J., and Wu, Y. (1999). Virulence factors of *Porphyromonas gingivalis* and invasion of cells of the cardiovascular system. Symposium presented at the International Conference on Periodontal Research. Göteborg, Sweden.

Denver

**Dorn, B.R.**, Dunn, Jr., W.A., and Progulsk-Fox, A. (1999) *Porphyromonas gingivalis* traffics to the autophagic pathway after invasion of HCAEC. Abstract presented at the American Society for Microbiology's Conference on A Cell Biology Approach to Microbial Pathogenesis. Portland, Oregon.

Knoxville

**Dorn, B.R.**, Kozarov, E.V., and Progulsk-Fox, A. (1999) Invasion of HUVEC and KB cells by *Porphyromonas gingivalis*. Abstract presented at the General Session and Exhibition of the International Association for Dental Research. Vancouver, Canada.

Madison

Whitlock, J.A., **Dorn, B.R.**, Burks, J.N., Kozarov, E.V., and Progulsk-Fox, A. (1998). *Porphyromonas gingivalis* *hag B/C* hemagglutinin mutant exhibits reduced invasion of human oral epithelial cells. Abstract presented at the General Session and Exhibition of the International Association for Dental Research. Nice, France.

Minneapolis

**Dorn, B.R.** and Progulsk-Fox, A. (1998) Invasion of human coronary artery cells by *Porphyromonas gingivalis*. Oral session presented at the General Session and Exhibition of the International Association for Dental Research. Nice, France.

New York

**Dorn, B.R.** and Progulsk-Fox, A. (1998). Invasion of human coronary artery endothelial cells and coronary smooth muscle cells by periodontal pathogens. Abstract presented at the Conference on Microbes, Haemostasis and Vascular Biology co-sponsored by the American Society for Microbiology, Texas A&M University, and the World Health Organization. Galveston, Texas.

Seattle

Washington DC

### Press Releases

Brian Dorn Travels to Israel with Congressman Erik Paulsen