

WIPO LIST OF NEUTRALS
BIOGRAPHICAL DATA

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Date of Birth: January 12, 1965

Nationality: German

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

PhD., Law, University of Bonn, 1995,
(Dissertation on European competitive law);
LLB., University of Bonn, 1984-1989.

Admissions:

German Bar, 1995.

LANGUAGES

German, English, Italian, Spanish, French.

PRESENT POSITION

Partner, Bird & Bird, Munich since 2003. Head of the German IT Commercial Practice Group.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Baker & McKenzie, IT practice (European offices), 1997-2003.

June 30, 2010

AREAS OF SPECIALIZATION

IT Law – contentious and non-contentious matters (licensing, professional services, distribution, e-commerce, digital media, data protection law, etc.) including major projects, complex technology transfer and licensing agreements, strategic alliances, and outsourcing arrangements of all kind.

MEMBERSHIP IN PROFESSIONAL BODIES

Member:

German Society of Law and Informatics (DGRI e.V.);
 The Licensing Executives Society Deutsche Landesgruppe e.V.;
 The Indo-German Chamber of Commerce;
 The German-Italian Chamber of Commerce; and
 The German-Italian Lawyers Association.

EXPERIENCE IN INTELLECTUAL PROPERTY

Over 10 years of ample experience in contentious and non-contentious matters relating to the commercial exploitation and licensing of intellectual property rights, with a particular focus on IT related matters

MAJOR PUBLICATIONS

Publications:

Book *“Die Anwendung der Artikel 85, 86 [81, 82] EG-Vertrag in den Fällen der mitgliedstaatlichen Einflussnahme auf Unternehmensverhalten – zu Fragen möglicher Rechtfertigungen und Entlastungen der Unternehmen”*, Frankfurt, 1996, Peter-Lang-Verlag

[“The Application of Articles 85, 86 [81, 82] EC-Treaty in Cases of Member State induced Influence on Entrepreneurial Conduct – Issues of Possible Justifications and Exemptions for Private Enterprise”];

Article *“Third-Party Content Liability in Europe”* (co-authored), in: “Internet Law for the Business Lawyer”, published by the American Bar Association in 2001;

Book *“Doing E-Commerce in Europe”* (concept, editing and co-authorship), published by Baker & McKenzie in 2001;

Article *“Scioglimento della Società e Tutela degli Azionisti di Minoranza”*, in: *e Società*, n. 5/2001 [“Dissolution of the Company and Protection of Minority Shareholders”];

Article *“Germania, il software ‘modernizza’ il diritto dei contratti”*, in: *Commercio internazionale*, n. 8/2002 [“Germany, software is ‘modernizing’ the law of contracts”];

Article *“Germania, un e-commerce a misura europea”*, in: *Commercio internazionale*, n. 8/2003 [“Germany, e-commerce at European standards”];

Article *“Bleibt die Einwilligung zur konzerninternen Weitergabe von personenbezogenen Kundendaten im Unternehmenskauf bestehen?”*, in: *Recht der Datenverarbeitung* 2004, p. 105 seq.

[“Do consent declarations allowing for the group-internal transfer of personal customer data remain effective in company mergers & acquisitions?”];

Article *“Effectiveness of GNU General Public License under German law”*, in: “E-Commerce Law Report”, Glasser LegalWorks, October 2004;

Article *“Basel II und seine Auswirkungen auf die IT Infrastruktur der Banken”* (co-authored), in: *IT-Rechtsberater* 2005, p. 160 seq.

[“Basel II – its impact on the IT infrastructure of financial service providers”];

Article "*ADR in IT projects – a European business lawyer's perspective*", in: Journal of the Indian Council of Arbitration, July 2005;

Article "*Open Source Software in Unternehmen – wo liegen die Risiken?*", in: Business and Law, September 2005, special edition on Munich, with a contribution on IT law, exclusively by Bird & Bird ["Open Source Software in Corporations – where are the risks?"];

Book contribution "*Enforcement and Jurisdiction – Germany*", in: "Internet Law and Regulation", author Graham Smith, Sweet & Maxwell, 2005 (still to be published);

Book contribution "*Haftungsfragen und Haftungsbeschränkungen*" in: "Rechtsfragen der IT Sicherheit" (written management training on IT security) (1st and 2nd edition 2006), ["Liability and Limitation of Liability"];

Article "*ADR in IT Projects*" in: International Journal of Dispute Resolution, 2006 (still to be published);

Speeches:

"*Domini e conflitti – procedure in Germania*"

["Domain names and conflicts – procedures in Germany"]

April 6, 2001, Baker & McKenzie seminar in Milan "Domini e Internet Governance – un nuovo ordine per il cyberspazio";

"*Website Audits – Internet appearance and distant selling*"

November 29, 2002, Baker & McKenzie seminar in Munich "Recent developments in IT law";

"*Software Licensing in Germany*"

February 11, 2004, Bird & Bird workshop for a US-based chip-design company;

"*Regulation of IT outsourcing in the financial services sector in the UK, Germany, France and Sweden*"

November 3, 2004, Bird & Bird seminar in London "IT provision in financial Services – new legal and contractual developments";

"*Development and licensing of software – how do software patents impact contract drafting?*"

November 11, 2004, Bird & Bird seminar in Munich "Computer-implemented inventions – the protection of software – where are we going?";

"*Technology transfer agreements under German law*"

November 15, 2004, Bird & Bird seminar in Munich "Technology companies in China: key issues";

"*Customer expectations vs. provider capabilities under a civil law perspective*"

February 1, 2005, CLA Conference in Bangalore;

"*ADR in IT projects – a business lawyer's perspective*"

February 4, 2005, Indian Merchants Chamber / Indian Council of Arbitration in Mumbai;

"*Comparison between USA and German IP law*" and "*Open source software – the Munich case*"

April 12, 2005, Bird & Bird workshop in London for an international semi-conductor company;

"*Shop-window Internet – targeting foreign markets*"

April 28, 2005, IHK Akademie (Munich Chamber of Industry and Commerce);

"*Licensing and IT Business Development*"

May 25, 2005, CIP Forum in Gotheborg, (Center of Intellectual Property Studies at the Chalmers University of Gotheborg);

"*Planning your exit strategy: understanding the challenges*"

June 13, 2005, European Outsourcing Association, 2nd Annual Conference, Frankfurt am Main;

"Achieving a successful exit strategy: understanding the challenges"

September 13, 2005, Bird & Bird seminar in London "Delivering successful international outsourcing projects";

"Licensing issues in Germany"

November 9, 2005, Bird & Bird workshop for an international semi-conductor company;

Panel discussions on *"What ammunition do you have"* and *"Controlling costs"*

November 11, 2005, Bird & Bird seminar in London "Disputes around the world seminar: where to litigate and why?";

"Open Source – risks, opportunities, licensing"

November 24, 2005, Bird & Bird seminar in London "Legal Issues in Electronics";

"Arbitration of International Technology Disputes: A Panel Discussion of a Hypothetical Dispute"

February 2, 2006, "Mock WIPO Dispute", CLA Conference in Bangalore;

"Patents/Licenses/Intellectual Property Rights"

February 15, 2006, panel discussion at the 2nd Open Source World Conference 2006 in Malaga;

"Arbitration and Alternative Dispute Resolution: (i) A User's Guide and (ii) An Arbitral Award and its Enforcement" and

"The Arbitration Agreement: Interpretation and Formalities"

June 1, 2006, panel discussions, Bird & Bird seminar in Milan "Arbitration and the Italian market";

"Legal Governance & Exit Strategy in Outsourcing Deals"

June 20, 2006, workshop, Cap Gemini Legal Forum in Paris;

"Copyrights and the internet: Selected legal issues"

August 18, 2006, IP Summer School 2006 in Cambridge;

"Outsourcing Onshore, Nearshore, Farshore – Pros & Cons"

September 14, 2006, chair and panel discussion, Bird & Bird seminar in Frankfurt;

"IT Outsourcing to China"

October 17, 2006, Bird & Bird seminar "Technology Transfer to China – Risks and Opportunities" (presentation and co-organisation);

"Mit Sicherheit auf der Überholspur - Trends im Online-Shopping"

November 10, 2006, panel discussion organized by ElectronicScout 24 [With security on the fast lane – current trends in online-shopping];

"Software Licensing in Germany"

November 16, 2006, Bird & Bird workshop for a multi-national software company;

"International Arbitration of IP Issues – Remedies and Enforcement: A Panel Discussion"

February 14, 2007, ITechLaw Conference in Bangalore "The Challenges of Globalization";

"IT procurement" and *"Open Source Software"*

February 27, 2007, Bird & Bird expert discussion with the legal and IT procurement department of an international German automotive corporation;

"Captive or third party offshore outsourcing"

April 19, 2007, Globe Forum India in Stockholm;

"Data Protection and Internet Law"

June 13, 2007, Inhouse university workshop for German DAX-listed company;

"Contract drafting and contract management in multi-vendor transactions"

June 26, 2007, workshop for the BITKOM working group “managed services”;

“*Internet Law & Regulation: Second Life – A new dimension*”
August 24, 2007, IP Law Summer School in Cambridge.

EXPERIENCE IN COURT LITIGATION

Representation of software vendors in commercial disputes over licensing agreements

PROFESSIONAL TRAINING IN ARBITRATION

Member of Bird & Bird's International Dispute Resolution Group and its sub-group with particular focus on arbitration. In that context, have regular briefings and training, including an all day mute ICC arbitration session, 2007 in Paris, with the involvement of one of the appointed ICC arbitrators.

EXPERIENCE IN ARBITRATION

Various client representations, including arbitration under German Civil Procedural Code rules and Swiss arbitration rules.

ARBITRATION EXPERIENCE**SUMMARY TABLE**

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	AAA					
	ICC					
	LCIA					
	Ad Hoc Swiss Rules of International Arbitration					2
Number of cases: sub-total						
Domestic Arbitrations	AAA					
	Ad Hoc					
	German Civil Procedural Code (ZPO)					1
Number of cases: sub-total						
TOTAL						3