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David A. Allgeyer
Lawyer, Arbitrator, Mediator

David Allgeyer has over 30 years of experience litigating, arbitrating and mediating intellectual property, corporate and commercial disputes in federal and states courts and arbitration hearings throughout the United States. His intellectual property practice includes patent, trademark, copyright and trade secret cases in the medical products, manufacturing, semiconductor, heavy equipment, credit card manufacturing and other industries. His commercial practice includes contract, warranty and business torts matters involving computer systems, agricultural and heavy equipment, ethanol plants, medical products, textile plants, banking and other areas. David has arbitrated and mediated intellectual property and commercial cases. He has been appointed to arbitrate over 50 such matters and to mediate matters ranging from pro-bono mediations for the Hennepin County and Ramsey District Court to large patent and business cases. He is a frequent lecturer and panelist on ADR and intellectual property matters and serves as Chair of Lindquist and Vennum's Litigation Department. He is listed in *Best Lawyers in America*, *Chambers* and *Super Lawyers*.

EDUCATION

- J.D., *magna cum laude*, University of Minnesota Law School, 1980

PROFESSIONAL BACKGROUND

- Lindquist & Vennum PLLP, 1982 — present
- Associate, Partner, Litigation Department Chair
- United States District Court, District of Minnesota — Judicial Law Clerk, 1980 – 1982

SUMMARY OF QUALIFICATIONS

- For more than 30 years, David has been practicing in the areas of intellectual property litigation, arbitration and commercial litigation. He has litigated, arbitrated and mediated cases in state and federal trial and appellate courts throughout the United States involving:
 - Intellectual property in the form of patents, trademarks, trade dress, trade secrets, and copyrights, as well as related issues of unfair competition.
 - Issues regarding contractual obligations and the Uniform Commercial Code relating to medical devices, software, computer systems, and sales of various products in the electronics manufacturing, heavy equipment and other industries.

- David also helps clients identify and address contractual and commercial issues and disputes, general intellectual property protection and strategy, and intellectual property licensing.

AREAS OF EXPERIENCE

- **Litigation and Advice** — Experience and specialization in the areas of commercial, business and intellectual property law. Involved in all aspects of civil law, typically serving as lead trial counsel. Practice focuses on intellectual property, including litigation related to patents, trademarks, trade dress, copyrights and trade secrets; false advertising disputes; insurance coverage disputes, particularly relating to intellectual property issues; covenants not to compete; Uniform Commercial Code matters including litigation and arbitrations involving computer and software warranty and contract issues; banking; corporate law; breach of warranty claims with respect to products supplied; shareholder disputes; and general contract and commercial disputes. Disputes have involved patents in software, semiconductor tests/equipment, credit card personalization machines, medical device, mechanical, design, construction equipment, and oil refinery equipment patents; paper-making plants, ethanol plants; industrial and commercial lighting design; and agricultural equipment instrumentation. Department Chair for Lindquist & Vennum's Litigation Department. Past Practice Group Leader of Lindquist & Vennum's Intellectual Property Practice Group and Commercial Litigation Practice Group. Member of firm's Executive Committee.
- **Alternative Dispute Resolution** — Has served as an arbitrator and mediator over the past 13 years. Qualified neutral in Minnesota for arbitration, mediation and other forms of ADR. As a member of the AAA Commercial Panel, has been appointed as Panel Chair, sole arbitrator or panel member in over 50 business disputes in various parts of the country involving intellectual property, licenses, contracts, warranties, distribution, terminations, sales of businesses, product performance, malpractice and other related issues and has issued awards since 1998. Matters arbitrated have involved medical products, manufacturing, computer systems, textiles, semiconductor manufacture, advertising, retailing, professional services, consumer product distribution, oil drilling and processing, employment and other areas. Has successfully mediated and settled cases in the areas of breach of contract, patents, trademarks, copyright, business torts, home improvement disputes, mechanic lien disputes, employment and general commercial law areas. Has served and continues to serve as mediator for Hennepin County Court mediation programs, mediating cases in the areas of commercial law, consumer law, landlord and tenant, intellectual property, mechanics liens, home improvement disputes, contract issues, harassment issues and other areas.

BAR AND COURT ADMISSIONS

- Minnesota
- Minnesota Supreme Court
- United States Supreme Court
- U.S. Courts of Appeals, Fifth, Seventh, Eighth and Ninth Circuits
- United States District Courts in Minnesota and throughout the United States

PROFESSIONAL ASSOCIATIONS

- Federal Circuit Bar Association
- American Bar Association
- Minnesota State Bar Association
- Minnesota State Bar Association, Alternative Dispute Resolution Section (Past President)
- Minnesota Intellectual Property Law Association
- Hennepin County Bar Association

ADDITIONAL TRAINING

- AAA Commercial Arbitrator Training II, Minneapolis, Minnesota
- AAA Commercial Arbitrator Training Workshop, Minneapolis, Minnesota
- CLE Certified Mediation Skills Training, St. Paul, Minnesota
- CLE Certified ADR Training, St. Paul, Minnesota
- Myriad CLE programs as teacher and student in the areas of mediation, arbitration and other ADR processes.

RECOGNITION

- Best Lawyers in America, 2007 to date
- America's Leading Lawyers for Business (Chambers USA), 2005 to date
- Super Lawyers, 2002 to date
- Minnesota's Top 40 Intellectual Property Lawyers

LECTURES AND PUBLICATIONS

- "Arbitration Law 2010 Update," Minnesota CLE Webinar, 2010
- "Ethics In Intellectual Property Practice," Minnesota CLE Intellectual Property Symposium, 2010
- Guest Lecturer at William Mitchell College of Law in areas of mediation and arbitration, 2009 and 2010
- "Solving the Most Difficult Problems Faced by Arbitrators," Minnesota CLE
- "Current Controversies in Arbitration," Minnesota CLE, 2009
- "Warranties and Remedies," Minnesota CLE, Advanced Contracting Seminar, 2009
- "Controlling Costs in IP Protection and Defense," Minnesota CLE, Midwest Intellectual Property Institute, 2009
- "What Advocates Want (and Don't Want) in Arbitrators; What Arbitrators Want (and Don't Want) in Advocates," Minnesota CLE, ADR Section, January 2008;
- Outstate Session, January 2009
- "Using Arbitration to Resolve Intellectual Property Disputes," Minnesota CLE, August 2007
- "Licensee Challenges to Patents: The New Medimmune Advantage," Minnesota CLE IP Institute, September 2007
- "Hot Topics in Commercial Arbitration," Minnesota State Bar Association ADR Section, 2007
- "What Clients Need to Know About Intellectual Property Arbitration," co-chair and lecturer, 2006
- "A New Look at Drafting Arbitration Clauses and Effective Commercial Arbitration," Minnesota CLE, 2004

- “Unconventional Remedies in ADR—Thinking Outside the Box,” Minnesota State Bar Association, ADR Section, April 2003
- “Purchasing Law in Minnesota,” Lorman Education Services, April 2003
- “Ethics: Lawyer as Witness,” Minnesota Intellectual Property Law Association, March 2003
- “Recent Developments in Patent Law: Festo and Beyond,” Minnesota Institute of Legal Education, November 2001
- “Trademark Litigation,” Minnesota CLE, 1999
- “Stopping the Infringer Right Now,” Minnesota CLE, January 1998
- “IP: Components, Cases and Questions,” *Inside the Minds: Understanding Your Client’s IP Needs*, Aspatore, 2008
- “In Search of Lower Cost Resolution: Using Arbitration to Resolve Patent Disputes,” Conflict Management, Fall 2007
- “Protecting Your Company's Most Important Assets,” riskVue, September 2002.

PRO BONO ACTIVITIES

- Appointed as mediation counsel as part of United States District Court for the District of Minnesota’s pro se program
- Active in establishing pro bono mediation program in Hennepin County. Appointed as mediator by Hennepin County District Court in many pro bono matters, including complex multi-party matters
- Former volunteer mediator for Hennepin and Ramsey County Harassment Courts
- Volunteer Lawyer’s Network litigation

CITIZENSHIP

United States of America

LOCALE

Minnesota — Minneapolis/St. Paul

Willing to travel locally, statewide, nationally or internationally to offer ADR services