

## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

Joseph DALBY  
The Law Library  
Four Courts  
Dublin 7  
Ireland



London Address:  
4-5 Gray's Inn square  
Gray's Inn  
London WC1R 5AH  
United Kingdom

Telephone: +353 1 817 7700 (Ireland)  
+44 20 7404 5252 (United Kingdom)

E-Mail: Joseph@Dalby.ie  
Jdalby@4-5.co.uk

Date of Birth: 1965  
Nationality: British, Irish

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### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Licence spéciale en droit européen, Université Libre de Bruxelles, Brussels, Belgium 1996;  
Barrister, Bar of Ireland - Honorable Society of King's Inns, Ireland, 1993;  
Barrister, Bar of England and Wales - Honorable Society of Middle Temple, London, 1988;  
LL.B., Hons, London South Bank University, 1987.

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### LANGUAGES

English, French.

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### PRESENT POSITION

Barrister, UK & Ireland.

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June 23, 2010

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## PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Specialist expertise in European Community law:

Fundamental and general principles of the *acquis communautaire*  
 Cross-border commercialization of goods and services;  
 Award of contracts under the public procurement regime;  
 Access, residency and free movement;  
 Consumer and employment protection;  
 Direct and indirect effect of EC law, subsidiary and conflicts;  
 Functions, procedures and comitology of the EC institutions;  
 European Convention of Human Rights.

Stagiaire, European Commission, DG III (Internal Market and Industry) from 1992-93;  
 Legal Correspondent, The European newspaper: Legal Affairs Column (fortnightly) 1994- 97;  
 Headnoter, Common Market Law Reports (Sweet & Maxwell) from 1995-97;  
 External Academic Tutor, EU Law University of Glamorgan from 1997-99;  
 Visiting lecturer, Southampton Institute: European Community law 1996-99;  
 Visiting Lecturer, Department of Building and Surveying, Reading College of Technology from 1990-92;  
 Conference speaker at various events covering EU principles, internal market, remedies, updates, consumer law, joint ventures, health and safety, insurance law.

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## AREAS OF SPECIALIZATION

Commercial and civil disputes;  
 Public and administrative law;  
 Construction IT and e-commerce;  
 Procurement and competition.

### **Specialist expertise of in Information & Communications Technology:**

- E-commerce transactions, business models;
- Convergence of Internet and telecommunications;
- Telecommunications - licensing. Contracts;
- Internet regulatory affairs (communications, confidentiality, liability, etc);
- Data handling and security;
- Reseller models, policies and contracts (telecommunications, software);
- Contracting online, electronic contracts, consumer protection measures;
- Electronic Signatures, Certification;

Computer Misuse, legal issues.

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## EXPERIENCE IN INTELLECTUAL PROPERTY

European, UK and Irish Intellectual Property law;  
 Regular and intense exposure over fifteen years of managing IP issues as external counsel including:

- IP protection in commercial transactions;
- EU trade mark directive (implementation and divergence);
- Community trade mark law applications;
- Conflicts between competition and IP issues;
- Convergence of IP and domain names;
- Enforcement of copyright;
- Website IP issues.
- Domain names

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## EXPERIENCE WITH RESPECT TO DOMAIN NAMES

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Adviser to cc TLD for three years covering all regulatory and domain name matters.

Principal regulatory adviser in bid to establish TLD;

Expert in the process and structure of domain name space management, registrations and disputes including:

- ccTLD Domain name registration policy and process;
- Categorisation;
- Eligibility;
- Passing off;
- Prohibitions;
- WHOIS use;
- IP protection;
- Registry - Registrar relationship;
- Dispute resolution policy and procedure design;
- Breach of registration policy;
- Registry error;
- Warehousing and Cybersquatting

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### **MAJOR PUBLICATIONS**

Legal Correspondent, The European 1993-97;

EU Law for the Construction Industry, Blackwell 1998;

The Community Trade Mark - The Necessary Accessory for the Internal Market, Legal Times (UK), October 1995.

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### **EXPERIENCE IN COURT LITIGATION**

Practicing barrister with predominately litigation based workload and acting in numerous court cases.

Experience formed from case review, legal research opinion forming, advice and representation, advocacy, examination and cross-examination, closing speeches, legal submissions to bench.

Experience of broad range of cases (in terms of value, complexity, and length). Experience of conflicts of laws, Brussels and Rome Conventions. Practicing barrister.

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### **PROFESSIONAL TRAINING IN MEDIATION**

Trained in mediation.

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