

**WIPO LIST OF NEUTRALS**  
**BIOGRAPHICAL DATA**

Douglas CLARK  
Shanghai/Hong Kong  
People's Republic of China



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Date of Birth: January 9, 1967  
Nationality: Australian, British

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**EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS**

Post Graduate Certificate in Laws, City Polytechnic of Hong Kong, 1994;  
B.A., (Asian Studies), Australian National University, 1993;  
LL.B., (Hons), Australian National University, 1993;  
Graduate Certificate Chinese and Chinese Law, Fudan University, Shanghai, 1990.

Barrister & Solicitor, Supreme Court of Victoria, Australia, 1995;  
Solicitor, Supreme Court (now High Court) of Hong Kong, 1996;  
Solicitor, Supreme Court of England & Wales, 1998.

Level 3 (Professional Level) Certification as Japanese to English and Chinese to English Translator from  
National Accreditation Agency for Translators and Interpreters, Australia (1991 and 1992).

**Awards/Accolades:**

Named as a leading IP Practitioner in China in Legal directories including Chambers Global, Asia Pacific Legal 500, Asia Law and Practice Leading Lawyers and PLC Which Lawyer?

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**LANGUAGES**

English, Mandarin and Japanese.

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January 12, 2011

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### PRESENT POSITION

Sole practitioner (will qualify as Hong Kong barrister approx. June 2011).

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### PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Head of Mainland China Intellectual Property, Managing Partner, Lovells (now Hogan Lovells) Shanghai office, 2003-2010;  
Partner, Lovells Hong Kong, IP Department, 2001-2003 (seconded to Chinese firm in Shanghai);  
Solicitor Lovells Hong Kong, IP Department 1996-2001;  
Trainee Solicitor Lovells Hong Kong IP Department 1994-1996.

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### AREAS OF SPECIALIZATION

Intellectual Property, focused on contentious IP.

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### MEMBERSHIP IN PROFESSIONAL BODIES

Co-chair of the European Chamber of Commerce IPR Working Group, China.

**Member:**

Asian Patent Attorney's Association (APAA);  
International Trademark Association (INTA);  
APAA patents committee, 1998-2007;  
APAA copyright committee, since 2007;  
Law Society of Hong Kong;  
Law Society of England & Wales.

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### EXPERIENCE IN INTELLECTUAL PROPERTY

Handled over a 2,000 patent, trade mark, copyright and passing off/unfair competition litigation cases in Mainland China and Hong Kong. In recent years personal focus has been on patent cases and has handled numerous patent cases relating to pharmaceutical and telecommunications patents.

Non-contentious experience includes advising on technology transfer and conducting patent and other intellectual property audits and freedom to operate analyses.

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### EXPERIENCE WITH RESPECT TO DOMAIN NAMES

ADNDRC Domain Name Panelist since 2010;  
Domain Name Panelist for WIPO, Geneva since October 2008;

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### MAJOR PUBLICATIONS

**Books**

Patent Litigation in China (forthcoming June 2011), Oxford University Press

**Articles**

Contributed numerous articles in various publications on intellectual property including:  
Protecting your Cyber Trademarks and Copyright, Asian Lawyer, Vols 2:11 and 2:12, 1997;

Effect to IP system in China by participation in WTO, CIPIC Journal, Vol.98, March 2000;

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What's left for China to achieve TRIPs compliance, IP ASIA, Vol.13, No.3, April 2000;  
Litigation is becoming a real option in China for IP owners, Managing Intellectual Property 2003, 133 Supp (Asia Pacific IP focus 2003) (with Henry Wheare);  
Maximising IP Value in Asia, Intellectual Asset Management Magazine, October 2004;  
Intellectual Property Litigation in China; A Step by Step Guide to IP Cases in the PRC", China Business Review, November-December 2004;  
Anti-Counterfeiting in China – A Blueprint for Change, China Business Review, January-February 2006.

**Seminars:**

Is a regular speaker on intellectual property (in English, Chinese and Japanese) at conferences and seminars, including seminars organised by the Chinese Ministry of Commerce.

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**EXPERIENCE IN COURT LITIGATION**

Has personally handled or supervised numerous IP litigation cases in Mainland China and Hong Kong, including the following decided cases:

DBTEL v Motorola, Shanghai Intermediate Court;

JAS Hennessy v Jiarou Cosmetic Industry Co Ltd, Shantou Intermediate Court;

Sony Computer Entertainment v PRAB and Bubugao, Beijing Higher People's Court;

Otter Controls v Chungmei Industrial, Dongguan Intermediate Court;

Red Sun v Mianyang AIC and Syngenta China, Mianyang Intermediate Court;

Nintendo Co Ltd & Anor v Lik Sang International Ltd, High Court of Hong Kong;

Bang & Olufsen v Mirage Industrial Company, Court of Appeal, Hong Kong;

Tanashin Denki Co Ltd v King Long Industrial Ltd, High Court of Hong Kong.

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**EXPERIENCE IN MEDIATION**

Limited experience of mediation as international counsel in court assisted mediation in China.

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**EXPERIENCE IN ARBITRATION**

Alstom v Zhejiang Insigma, SIAC, 2008, co-counsel;  
TM Systems v Huajin Crane, SIAC, 2010, lead counsel.

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