
EXECUTIVE SUMMARY

Corporate-savvy internationally experienced Inside & Outside General Counsel, Chairman and Board Member, and C-Suite Executive in public and private companies. Recognized for spearheading success of multimillion dollar disruptive startups and new ventures in high-tech, medical device, finance & law. Led multiple companies' advancement from founding to initial public offering, acquisition or sale, recording billions of dollars in revenue. Led Duke University spinoff [Volumetrics Medical Imaging Inc.](#) in decade-long successful patent enforcement and licensing to worldwide ultrasound industry.

Current work includes: Corporate Secretary, [PixoVR, Inc.](#); Chairman, [Volumetrics Medical Systems LLC](#); Chairman, [NorthPlate Semiconductor LLC](#); Advisor to CEO, [SafeinHome.com](#).

International-savvy lawyer & executive with 35 years+ in Silicon Valley, Tokyo, Research Triangle, Silicon Forest, leading companies' growth, financial plans, legal infrastructure, product exports, and international trade relationship for clients across North America, Europe, and Asia. Established smooth startup and continuous revenue. Sourced and partnered with investors to attract funding, define success strategy and direct high-performing teams. Advise stakeholders and Boards to steer growth.

Launched and implemented growth strategies for private and public companies. Diversified revenue stream while optimizing extensive legal counsel experience, international trade negotiation, policy restructuring, and lobbying to strengthen seamless imports & exports. Recognized and appointed multiple times by U.S. Presidents and Cabinet members to represent the U.S. and high-tech industries in international trade policy negotiation. Served Reagan Administration as Special Counsel to US Embassy, Tokyo. Served U.S. Electronics and Telecom Industries as Lawyer/Lobbyist in Japan.

Significant management and operations experience as C-level officer and manager in the U.S., Japan, Europe, India, and Asia, handling securities, commercial, financing & regulatory matters. AV Rated© by Martindale. Peer-elected to American Law Institute. Recognized for leadership by peers of public company General Counsel in Silicon Valley.

AVAILABLE FOR:

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| ◆ Outside & Inside General Counsel | ◆ Board of Directors Advisory Member | ◆ Disruptive New Venture Creation Management |
| ◆ Domestic & International Contracts | ◆ Corporate Management Governance | ◆ IP/Patent/Software Licensing Agreements |
| ◆ Investor Sourcing Financing Relations | ◆ SaaS/PaaS Legal Formation | ◆ Commercial, Sales, Distribution Agreements |
| ◆ Litigation Management | ◆ Regulatory Matters tactics & strategy | ◆ Corporate Legal Infrastructure Development |

WHAT THEY'RE SAYING ABOUT MARK FOSTER:

[William "Bill" New, MD, PhD](#), inventor of pulse oximetry, [Co-Founder of Nellcor](#); Founder [Natus Medical](#) (neonatal hearing screening); BOD member & CTO [Protocol Medical](#); Founding BOD Chairman [Volumetrics Medical Imaging](#): *"When I start a company or Board service, I bring in Mark Foster. I don't start or run a company without Mark."*

[Olaf von Ramm, PhD, Duke University](#), co-inventor of real-time 3D/4D medical ultrasound machine, Co-Founder, [Volumetrics Medical Imaging, Inc.](#): *"We hired Mark to lead our effort to enforce our patent rights on real-time 3D/4D ultrasound technology, 40 years of my research. Under his remarkable decade-long leadership we licensed our patents to the entire ultrasound industry worldwide, validating our inventorship of the modern medical ultrasound machine, and bringing us a substantial financial return"*.

[Kenneth Traverso](#), CEO & Co-Founder, [SafeinHome.com](#); formerly EVP Global Sales & Marketing, Natus Medical (NTUS): *"Mark is an incredible resource for corporate legal matters, management issues and strategic planning. He saved Natus several times by his ability, diligence and business skillset. If you can include him in your venture, you should!"*

[Steve Meyer](#), former President & Chief Executive Officer and Director of Welch Allyn, Inc.: *"When Welch Allyn acquired Protocol Medical, we relied on Mark's expertise, given his role as outside General Counsel to Protocol prior to acquisition by Welch Allyn."*

[United States Embassy, Tokyo, Japan](#) (Mike Mansfield, Ambassador): *"The work you did ... on telecommunications, medical, and electrical product technical standards and systems laid the groundwork for the US government's [decade-long] major trade initiative in the "Market Oriented Sector Selective" trade talks. We owe a lot to your pioneering effort... American firms who benefit from your work may never know the key role you played."*

[United States Attorney General Richard Thornburgh](#) (former): *"Mr. Foster has had a distinguished legal career, having served in private practice, in government as a trade negotiator in Japan, as Counsel in Japan for the entire U.S. Electronics Industry, as lecturer in international business to MBA students and American law to foreign lawyers, and as General Counsel of public companies."*

[Mary Kay Kane, Chancellor and Dean Emerita, University of California](#): *"Mr. Foster's legal career has been devoted to increasing world commerce by eliminating trade barriers and promoting transparent legal and regulatory systems governed by the rule of law."*

Secretary of Commerce [Gary Locke](#), and United States Trade Representative [Ron Kirk](#) (President Obama Cabinet): *"Your [high tech] industry knowledge is critical to the Department of Commerce and Office of the United States Trade Representative in pursuing trade objectives that reflect the concerns and interests of the private sector."*

PROFESSIONAL HIGHLIGHTS WITH BOARD, ADVISORY AND LEGAL ROLE

SIGNIFICANT STARTUPS Foster served as co-founder, startup and/or legal team manager of multiple disruptive companies, including several establishing new standards of medical care, improving the lives of billions worldwide:

- **Natus Medical, Inc.** (NTUS) Inventor of newborn baby hearing screening. Startup to post-IPO; Chief Legal Counsel, Secretary; acting CFO; Executive VP for Human Resources, Manufacturing and Regulatory and Quality Processes
- **Volumetrics Medical Imaging, Inc./LLC** through sale of IP to Philips. Duke Univ. spinoff, Inventor of first real-time 3D/4D medical ultrasound licensed worldwide to ultrasound industry. President, General Counsel, CFO, Secretary.
- **Possis Medical Inc.** through acquisition by Bayer AG. Invented anti-blood clot AngioJet®/Rheolytic Thrombectomy System.
- **Protocol Medical, Inc.** outside General Counsel through IPO to acquisition by Welch-Allyn (now Hill-Rom). Invented ProPaq, world's first portable, battery powered patient monitor now ubiquitous in hospitals and ambulances worldwide.
- **St. Jude Medical** through acquisition by Abbott. Inventor of bi-leaflet artificial heart valves. Started Japan sales channel.
- **Oregon Steel Mills, Inc.** Obtained coveted JIS Mark (Japan Industrial Standards) enabling export of steel to Japan.
- **Trus Joist Corporation** until acquisition by Weyerhaeuser. Invented TrusJoist Laminated Veneer Lumber (LVL) engineered wood. Obtained JIS Mark and Japanese Building Code Approval for TJ LVL. Lobbied successfully to base Japan's technical standards on TrusJoist LVL's engineering standards.
- **Fluid Management, LLC** through acquisition by IDEX. World's most efficient fluid dispensing systems in manufacturing.
- **Daini Den-Den, Japan:** The "MCI of Japan". First private telecom common carrier in Japan post-demonopolization. Advised founder Dr. Sachio Semmoto, Japan's leading telecoms entrepreneur. acquired US telecom network equipment for buildout of DDI's long-distance network. DDI achieved \$1Billion (Yen-based) in revenue faster than any company in history.
- **Brooktrout Technology, Inc.** through IPO and acquisition. Inventor of fax store-and-forward, Internet Fax, systems.

FOUNDER and PRINCIPAL | Law Offices of Mark Foster, Offices in Silicon Valley; Tokyo; Research Triangle

Led disruptive new businesses to successful long-term growth and multimillion dollar asset and revenue inflow through various legal, advisory and financial roles, including General Counsel, Corporate Business Transactions, Financing Transactions, New Venture Creation, Board Member, Outside General Counsel & Litigation Management, Legal Process Management, etc.

CURRENT & RECENT PROJECTS | TRANSACTIONS | CLIENTS

- Championed the reorganization of **PixoVR, Corp.** in Delaware, converting LLC to streamline growth path by bringing in HP Corp. as strategic investor. Helped close \$4.5M funding round in Dec. 2021 led by Saudi Aramco Energy Ventures. As Corporate Secretary, help position PixoVR for dramatic growth. Enterprise-VR company with Proprietary VR platform & content enables remote enterprise-wide HR training in simultaneous, multi-user managed sessions. <https://pixovr.com>
- **Volumetrics Medical Systems LLC**, "Creating the future of medical ultrasound"™. Leading the company from new venture to current R&D phase. Serve as President, Chairman, CFO and Secretary. Privately funded Duke U. technology spinoff now in stealth mode. Creating next-generation ultrasound medical imaging devices. <https://volumetricsmedical.com>
- www.SafeinHome.com's proprietary "Person-Centered Solutions" enables independent living by special needs people to maintain the desired outcomes and lifestyle. SafeinHome's intelligent system integrates multiple technologies and sensors for accuracy and real-time 24-hour response. Helped close \$7M funding Dec. 2021. Advise Ken Traverso, Founder and CEO.
- Chairman of **North Plate Semiconductor, LLC**, a patent monetization entity owned by Wall Street hedge fund investors. Holds and enforces several hundred patents in telecom, semiconductor, imaging, and other fields. <https://northplate.com>
- **Bill Baumel**, founder and past GP of RWI Ventures, trusted and chose Mark to represent him in his transition from private VC founder to Managing Director, Ohio Innovation Fund. <https://www.ohioinnovationfund.com/team>
- Co-led the successful setup and running of **Peregrine Network, Inc.** Designed and built proprietary VPN for HP Corp's 'HP DataPass', an always-on Internet-enabled seamless connection switching worldwide between cellular and Wi-Fi networks. Chief Legal Counsel, CFO and Secretary. Managed Investors HP, Sprint, and Qualcomm. Acquired by Qualcomm.
- **Hybrid Seed Company, Inc.** Defined success path and championed growth strategy by developing US entity, distribution, sale network, hire management for New Zealand's leading plant geneticists producing 80%+ of the ornamental pumpkins.
- **Vietnam's "Southern Key Economic Zone Development Project"** in Ho Chi Minh City (Saigon) region. Mark was retained by AmCham Vietnam to plan and lead this major international infrastructure development project. Partners included local & regional government and NGO's in Saigon, USA (USAID), ASEAN, EBC, Japan. As Intel Corp. built its largest assembly plant in the world in Saigon, Mark mapped out plans for ambitious highway, telecom, port, public transport, green space, development of greater Saigon and Southern Six Key Provinces to dramatically leverage Overseas Direct Investment and Export Development of the region. Ultimately, Vietnam's government failed to provide matching funds.

PROFESSIONAL EXPERIENCE – MAJOR ACCOMPLISHMENTS

VOLUMETRICS MEDICAL IMAGING, INC./LLC (<https://bme.duke.edu/about/news/pioneers-3d-ultrasound>)

President | General Counsel | Chief Financial Officer | Secretary 2005 – 2015

Led, managed & executed the most complex, largest patent infringement campaign in the medical device industry to date. Volumetrics, a Duke Univ. technology spinoff, invented real-time 3D (4D) ultrasound medical imaging that displays real-time moving images of the heart, a fetus, or other organs. Foster successfully licensed Volumetrics' patents to GE, Siemens, Philips, Samsung, Toshiba, etc. Served as Secretary, President, CFO and CLO. Led successful investment rounds. Managed multimillion-dollar budget. Selected, managed, and led ten+ legal teams, engineers, scientists in US, Europe, Japan, Korea. Managed 80+ investors including Duke U. & major Institutional Investors, plus two-dozen engineering & scientific employees and consultants. Delivered substantial financial return to Founders, Duke University, and other investors.

ACHIEVEMENTS

- Successfully managed, planned & executed largest, most complex medical device patent infringement/licensing campaign.
- Achieved favorable industry-wide licenses of VMI patents arising from the largest and most complex international patent infringement case in the medical device industry against GE, Siemens, Toshiba, Samsung/Medison, and Philips;
- Enforced company's patents through decade-long successful case leading all defendants to license the fundamental real-time 3D/4D ultrasound patents of Volumetrics (a Duke University spinoff) paying substantial licensing fees.
- Defined success with a measurable returns. Delivered substantial financial returns to employees and investors & Duke U.
- Planned and managed several significant financing rounds, raising capital from over 50 investors including Sevin Rosen Fund, Kitty Hawk Capital, Allen & Co., Duke University OTL, and partners from a dozen other VC, IB and family offices.
- Spearheaded, recruited, led a global high-performing legal team comprising >30 law firms globally, by defining, communicating & managing goals across worldwide legal teams, personally selected, in the US, Europe, Japan, and Korea.

DEPARTMENT OF COMMERCE-INTERNATIONAL TRADE ADVISORY COMMITTEE

Office of the United States Trade Representative, Executive Office of the US President 2002 - 2016

- Appointed 2002 by President G.W. Bush's Commerce Secretary Gutierrez and USTR Portman to Industry Trade Advisory Committee for U.S. High-Tech Sector.
- Re-appointed 2010 by President Obama's Commerce Secretary Locke & USTR Kirk to represent U.S. medical device sector.
- Obtained US Government Secret-level security clearance to advise them on draft bilateral and multilateral trade treaties.
- Advisor to USTR/DoC representing US high tech and medical device sectors on US trade policy
- Attended WTO, NAFTA multilateral negotiations and meetings on behalf of US high tech and medical device sectors.

NATUS MEDICAL INC., SAN CARLOS, CA (NASDAQ:NTUS) 2002-2005

General Counsel | Chairman Natus Japan; UK | EVP HR & Regulatory, Manufacturing and Quality Affairs | CFO (acting)

Actively championed growth from startup in 1990's through IPO in 2002 for Natus, inventor of newborn baby hearing screener now used worldwide on newborns, providing solutions to newborn baby healthcare needs, including neonatal hearing screening to the world market. Founded by Dr. Bill New, M.D, Ph.D. (co-founder Nellcor). Brought in by Dr. New at startup through IPO and afterwards. Held various C-Level positions after IPO to lead the company to success and international market positioning. Reorganized entire management team and Board of Directors at Founder's request.

Achievements

- Enhanced worldwide deliverability and performance efficiency as General Counsel and EVP for HR
- Deployed quality products that met international market standards as EVP for Regulatory and Quality Affairs and Manufacturing, managed Quality and Manufacturing for domestic U.S and Japan, Europe, and worldwide markets.
- Curtailed loss and boost profit that witnessed company growth at the initial stage with a constant stream of revenue as Acting CFO, oversaw S.E.C compliance, audit, and reporting
- Prepared for and managed Board meetings as the Secretary of the Corporation and its subsidiaries in the U.S, U.K, Japan.
- Increased profitability; personally responsible for 15%+ of the company's annual revenue as Chairman, Natus Japan K.K, and Natus Neonatal U.K, wholly-owned subsidiaries
- At direction of Founder/Chairman Dr. Bill New, hired new CEO James Hawkins, replaced Board members to position Natus for growth & profitability

As General Counsel, handled the following practice areas:

- Securities & Finance, Investor Relations; draft all SEC reporting quarterly, annually
- Business Development
- IP Rights worldwide
- Domestic and International Regulatory, Manufacturing, Clinical & Government Affairs including FDA audit, ISO audit.
- Human Resources globally
- Litigation management
- Domestic and International Sales, Marketing and Service contracts, negotiations, subsidiary creation, acquisitions.
- Corporate Governance & Board of Directors-managed the Board, prepared all SEC filings

LAW OFFICES OF MARK FOSTER. OFFICES IN TOKYO, SILICON VALLEY, RESEARCH TRIANGLE, PORTLAND

Founder 1988 – 2002; 2015-Present

Launched and positioned Private Law Practice as an international law firm with an extensive track record of successfully representing global companies across North and South America, Asia, and Europe on commercial, finance, regulatory, and trade policy matters. Expanded the firm's international reach by launching offices in Silicon Valley, Portland, Tokyo and N.C. to serve key accounts.

Achievements

- Recognized for successful representation and counsel to multinationals and sought after as Corporate Counsel in the U.S for the numerous U.S, Japanese, Indian, and European companies
- Steered American, Japanese, and European companies through international commercial, regulatory, and trade policy affairs ensuring compliance with established regulations
- Championed clients' interest in all international dealings via successful representation in commercial, financing, and regulatory matters worldwide
- Appointed as General Counsel to several Boards of Directors based on extensive legal background and successful portfolio
- Successfully managed >US\$1 billion in high-tech greenfield industrial developments in USA, Japan, India, Israel, Vietnam
- Clients have included AT&T, NEC, United States Gypsum, Motorola, Toyota, Société Générale de Surveillance (SGS), Northwestern Steel & Wire and Tuscaloosa Steel (British Steel), and fast-growth companies like Possis Medical, Brooktrout, Natus Medical, St. Jude Medical, Protocol Medical, PixaVR Corp, SafeinHome.com.

U.S. ELECTRONIC INDUSTRIES ASSOCIATION AND AMERICAN ELECTRONICS ASSOCIATION JAPAN OFFICE

Lawyer-Lobbyist Late 1980's

Appointed as the first full-time American lobbyist in Japan, representing the entire U.S. electronics and telecom industries as first-ever full-time lawyer/lobbyist in Japan for American business sector.

Achievements

- Promoted U.S. Electronic industries interest while balancing Japanese Government policies during negotiating of market openings in telecom and high-tech sectors with the government
- Led industry-wide adoption and implementation of Japan-market opening laws and regulations, which I had helped put in place as Special Counsel to U.S. Embassy
- Championed U.S. industry interest at all times by representing new exporters of US-made telecom and electronics products at Japan's regulatory agencies
- Received commendation from President Reagan, and Commerce Secretary Baldrige, citing increased U.S. exports to Japan.
- Subsequently served as Counsel to Joint Electronics Industry Tokyo Office

SPECIAL COUNSEL TO THE EMBASSY OF THE UNITED STATES OF AMERICA, TOKYO, JAPAN

PRESIDENT REAGAN'S TEAM UNDER COMMERCE SECRETARY MALCOLM BALDRIGE 1984-1988

Appointed by Malcolm Baldrige, Secretary of Commerce, to work directly under U.S. Ambassador to Japan Mike Mansfield (former Senate Majority Leader) reporting concurrently to USTR, Commerce, and State Departments in President Reagan's Administration.

ACHIEVEMENTS

- Foster's negotiations and other work "laid the groundwork for the US government's [decade-long] major trade initiative in the "Market Oriented Sector Selective" trade talks. We owe a lot to your pioneering effort. American firms who benefit from your work may never know the key role you played": United States Embassy, Tokyo, Japan
- Enabled increase in U.S. manufactured exports to Japan by personally negotiating major improvements in Japan's Medical Device and Telecom Laws, the Japanese Industrial (JIS) and Agricultural (JAS) Standards systems to enable US exports to Japan. Letters of Commendation received from Secretary Baldrige and United States Embassy, Tokyo
- Advised USTR and Commerce on Japan's Medical Device Law. Wrote and successfully negotiated Japan's adoption of new laws permitting appointment by U.S. firms of "domestic caretaker" for owning medical device approval of U.S.-made devices, facilitating substantial new exports of medical devices from U.S.
- Successfully negotiated Japan's Telecom Ministry of Transparent adoption of telecom terminal equipment technical standards and regulatory approvals system for U.S. telecom hardware and services, including the establishment of new independent approvals agency, to permit for the first time direct import of US-made telecom hardware into Japan
- Wrote and successfully negotiated new Japan regulations enabling U.L, TUV, etc., to be "designated testing labs" under Ministries of International Trade, Agriculture, Construction, & Transport, certifying U.S. exports to Japan.
- Wrote three books in English on Japan's regulatory procedures to import US-made products, published by the U.S. Government Printing Office for the U.S. Department of Commerce, and Office of the United States Trade Representative:
 - *Telecom Terminal Equipment Regulatory Approval in Japan;*
 - *Medical Device Regulatory Approval in Japan;*
 - *Industrial Equipment Technical Standards and Regulatory Approval Procedures in Japan.*

BRAUN MORIYA HOASHI & KUBOTA LAW FIRM, TOKYO

Associate Attorney – U.S. Law

1982 – 1984

- Handled significant international transactions in English and Japanese for American, Japanese, and European multinational corporations working in English and Japanese languages, producing bilingual legal documents for Fortune 50 companies.
- Worked in Tokyo, Singapore, Kuala Lumpur, Hong Kong with clients on multinational transactions.

LAW OFFICE OF JOHN R. HETLAND, BERKELEY, CALIFORNIA

Associate Attorney

1981 – 1982

- Prof. Hetland authored *California Secured Transactions* and was Professor Emeritus, UC Boalt Hall Law School.
- Researched and wrote briefs for cases Professor Hetland handled before the U.S. Supreme Court.

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF CALIFORNIA

Law Clerk & Extern to the Honorable Judge William A. Ingram

1980 – 1981

SIGNIFICANT INTERNATIONAL TRADE MATTERS HANDLED

"Super 301" Forest Products unfair trade practices case against Japan on behalf of TrusJoist (now Weyerhaeuser).

- Successfully lowered Japan's 21% tariff on engineered lumber to 3.9%
- Successfully lobbied Japan's Ministry of Construction to write the first-ever technical engineering building code standards for engineered lumber (laminated veneer lumber) based on the specifications of TrusJoist's product line, assuring quick certification and approval of TrusJoist LVL for structural use in buildings in Japan,.
- Impacted revenue and gross profit while strengthening international trade relations with a substantial increase in exports

- Obtained certification by Japan's Agriculture Ministry of TrusJoist's U.S. plants for the export of its LVL engineered lumber products to Japan under the "JAS" symbol, first-ever U.S. Company

Telecom and Electronics industries:

- As Special Counsel to U.S. Embassy in Tokyo, lobbied for and literally wrote in English and Japanese new Japanese laws and regulations enabling more liberal import into Japan of telecom products and services. I crafted a new *Certification and Approval Manual for interconnection of Telecom Terminal Equipment to Japan's Public Switched Telephone Network*, reciprocal to Part 68 of the U.S. FCC rules. Helped set up a new TTE Approvals Agency for foreign-made equipment.
- Represented the entire U.S. telecom and electronics industries as Lawyer/Lobbyist in Japan for the EIA/AEA combined offices in Japan. Successfully obtained dozens of TTE regulatory approvals (from Japan's MPT and MoF) for US, European and Asian telecom hardware and services providers to sell telecom products and services in Japan.

Steel industry

- **Northwest Wire & Steel Co.** (Illinois) JIS Certification. Diversified revenue stream by enabling Japanese steel market penetration. Obtained approval from Japan's Ministry of International Trade for NW Steel to export US-made steel to Japan.
 - Successfully planned, managed, and executed favorable result for a two-year project funded by State of Illinois and U.S. Trade Adjustment Assistance Act. Stakeholders included majority owners Steelworkers Union and Governor of Illinois
- **Oregon Steel; Tuscaloosa Steel:** Obtained coveted Japanese Industrial Standards certification for steel mills in Oregon and Alabama, permitting direct export to Japan of U.S.-made steel.

Building Products Industry

- USG Corporation: Spearheaded the successful negotiation and significant transactions on behalf of USG Corporation for Japanese Building Code approvals for USG high-technology materials, including Duracrete and other structural materials.
- TrusJoist Corporation: Inventor of TrusJoist® engineered laminated lumber (LVL). Represented TrusJoist domestically and internationally from early days until acquisition by Weyerhaeuser. Negotiated and obtained certification of TrusJoist LVL factories in USA for Japan market under JIS technical standards. Obtained Japan building code approval for use of TJI LVL in 3-storey construction.
- Simpson Strong Tie® structural connectors, fasteners, fastening systems. Established Japan sales channel, obtained coveted JIS certification for Simpson's USA factories enabling direct export of Simpson connectors to Japan.

Medical Device industry

- Served as startup or early-stage lawyer for several disruptive medical device companies that improved diagnosis and care for billions of people worldwide, including Protocol Medical Systems (first battery powered portable patient monitor); Natus Medical (first newborn baby hearing screening system); St. Jude Medical (bi-leaflet artificial heart valve); Possis Medical (AngioJet® rheolytic thrombectomy system for coronary arteries); Volumetrics Medical Imaging Inc. (first real-time 3D/4D ultrasound imaging).
- Facilitated regulatory approvals by the Ministry of Health and Welfare of Japan for U.S.-made medical devices and factories for dozens of U.S. companies, exporting to Japan from U.S. plants. Created and saved thousands of U.S.-based jobs.

Agricultural Products and Laboratories

- Enabled favorable international trade relationships and exportation from California rice growers to Japan
- Certification of Oregon, Minnesota, Illinois, California State Agriculture labs to enable direct export of local Ag products

Testing Laboratories Industry

- Negotiated and implemented new administrative procedures in Japan for certifying non-Japanese test labs in broader sectors, including Ag, forest products, construction materials, medical devices, automobile, consumer products, and electronics. Enabled U.S. and European labs to certify locally-made exports to Japan.

Industrial Machinery case

- Successfully obtained certification from Japan's Ministry of Labor and MITI for Fluid Management L.P. (now a division of IDEX, NYSE) to export complex US-made fluid dispensing machinery (previously required to use Japanese components)
- Recognized for leading the success and quantifiable metric on account growth, retaining hundreds of Chicago area jobs

Direct Foreign Investments

- Successfully handled >US\$500 mil. DFI Greenfield Development projects for Japanese electronics & semiconductor companies in Oregon, Washington, and California in semiconductor, electronics, real estate and food products sectors.
- Handled >US\$500 mil. DFI for American, European, and Asian companies investing in the U.S., Japan, the Philippines, Taiwan, Malaysia, Israel and India

ACADEMIC | TEACHING | LECTURESHIPS

Lecturer | University of Southern California

- IBEAR Program (IBEAR is USC's International Business MBA program)
- Taught classes to MBA students in Japanese, American and international commercial law and practice

Nihon University, Tokyo, Japan

- Equipped Japanese law students with knowledge of American business, commercial, constitutional, contract and tort law
- Appointed to lecture University Dean, Chancellor and Department Heads on the US system of legal education and lawyer certification during Japan's debate of legislative reforms in training and certifying attorneys in Japan
- Contributed to the tectonic shifts in lawyer training in Japan by lecturing at Japan's largest law school, supporting my colleague Mary Kay Kane, Chancellor of the University of California and Dean Emerita, an intellectual, academic and legal *tour de force* who planned this transnational "educate the educators" project and asked me to join her.

EDUCATION | QUALIFICATION | FELLOWSHIP GRANTS

B.A., Alma College, Michigan *Western Civilization, the Classics and Religion*
J.D., University of California Hastings College of the Law, San Francisco *Juris Doctorate*

ROCKEFELLER FELLOW *Fellowship Recipient, Rockefeller Foundation/National Council of Churches. Geneva, Switzerland, Berlin, Germany and Tokyo, Japan. Served in an ecumenical fellowship program in Japan.*

JAPANESE LANGUAGE CERTIFICATIONS: **University of California, Berkeley, and Inter-University Center for Study of the Japanese Language, Waseda University, Tokyo** *Japanese language studies*

BAR MEMBERSHIPS

- ❖ Member of State Bar of California, Oregon
 - ❖ United States Supreme Court
 - ❖ U.S. District Court for the Northern District of California
 - ❖ United States District Court for Oregon
 - ❖ United States Court of International Trade
-

OTHER MEMBERSHIP

- ❖ Association of Corporate Counsel
 - ❖ American Society for Quality
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PUBLIC INTEREST SERVICE

American Law Institute The American Law Institute is the leading independent organization in the United States producing scholarly work to clarify, modernize, and otherwise improve the law. Foster was Nominated by former US Attorney General Richard Thornburgh and elected by strict peer-review vote from the most distinguished American legal scholars and practitioners. ALI "Restatements of the Law", provide lawyers and judges with carefully formulated descriptions of the law and serve as authoritative guides for legal briefs and judicial opinions. Membership is limited to 3,000 lawyers, scholars Justices and Judges.

Silicon Valley Association of General Counsel Former Chairman, Director. Commended for "Outstanding Leadership" of this professional association by my peers, fellow Chief Legal Counsel of Silicon Valley public and large-capital private companies.

Security-Cleared Advisor on International Trade Policy to Administrations of Presidents G Bush, GW Bush and Obama. Mark was appointed to the Industry Trade Advisory Committee (ITAC) by three US Trade Representatives, and three Secretaries of Commerce to represent the U.S. High-Tech Industries and Medical Device Industry. In this official capacity he attended meeting of the World Trade Organization, NAFTA and other regional trade bodies, promoting the global trade interests of US high tech, medical device and other industries.

President of the Trustees of the University of California Hastings College of the Law 1066 Foundation (past).

Government of Japan Advisory Councils and Technical Standards Committees Foster is the first American ever to serve on these closed Japanese Government advisory councils.

Ministry of Posts and Telecommunications: former member, Radio Wave Regulations Council.

Ministry of International Trade and Industry: former member, Information Network Standards Council

A regular speaker in the U.S, Europe, and Japan Bar Associations, the ISO, and the Japanese Standards Association (in Japanese). Lectured at the Medical Alley Association, the USC IBEAR Program, and Brussels EU Commission on Regulatory Standards. Frequently spoke at law schools and business groups in the U.S., Japan, and Europe on international commercial law and regulation.

REPRESENTATIVE PUBLICATIONS | SPEECHES | AWARDS

Books

Medical Device Certification in Japan: A Guidebook, 1985. Published by US Department of Commerce

A Guide to Mandatory Technical Standards and Product Certification Procedures under Japan's Electrical Appliance Law, 1985. Published by the US Department of Commerce.

Japanese Telecommunications Terminal Equipment Certification and Procedures, 1985. Published by the US Department of Commerce.

Politics and Productivity: The Real Story of Why Japan Works, 1989, by Chalmers Johnson and Laura Tyson, University of California Press. Foster's original research into Japan's industrial economic and trade policy cited extensively therein, and elsewhere by Professor Johnson.

Selected Technical Papers

48th Annual Quality Congress of the American Society for Quality Control, May 1994, Las Vegas, Nevada:

"*The Japanese Industrial Standards Systems - An American's Viewpoint*" (published by ASQC)

International Standardization Organization (ISO) and Japanese Standards Association (JSA) Joint Conference, Tokyo, Japan, 1994: Keynote Speech (in Japanese): "The Japanese Industrial Standards System from an American's Standpoint".

U.S. Department of Commerce, United States & Foreign Commercial Service, and University of Southern California IBEAR program lecturer: "*Breaking Down the Barriers to Japan's Market*" at Asia-Pacific Forum, and Doing Business in Japan intensive graduate classes. 1990-98

World Trade Institute, World Trade Centers of NY/NJ: Lectured on international business law and regulations, customs law, Japanese distribution and sales contracts, other international business classes. 1991-97

Medical Alley Association, Minneapolis, MN. Periodic lectures on international regulatory matters to members of the Association.

SELECTED ARTICLES

"Recent Development: Analysis of the Newly Amended Commercial Code of Japan", *Journal of International Law*, Vol. 15, No. 3, (1983)

"Japan - Sweeping Amendments to Standards and Certification System Adopted", *East Asian Executive Reports* (1983)

"Breaking the Standards Barrier", *East Asian Executive Reports* (1983)

"Japan - First Foreign Lab Designated as Inspection Agency", *East Asian Executive Reports* (1984)

"Japan - Building New Barriers? The Draft Telecommunications Act", *East Asian Executive Reports* (1984)

Others: Numerous articles and books on Japan's government regulatory system, manufactured product technical standards and certification system, industrial policy, and various market sectors; published in *East Asian Executive Reports*; *Case Western Reserve Journal of Law*; etc

MEDIA MENTION

See http://www.markfoster.com/in_the_press.php

- ❖ The Wall Street Journal
- ❖ The Asian Wall Street Journal Business Week
- ❖ Fortune Magazine
- ❖ Tom Peters "On Excellence" The Chicago Tribune
- ❖ Who's Who in America Who's Who in American Law

REFERENCES AVAILABLE UPON REQUEST