



WIPO LIST OF MEDIATORS AND ARBITRATORS

BIOGRAPHICAL DATA

The Hon. Sir Ian BARKER, QC
Arbitrator and Mediator

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Date of Birth: March 17, 1934
Nationality: New Zealand

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Hon LL.D., University of Auckland, 1999;
B.A., LL.B., University of Auckland, 1958;
Fellow, The Chartered Institute of Arbitrators, United Kingdom;
President and Fellow (Arb.Med), Arbitrators' and Mediators' Institute of New Zealand.
Chartered Arbitrator, (UK).

LANGUAGES

English.
Comprehension of French and Italian.

December 7, 2005

PRESENT POSITION

Practising commercial arbitrator and mediator and ABR consultant;
Member, Court of Appeal of Fiji, since 1997;
Member, Court of Appeal of Samoa, since 1997;
Member, Court of Appeal of Vanuatu, since 1998;
Member, Court of Appeal of Cook Islands, since 1990;
Member of Pitcairn Court of appeal, since 2003
Chairman, New Zealand Banking Ombudsman Commission, since September 1997;
Member, Editorial Board, *Trade Practices Law Journal*, since 1993;
Editor-in-Chief, New Zealand Encyclopaedia of Forms and Precedents;
Supervising Editor of History of New Zealand Legal Profession:
President, Arbitrators' & Mediators' Institute of New Zealand 2000-2002
Panelist, WIPO Domain Name Disputes 2000-.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Judge of High Court, Auckland, New Zealand, 1976-97;
Judge in Charge of Commercial List, 1987-97;
Senior Puisne Judge of High Court, 1991-97;
Acting Member, New Zealand Court of Appeal, 1981, 1988, 1996-97;
Consultant, New Zealand Justice Department, legislation concerning legal aspects of Closer
Economic Relations with Australia, 1989-97;
University of Auckland:
 Chancellor, 1991-99 (i.e. Chair of governing body);
 Member of Council, 1989-99;
President, Legal Research Foundation of New Zealand, 1981-90;
Chairman, 13th International Congress of Marine Arbitrators, Auckland, 1999;
Chairman, Committee of New Zealand Chancellors and Vice-Chancellors, University of Auckland,
1992 and 1999;
Judge-in-Residence, Bond University, (Australia) Law School, 1995;
Chairman, Liaison Group to Harmonise Rules of New Zealand High Court and District Court,
1991-92;
Chairman, High Court Rules Committee, 1983-91;
Member, High Court Rules Committee, 1980-91;
New Zealand Observer, Council of Australian Institute of Judicial Administration, 1989-92;
Visiting Professor/Lecturer/Fellow, Universities of Victoria and British Columbia and Queen's
University, Canada, 1990;
Chairman, Committee of New Zealand Judges on Closer Economic Relations with Australia, 1989;
Convenor of Committee of High Court Judges on Role and Efficiency of the Court, 1985-86, and
on Law Commission proposals, 1987-89;
Visiting Professor/Fellow/Lecturer, Dalhousie University, McGill University, York University,

Universities of Ottawa, Western Ontario, Manitoba, Saskatchewan, Alberta and British Columbia, 1987;
Chairman, Ministerial Working Party on Commercial List for High Court, 1985-86;
Executive Judge of the High Court, Auckland Region, 1982-88;
Visiting Fellow, Australian National University, 1982;
Visiting Lecturer, Universities of Tasmania, Adelaide and Sydney, 1982;
Director, New Zealand Law Practitioners' Co-op Society Limited, 1970-76;
Barrister, Auckland, 1969-76;
Queen's Counsel, appointed 1973;
Member, Ministerial Committee to Review Wages Protection and Contractors' Liens Act, 1965;
Partner, Morpeth Gould & Co., Barristers and Solicitors, Auckland, 1960-69;
Law Faculty Member, University of Auckland:
 Lecturer, Law of Torts, 1960;
 Lecturer, Law of Civil Procedure, 1963-73.

MEMBERSHIP IN PROFESSIONAL BODIES

Council Member, Auckland District Law Society, 1970-76;
Auckland Medico-Legal Society: President, 1986-87;
Fellow, The Chartered Institute of Arbitrators, 1987;
Fellow, New Zealand Institute of Arbitrators and Mediators, 1991;
Patron, Commercial Lawyers' Association (New Zealand), since 1987;
Patron, New Zealand Chapter, Lawyers Engaged in Alternative Dispute Resolution (LEADR), since 1994;
Leader, New Zealand Law Society Travelling Seminar on High Court Rules, 1985;
Fellow, 1990, and President, 1981-90, Legal Research Foundation of New Zealand;
Member, New Zealand Public and Administrative Law Reform Committee, 1972-76;
Door Tenant, Essex Court Chambers, Lincoln's Inn Fields, London, United Kingdom.
Chartered Arbitrator (UK), since 1999.

Panel Memberships

London Court of International Arbitration, (LCIA);
British Columbia International Centre for Commercial Arbitration, Vancouver;
American Arbitration Association, external;
Australian Commercial Arbitration Centre, Sydney;
Lawyers Engaged in Alternative Dispute Resolution, (LEADR);
Arbitrators' and Mediators' Institute of New Zealand, Inc.;
Hong Kong International Arbitration Centre;
International Association of International Wine Lawyers, Brussels and Melbourne;
Chartered Institute of Arbitrators (Australian Branch);
Kuala Lumpur International Centre;
New Zealand Member, ICC Commission on Arbitration, Paris;
Singapore International Arbitration Centre.

AREAS OF SPECIALIZATION

Commercial and corporation law;
Intellectual property law;
Competition law;
Administrative law;
Aviation law;
Insurance law;
All areas of law encountered during 21 years on High Court Bench.

EXPERIENCE IN INTELLECTUAL PROPERTY

As Judge, has decided major intellectual property litigation, including two judgments in *Beecham v. Bristol* involving pharmaceutical patents;
Lecturer at three Asian and Pacific area conferences organized by WIPO;
Speaker at Intellectual Property Conference in Adelaide, Australia.
Invited Tutor at WIPO Workshops on International Arbitration & Domain Name Disputes, November 2001.

MAJOR PUBLICATIONS

Contributor of articles in *New Zealand Law Journal*, *Australian Law Journal* and *Trade Practices Law Journal*;

Conferences and Papers:

Contributor to various New Zealand Law Society Conferences, 1969-96;
Guest Speaker, International Civil Aviation Law Conference, Tobago, March 1981;
Guest Speaker, Australia and New Zealand Law Teachers' Association Conference, Auckland, 1983;
Guest Speaker, Fiji Law Society Conference, 1984;
Lecturer on Intellectual Property at Asian Judges' Seminar, Sydney, organized by WIPO, 1984;
Guest Speaker on New Zealand Matrimonial Property Legislation, Australian Legal Convention, Melbourne, August 1985;
Guest Speaker on Intellectual Property Law, Colloquium of Asian Judges, Islamabad, organized by WIPO, October 1986;
Guest Speaker, Forum of Judges, Calcutta, organized by WIPO, November 1987;
Speaker on Enforcement of Judgments in Commonwealth, First Canadian/Australasian Law Conference, Canberra, April 1988;
Speaker on Closer Economic Relations with Australia (joint paper) with Justice B.A. Beaumont, Australian Legal Convention, Adelaide, September 1991;
Speaker, Aviation Law Association of Australia and New Zealand, Conference Christchurch, October 1991;
Speaker on Closer Economic Relations with Australia, University of Melbourne, November 1991;
Speaker on New Zealand Commerce Act, Trade Practices Seminar, Terrigal, New South Wales, October 1991;

Representative of University of Auckland and Speaker, 700th Anniversary of Complutense University, Madrid, 1993;
Speaker, Australasian Professional Legal Education Council Conference, Auckland, November 1993;
Speaker, Lawyers Engaged in Alternative Dispute Resolution (LEADR) Conference, Melbourne, November 1995;
Speaker, Intellectual Property Association of Australia and New Zealand, Conference Adelaide, 1997;
Speaker, Arbitrators' & Mediators' Conference, Queenstown, New Zealand, 2005
Speaker, Fiji Law Society Conference, 2005
Presenter at IBA Conference, Auckland, October 2004 on Arbitration Act and Antiquities Disputes and Specialised IP Courts.

EXPERIENCE IN COURT LITIGATION

Twenty-one years of experience as judge dealing with all kinds of civil and criminal cases;
Eighteen years of experience as Barrister.

PROFESSIONAL TRAINING IN MEDIATION

Qualified from Lawyers Engaged in Alternative Dispute Resolution (LEADR) course, Sydney, October 1994;
Years of experience in conducting judicial settlement conferences.
Eight years as commercial mediator.

EXPERIENCE IN MEDIATION

Frequent speaker at LEADR and AMINZ meetings in New Zealand and Australia;
Since retirement from Bench and commencement of practice as a commercial mediator in 1997, has conducted some 90 mediations.

EXPERIENCE IN ARBITRATION

Conducted several arbitrations as sole arbitrator when a Barrister;
Acted as counsel before arbitrators;
Since retirement from Bench and commencement of practice as a commercial arbitrator in November 1997, has conducted some 60 arbitrations involving energy, construction, general commercial and rental disputes, all but one as sole arbitrator;
Appointed by ICC as independent chair of an arbitral tribunal in 4 major international arbitrations as sole arbitrator in one and as party appointed arbitrator in one.
Tutor WIPO Workshop for International Arbitration, Geneva, 2001.
Tutor WIPO Workshop for Domain Name Panelists, Geneva, 2001

Tutor WIPO Workshop for Domain Name Panelists, Sydney, 2002

EXPERIENCE IN COMMISSIONS/ENQUIRIES.

Chair, Committee into Liquor advertising in TV., 1998;

Committee to discuss merger between University of Otago and Dunedin College of Education, 1998-99;

Committee to enquire into allegations of corruptions relating to New Zealand. Cricket, (2001);

Committee to enquire into a thesis for University of Canterbury (2000);

Member: Committee of New Zealand Stock Exchange Market Surveillance;

Panel to enquire into aspects of takeover of Montana Wines New Zealand Ltd (2001).

ARBITRATION EXPERIENCE

SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	AAA					
	ICC	6	4	1	1	
	LCIA					
	Ad Hoc	3	1	2		
	Others:					
Number of cases: sub-total						
Domestic Arbitrations						
	Various (in practice)	12		2		10
	Since retirement from Bench in 1997	60	2	58		
Number of cases: sub-total			1			
TOTAL		81	8	63	1	10

MEDIATION EXPERIENCE

SUMMARY TABLE

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations				
	Ad Hoc			
	Others:			
Number of cases: sub-total				
Domestic Mediations				
		90	90	
Number of cases: sub-total				
TOTAL		90	90	