

**PHILADELPHIA,
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PRACTICE AREAS:

[Intellectual Property](#)

[Intellectual Property Litigation](#)

[Israel Advisory Group](#)

STATE ADMISSIONS:

Pennsylvania

New Jersey

COURT ADMISSIONS:

U.S. Court of Appeals for the
Federal Circuit

U.S. District Court for the Eastern
District of Pennsylvania

U.S. District Court for the District
of New Jersey

U.S. Patent and Trademark Office

EDUCATION:

J.D., Temple University School of
Law, 2004

B.S. in mechanical engineering,
Drexel University, 2001

LANGUAGES:

German

Hebrew

David B. Gornish

MEMBER

David Gornish is a patent attorney with significant experience in domestic and worldwide patent procurement and portfolio management. He enjoys representing entrepreneurs, whether they are company executives or individuals with great ideas.

David has drafted patent applications directed to many different technologies, including automated manufacturing equipment, injection molding processes, medical devices, drug delivery devices, materials science, therapeutic methods, musical accessories, pharmaceutical packaging, food packaging, fluid transfer apparatus, desiccants, polymer compositions, product quality inspection methods, air filtration, plasma deposition processes, conveyor equipment, and bicycles. David possesses significant experience coordinating international patent filing and procurement strategies.

On the litigation side, he has been intimately involved in several high stakes patent cases, primarily in the pharmaceutical field. Having the unique perspective of both a patent litigator and patent prosecutor, David drafts and prosecutes patents with foresight concerning potential disputes arising in the future. In another aspect of his practice, David routinely advises on issues of patent clearance and risk management relating to new product launches. David also counsels on trademarks, copyrights, and trade secrets and has significant experience in IP-related contract drafting, review, and negotiation.

David's technical background is in mechanical engineering and he worked in product development for a large medical device company prior to his legal career. David has served as the sole in-house patent counsel for a drug delivery and pharmaceutical packaging company. In that position, he managed a worldwide portfolio of hundreds of applications and patents. He also routinely handled contract matters and advised company executives on legal implications of their business decisions.

REPRESENTATIVE MATTERS

- Successfully represented a pharmaceutical company in invalidating asserted patent on summary judgment.
- Successfully precluded an opponent's biostatistics expert from testifying in patent litigation matter.
- Significantly improved pharmaceutical company's invalidity position by successfully moving court to reconsider claim construction.

- Re-drafted client's patent claims that had been prepared by former counsel to cover competitor's products.
- Provided in-house employee training to identify and protect trade secrets and avoid misappropriation of trade secrets from former employment.
- Prepared, reviewed, negotiated, and managed compliance with hundreds of company confidentiality agreements and other contracts relating to trade secrets.
- Devised and implemented system for invention intake and management as in-house patent counsel.
- Conducted trade secret mining sessions with engineers and management as in-house patent counsel.

AWARDS AND RECOGNITION

- Selected for inclusion as The Best Lawyers in America 2024 for Litigation – Patent and Patent Law
- Selected for inclusion in *Pennsylvania Super Lawyers – Rising Stars*

NEWS AND INSIGHTS

PUBLICATIONS

- [“Protecting Innovation While Justices Ponder *Helsinn v. Teva*.”](#) Law360, December 2018.
- “Defending Infringement by Finding Unusual Prior Art,” co-author, ACC Docket, October 2011.
- “Patent Markers Beware,” The Legal Intelligencer, May 2010.
- “Patent Law Primer for Health Law Practitioners,” The Health Lawyer, Vol. 21, No. 1, October 2008.
- “Future of Business Method Patents After *Bilski*,” co-author, TechLaw 360, September 2008.
- “Patent Laws for Physician Inventors, Physician's News Digest,” Vol. XXI, No. 8, May 2008.
- “Medical Method Patents,” IP Law 360 September 2006.
- “Valuation of IP for Litigation,” co-author, Pennsylvania Bar Institute, PBI No. 2005-3991, 2005.
- “Hill-Rom and the Revised Rule on Patent Abstracts,” BNA Patent, Trademark & Copyright Journal, Vol. 68, No. 1690, October 2004.

MEDIA COVERAGE

- [“ZINK: Should you consider licensing agreements for your intellectual property?”](#) Sarasota Herald-Tribune, March 2018.
- “Waymo v. Uber: a Gordian Knot Gets Tighter,” IPWatchdog.com, June 2017.

SPEAKING ENGAGEMENTS

- “IP for the Digital Health Entrepreneur,” guest lecturer, Thomas Jefferson University's Connected Care: Telehealth & Digital Health Innovation certificate program, April 2021.

- “The Legal Aspects of Entrepreneurship,” guest lecturer (by video) on patent law at the Wharton School of the University of Pennsylvania, April 2020.
- Guest lecturer on patent law and practice, Legal and Transactional Aspects of Entrepreneurship, Wharton School of the University of Pennsylvania, April 2019.
- “Practical Impact of SCOTUS’s decision in *Helsinn v. Teva* on Secret Sales,” presenter for the California Lawyers Association, February 2019.
- “[Product & Package Configuration: Multi-Faceted IP Protection](#),” co-presenter, Eckert Seamans’ Continuing Legal Education Seminar, August 2018.
- “World of Trolls” Where Dangers Lurk” co-presented at PBI’s 2017 Business Law Institute program, November 2017.
- “Product Configuration — The Intersection of IP Rights,” co-presenter for Clear Law Institute webinar, May 2, 2017.
- “Physicians as Creators” – Teleclass with The Entrepreneurial MD, January 2008.