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## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

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Canada



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Date of Birth: April 18, 1935  
Nationality: Canadian and Irish

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### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Life Bencher, 1995;  
Bencher, Law Society of British Columbia, 1987-93;  
Member, Law Society of British Columbia, 1962-present;  
Appointed Queen's Counsel, 1984;  
LLB, University of British Columbia, 1962.

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### LANGUAGES

English.

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### PRESENT POSITION

Neutral, acting in domestic and international arbitrations and mediations, and before administrative bodies.

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June 15, 2010

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### PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Executive Director, British Columbia International Commercial Arbitration Center, 1993-95;  
 Senior Litigation Partner, Edwards Kenny & Bray, Vancouver, 1978-93;  
 Partner, Jones Branson Emery & Carfra, Victoria, 1976-77;  
 Associate and Partner, Sullivan, Smith & Bigelow, Victoria, 1963-76.

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### MEMBERSHIP IN PROFESSIONAL BODIES

Panel Member:

International Mediation Center, Greater Dallas Chamber of Commerce, Dallas Texas;  
 American Arbitration Association, International Panel;  
 China International Economic & Trade Arbitration Commission, Beijing, PRC  
 Centre for Sport and Law, Canada arbitrator and mediator panel;  
 Insurance Corporation of British Columbia arbitrator and mediator;  
 World Intellectual Property Organization, Geneva;  
 Singapore International Commercial Arbitration Centre  
 Advisory Committee, Supreme Court of British Columbia Case Overload Programme Panel;  
 British Columbia International Commercial Arbitration Centre, domestic and international panels;  
 British Columbia Treaty Commission;  
 Canadian Transportation Agency;  
 Law Society of British Columbia fee mediation panel;

Observer status as representative of NAFTA Article 2022 Advisory Committee, UNCITRAL Working Group;

Former Member, Federal Judicial Appointments Advisory Committee;  
 Member:

Chartered Institute of Arbitrators;  
 Advisory Committee and Curriculum Development Committee, Royal Roads University M.A.  
 Programme in Conflict Analysis and Management;  
 Advisory Committee, Supreme Court of British Columbia Trial Overflow Programme;  
 London Court of International Arbitration.

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### AREAS OF SPECIALIZATION

Arbitration, mediation and alternative dispute resolution, focusing primarily on commercial disputes.

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### EXPERIENCE IN INTELLECTUAL PROPERTY

As a Barrister, has been involved in litigation concerning passing off, theft of intellectual property, breach of trademarks, patents and licensing agreements.

As a Professor at the University of Victoria Faculty of Law and Royal Roads University has taught the use and effect of alternative dispute resolution in intellectual property.

As Board Member of the British Columbia Court House Library Society, has been involved in legal information copyright issues and in library technology funding.

As Executive Director of the British Columbia International Commercial Arbitration Center, has been involved in developing ADR mechanisms for the Intellectual Property Bar.

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### MAJOR PUBLICATIONS

"A View From the Centre", regular column in *The Advocate*, 1993-95;

"Combining Arbitration with Conciliation or Mediation", ABA section on international law and practice, *International Commercial Arbitration Newsletter*, V 5 p. 31, winter 1996;

"Alternatives in Dispute Resolution", *The Commercial Way to Justice*, edited by G.M. Beresford Hartwell, Kluwer Law International.

The Enforcement of International Commercial Arbitration Agreements in Canada, 16 Arbitration

International, no. 1, 2000, p.19.

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### **EXPERIENCE IN COURT LITIGATION**

Acted as Barrister and Counsel, in commercial and criminal litigation in the courts of British Columbia and Alberta, the Federal Court of Canada and the Supreme Court of Canada, 1962-95; Generalist in virtually every area except maritime; Acted as Counsel before numerous administrative tribunals throughout Canada, including many municipal councils, the Commercial Appeal Board of British Columbia, the Immigration Appeal Board of Canada, the Land Commission of British Columbia, the Transport Commission of British Columbia, and special provincial inquiry bodies.

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### **PROFESSIONAL TRAINING IN MEDIATION**

Justice Institute:

Mediation Skills Level 2, 1996;  
Mediation Skills Level 1, 1996;  
Resolving Conflict in the Workplace, 1996.

Legal Education Society of British Columbia:

Refresher course in commercial mediation, 1993;  
Advanced commercial mediation, 1993;  
Commercial mediation, 1992.

Other courses with, *inter alia*, the American Arbitration Association, the Insurance Corporation of British Columbia, Continuing Legal Education, British Columbia Arbitration and Mediation centre, Royal Roads University (also a faculty).

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### **EXPERIENCE IN MEDIATION**

Numerous mediations, both national and international, acting as mediator or co-mediator in such areas as personal injury, sexual harassment and institutional abuse, product liability, professional negligence, investment and other commercial matters.

Designed and participated in workshop sponsored by the Ministry of Commerce, Royal Government of Cambodia, February 2000.

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### **PROFESSIONAL TRAINING IN ARBITRATION**

Received training from the Continuing Legal Education Society of British Columbia, the Columbia Arbitration and Mediation Institute, and the American arbitration Association, 1993.

Participation in the design, implementation and administration of numerous arbitration training and development programmes, both domestic and international (for the Continuing Legal Education Society of British Columbia, the Insurance Corporation of British Columbia, the British Columbia International Commercial Arbitration Centre, the American Arbitration Association, the Asia-Pacific Economic Co-operation, the Faculty of Law of the University of Victoria, the Royal Roads University, Victoria (Conflict Analysis & Management Division), International Centres for Arbitration, the Canadian Bar Association), 1993-present.

Participated in conferences under the auspice of:

NAFTA Article 2022 Committee;  
London Court of International Arbitration;  
South-Western Legal Foundation;  
International Council for Commercial Arbitrators;  
Chartered Institute for Arbitrators;  
International Congress of Maritime Arbitrators;  
International Chamber of Commerce;

International Centre for the Settlement of Investment Disputes;  
Institute of Transnational Arbitration.

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### **EXPERIENCE IN ARBITRATION**

Since 1995, as an Adjunct Professor at the Faculty of Law, University of Victoria, British Columbia, Canada, has taught courses concerned with international commercial dispute resolution. Has acted as counsel in over 15 national and international arbitrations, ad hoc or under the auspice of AAA. Has acted as arbitrator in approximately 40 arbitrations in Canada, ad hoc or under the auspice of ADR Centre, Vancouver, relating to employment; setting of marketing board prices; professional responsibilities of doctors and lawyers; disputes between professionals, including doctors and lawyers; partnerships, joint ventures and corporations; international trade; anti-dumping and countervail duties; motor vehicle accidents and other forms of personal injury; business contracts; sale of real property; insurance claims; university academic disputes.

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**ARBITRATION EXPERIENCE****SUMMARY TABLE**

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	AAA	1	1			
	ICC	1	1			
	LCIA					
	Ad Hoc	1	1			
	Others:					
Number of cases: sub-total		2	2			
Domestic Arbitrations						
	AAA, BCAMI, ADR Centre (Vancouver )	41	3	18	25	
Number of cases: sub-total		41	3	18	25	
<b>TOTAL</b>		<b>43</b>	<b>5</b>	<b>18</b>	<b>25</b>	

**MEDIATION EXPERIENCE****SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations				
	Ad Hoc	2	X	
	Others:			
Number of cases: sub-total		2	X	
Domestic Mediations	ADR Centre (Vancouver)	1	X	
	B.C. International Commercial Arbitration Centre	10	X	
	Ad Hoc	21	X	
Number of cases: sub-total		32	X	
<b>TOTAL</b>		<b>34</b>	X	