



WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

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Date of Birth: October 19, 1961

Nationality: Swiss

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

LL.M., Trade Regulations, New York University School of Law, New York, United States of America, 1991;

D.E.S., Diplôme d'Etudes Supérieures, Geneva University, Switzerland, 1986;

J.D., Geneva University, Switzerland, 1983.

Admitted to the Geneva Bar, 1988.

LANGUAGES

French, English.

(other spoken languages, German and Italian).

May 19, 2006

PRESENT POSITION

Partner, HIRSCH KOBEL, Geneva, since March 2001.

Hirsch Kobel is a small niche law firm specializing in business law and covering mainly corporate law, contracts, competition and intellectual property, arbitration and dispute resolution, a.o. in industries such as chemicals, food and beverage, pharmaceutical and information technology.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Legal Advisor and then General Counsel, Europe, Middle-East & Africa, SITA sc, 1995- 2001;
Associate, Schellenberg & Haissly, Geneva, 1992-1995;
Associate, Swiss Antitrust Commission, Bern, 1992-1993;
Associate, Gros & Waltenspühl, Geneva, 1991-1992;
Associate, Comina, Favre & Payot/Lenz Staehelin, Lausanne, 1989-1990;
Foreign associate, Arnold & Porter, Washington D.C., United States of America, 1989;
Associate and trainee, Comina, Favre & Payot, Lausanne, 1986-1988.

MEMBERSHIP IN PROFESSIONAL BODIES

Chairmanship:

Swiss Competition Law Association (asas), Chairman;
Association mediations, Chairman;
Mediation Commission of the Swiss Bar Association, Vice-President.

Board Member:

International League on Competition Law, Council Member;
Commission de préavis of the Département des Institutions of the Canton Geneva, supervising and surveying mediators in civil and criminal matters.

Member:

Swiss Arbitration Association;
Geneva Business Law Association;
Association Suisse pour le Droit Européen;
Union Internationale des Avocats;
Geneva Bar Association, etc.

AREAS OF SPECIALIZATION

Competition law: all areas.

International agreements: IP and know-how, licensing, joint ventures, corporate related agreements in all fields, food and beverages, chemical industry, telecommunications and information technology.

Intellectual property: litigation and advice in patent/copyright/trademark law in the fields of the chemical industry, pharmaceutical, telecommunications and information technology.

EXPERIENCE IN INTELLECTUAL PROPERTY

Negotiating and drafting all sorts of contracts pertaining to IP rights, but mainly know-how, patents, copyright and trademark licensing agreements;

Negotiating and drafting all sorts of contracts pertaining to telecommunications and IT, outsourcing, desktop to desktop services, SLAs, etc.

Frequent advice on distribution and agency agreements, parallel imports/exhaustion of IP rights;

Litigation in the field of patent, know-how, trademark and industrial designs;

Advice in entertainment and the arts.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Giving advice in relation to registration of domain names in combination with trademarks.

Expert appointment in various WIPO domain name cases.

MAJOR PUBLICATIONS

"Developments in Swiss Competition Law 2005", E-RIC 1/2006;

"Dix questions concernant les directives FSA pour la médiation", in collaboration with Hubert Rüedi, *Revue de l'avocat* 11-12/2005, pp. 447 et seq.;

"Sanctions de droit des cartels et problèmes de droit administratif pénal" *AJP/PJA* 9/2004, pp. 1150 et seq.

EXPERIENCE IN COURT LITIGATION

Litigation practice from 1986 to 1995 / Geneva courts, Vaud and Swiss Supreme Court and again since 2001;

Co-counsel in arbitration cases and Secretary to arbitral tribunals;

Counsel in proceedings in front of the Swiss Antitrust Commission and the Swiss Banking Commission. Experience as associate with the Swiss Antitrust Commission.

In relation to IP rights, litigation in the field of patents, trademarks, industrial design, know-how and unfair competition in front of Swiss courts or international arbitration tribunals.

PROFESSIONAL TRAINING IN MEDIATION

Co-trainer in a Multi-party mediation training organized by the Swiss Attorneys Federation, Lucerne 2005;
Continuing education training with Larry Fong organized by the Swiss Attorneys' Federation, Berne 2004;
CEFOC Training in Mediation, Spring, 2002;
Accredited "FSA Mediator", 2002;
WIPO "Advanced workshop on Mediation in Intellectual Property Disputes", 1997;
WIPO "Training program on Mediation in Intellectual Property Disputes", May 1996;
"Getting to "yes" training", Egger & Partners, Neuchâtel, Switzerland, 1994.

PROFESSIONAL TRAINING IN ARBITRATION

Attendance to conferences and seminars organized by the Swiss Arbitration Association;
WIPO Workshop for Arbitrators, Geneva, November 12-13, 2001;
Part of LL.M. program in Trade Regulation at NYU, New York, 1991.

EXPERIENCE IN ARBITRATION

ICC Arbitration.
Co-counsel in pharmaceutical dispute.
Large multi-party arbitration matter - activity as co-counsel- construction.
Outsourcing and asset deal dispute – activity as auxiliary to the arbitrator.
Aircraft parts purchase contract dispute - activity as auxiliary to the arbitrator.
Aircraft purchase contract dispute - activity as auxiliary to the arbitrator.
Regular advice in the field of arbitration.

EXPERIENCE IN MEDIATION

Mediator in construction and lease matter, distribution and joint ventures.
Mediator and evaluator in mobbing cases.

ARBITRATION EXPERIENCE

SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	ICC	6			3	3
	WIPO domain names	17		15		2
Number of cases: sub-total		23		15	3	5
Domestic Arbitrations						
TOTAL		23		15	3	5

MEDIATION EXPERIENCE

SUMMARY TABLE

Type			Role	
	Name	Number of mediations	Mediator	Attorney/ counsel
International Mediations	ICC	2	2	
	Ad Hoc			
	Others :			
Number of cases: sub-total				
National Mediations		4	4	-
Number of cases: Sub-total				
TOTAL		6	6	-