

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

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Date of Birth: October 6, 1947

Nationality: Canadian

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

LL.M., University of Ottawa, 1993;
LL.B., Osgoode Hall Law School, 1978;
Doctoral Studies (ABD), University of Toronto, 1972-75;
M.S., Juilliard School, New York, 1971;
B.A., University of Toronto, 1969.

Member, Bar of Ontario, 1980.

LANGUAGES

English, French.

PRESENT POSITION

Counsel, Macera & Jarzyna, LLP Ottawa.

July 30, 2010

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Counsel, Shapiro, Cohen, Ottawa (a specialized firm of intellectual property Barristers, Solicitors, Patent and Trademark Agents);
Perley-Robertson, Panet, Hill and McDougall, a full service law firm in Ottawa, 1995-98;
Founding Executive Director, Canadian Intellectual Property Institute/Institut canadien de la propriété intellectuelle (CIPI/ICPI), whose mandate comprised research, education and publication in the area of intellectual property law and policy; 1993-95;
Senior policy advisor, analyst and lawyer in the Bureau of Corporate Affairs and Legislative Policy, and the Bureau of Competition Policy in the Department of Consumer and Corporate Affairs Canada (CCAC). Responsibilities included legislative revision and frequent attendances as Head of Delegation to WIPO Meetings of Experts on model laws, treaties, etc. in Geneva, 1983-93;
Private practice in Toronto, with principal involvement in intellectual property, entertainment and commercial law, 1980-83.

AREAS OF SPECIALIZATION

Copyright, trademarks, cyberlaw, competition and related issues.

MEMBERSHIP IN PROFESSIONAL BODIES

Member: Faculty of the Fordham Annual Conference on International Intellectual Property Law and Policy, New York;
Chairman, Policy Committee of the Canadian Bar Association;
Fellow, Intellectual Property Institute of Canada (IPIC);
Member, Law Society of Upper Canada.

EXPERIENCE IN INTELLECTUAL PROPERTY

Faculty member and coordinator of the first series of programs of intensive seminars in intellectual property for the Canadian judiciary under the auspices of the National Judicial Institute during 1992-93;
Initiator, coordinator and faculty member of the first series of training programs for lawyers in the Federal Department of Justice consisting of three programmes of one day each on copyright, patent and trademarks law held in 1994;
Chair of programs on Copyright Law for Insight Information;
Has frequently lectured at the invitation of the judiciary, government officials, law schools, continuing legal education for a, the Law Society of Upper Canada, World Intellectual Property Organization (WIPO) and various NGO's including the Couchiching Institute on Public Affairs;
Has appeared before the Copyright Board.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Private resolution of domain name disputes.

MAJOR PUBLICATIONS

Edited the resulting book "Security Interests in Intellectual Property".
Co-Author of a widely read amicus brief in the United States Supreme Court in the Grokster case.
Editor, "The New Copyright Act: Managing the Impact", Insight Press, Toronto, 1997, including contribution of chapter entitled "Remedies Under Bill C-32: Power To The Plaintiffs?";
Editor, "Copyright Reform: The Package, the Policy and the Politics", Insight Press, Toronto, 1996, including chapter entitled "Bill C-32 And Copyright Reform In Canada: Never Say Never";
Managing Editor, "Canadian Law of Trademarks", (with G.F. Henderson, Honorary Editor-in-Chief),

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- Carswell, Toronto, 1993; including contribution of chapter entitled "Trade-Marks Law and the Free Flow of Goods in Canada".
- Managing Editor, "Canadian Law of Patents", Carswell, 1994.
- Managing Editor, "Canadian Law of Copyright", 1994, including contribution of chapter entitled "Limits on the Nature and Scope of Copyright".
- "Copyright and The Internet in Canada and Beyond: Convergence, Vision and Division," 2000 *E.I.P.R.* 262;
- "The Database Dilemma in Canada: Is "Ultra" Copyright Required?," (1999) 48 *U.N.B.L.J.* 163;
- "Intellectual property meets trustbusters: Two monumental antitrust cases against Microsoft and Intel could affect all aspects of the information economy" *Financial Post*, July 4, 1998;
- "Passing Off: the Tort of First and Last Resort," 12 *I.P.J.* 211, June 1988;
- "Database Protection -- A Potentially Radical Possible WIPO Treaty As Seen From Canada," AIPPI Canada Journal *Reflexions*, v. II, no. 4, p. 16, October 1997;
- "Copyright Reform in Canada & Bill C-32: the Package, the Policy and the Politics", 1997 4 212, *European Intellectual Property Review*;
- "Don't Rely on Copyright Law to Protect Our Culture," op-ed piece, *Financial Post*, Toronto, November 25, 1997.
- "Copyright Zealots Are The Real Threat to the 'Net,'" op-ed piece, *Globe and Mail*, Toronto, January 5, 1996.
- "Boutin v. Bilodeau: The Supreme Court of Canada Delivers a Copyright Judgment: Don't Blink or You'll Miss It!," 9 *I.P.J.* 221, June 1995;
- "Stakeholders Divided Over Copyright Bill," op-ed piece, *Financial Post*, Toronto, March 29, 1995;
- "The Role of Law in Dealing with Technological Solutions to Copyright Problems Created by Technology (Technical Means of Protection and Administration of Rights: Where Should the Law Facilitate Them? Where Should the Law Limit Them)," WIPO Symposium, Mexico City, published by WIPO 1995, # 746 (E/S);
- "Copyright and the Infoway: Catalyst for Progress Or Cause of Gridlock?," Department of Justice Symposium on Digital Technology and Copyright, Meech Lake, March 1995, Published by Department of Justice, Ottawa, 1995;
- "Seiko v. Consumers Distributing: More Shades of Grey Marketing Law," 1 *Intellectual Property Journal*, 337, June 1985;
- "The Proposed Rental Right for Video and Sound Recordings: Consumer and Corporate Affairs Canada," Ottawa, June 1985;
- "From Gutenberg to Telidon: A Guide to Canada's Copyright Revision Proposals, Consumer and Corporate Affairs Canada and Department of Communications," May 1984 (principal author);
- "Rulings Leave Competition Laws in Limbo," *Marketing Magazine*, March 1983 (an analysis of the Seiko and Sony "grey market" litigation);
- Co-author, "Legal Aspects of Film Music in Canada," v. 60-61, *Cinema Canada Magazine*, December 1979.
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EXPERIENCE IN COURT LITIGATION

Has appeared before the Copyright Board, the Canadian Artists and Producers Professional Relations Tribunal, the Federal Court, the Federal Court of Appeal and the Supreme Court of Canada.

PROFESSIONAL TRAINING IN ARBITRATION

WIPO Workshop for Arbitrators, Geneva, 1997.
