

## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

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Australia



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Date of Birth: November 17, 1951

Nationality: Australian

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### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Chartered Arbitrator, Fellow of The Chartered Institute of Arbitrators, 2002.  
Candidate for Ph.D., Faculty of Law, University of Sydney, since 1999;  
LL.M (with Distinction) Major in Dispute Resolution, University of Technology, Sydney, 1998;  
Bachelor of Laws, University of Sydney, 1989;  
Securities Industry Diploma, Securities Institute of Australia, 1987;  
Bachelor of Science, University of Sydney, Sydney, Australia, 1974.

Admitted:

Supreme Court of New South Wales, 1991;

High Court of Australia, 1992;

Federal Court of Australia, 1992.

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### LANGUAGES

English

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July 23, 2010

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### **PRESENT FUNCTIONS**

Barrister-at-law, mediator and arbitrator, negotiation and dispute management consultant:

- practice as a barrister in Australian courts and tribunals in commercial property and personal injury matters generally;
- court appointed arbitrator and member of government tribunals resolving public disputes;
- mediator and conciliator for both government appointed panels and privately;
- dispute resolution trainer and practitioner for Aikido Dispute Resolution, which employs principles of the art of Aikido for organizations seeking collaborative resolution to internal and inter-company disputes, or establishment of partnering systems for prevention of conflict;
- conducted numerous courses on negotiation, mediation and conflict resolution both in Australia and internationally

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### **PROFESSIONAL EXPERIENCE BEFORE PRESENT FUNCTIONS**

Business Management:

- sixteen years experience in information technology and computer industry;
- responsible for general management, marketing, strategic planning and financial management of Australian and U.S. multinationals companies

Millicom (Australia), Managing Director 1990 – 1991;  
Computalk Pty Ltd, Managing Director 1989 – 1990;  
Tnt Communications, National Manager 1985 - 1988;  
Rank Xerox (Australia), 1976 – 1985.

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### **MEMBERSHIP OF PROFESSIONAL BODIES**

Member, New South Wales (NSW) Bar Association;  
Associate, Securities Institute of Australia;  
Fellow, Chartered Institute of Arbitrators (London);  
Committee member, Chartered Institute of Arbitrators (Australian Branch);  
Chairman of Mediation subcommittee, Chartered Institute of Arbitrators (Australian Branch).

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### **AREAS OF SPECIALIZATION**

Commercial law (generally), property, trade practices, information technology and intellectual property, personal injury.

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### **EXPERIENCE IN INTELLECTUAL PROPERTY**

Ten years experience as legal counsel in intellectual property law generally;  
Advise in relation to enforcement or defence of intellectual property rights;  
Special expertise in trademark law and the Internet.

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### **EXPERIENCE WITH RESPECT TO DOMAIN NAMES**

Involved with computer industry since 1976.

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Wrote masters thesis on Internet domain names and trade mark law, 1998.  
 Member of WIPO Arbitration and Mediation Center for the conduct of Internet name disputes since 1998.  
 Appointed by The Chartered Institute of Arbitrators as an adjudicator for auDA (Australian Domain Administration group) dispute resolution scheme.

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### MAJOR PUBLICATIONS

Masters thesis, "International Commercial Arbitration and the selection of the Proper Law," July 1997;  
 Masters thesis, "Trademark Law and the Internet with reference to Domain names," January 1998.  
 "The Promise of Mediation and the Commercial Reality", The Commercial Law Quarterly, December 1998.

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### EXPERIENCE IN COURT LITIGATION

Over 10 years experience as counsel and court room advocate in both state and federal jurisdictions, responsible for the conduct of litigation of numerous matters in a general commercial law practice.

Arbitrator in District and Local courts in State of New South Wales conducting the hearing of disputes according to law.

Arbitration Member of the Workers Compensation Commission of New South Wales

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### PROFESSIONAL TRAINING IN MEDIATION

PhD candidate, conducting research in law and mediation, University of Sydney, present;  
 LLM, University of Technology, Sydney, Major in Dispute Resolution, 1998;  
 Relationships Australia, Mediator training course in family breakdown, 1995;  
 NSW Law Society, Advanced Mediator Training, 1993;  
 Lawyers Engaged in Alternative Dispute Resolution (LEADR), Mediator Training and Accreditation Program, 1992;  
 Macquarie University, Centre for Conflict Resolution Conflict Resolution Workshop, 1992;  
 Conflict Resolution Network, Professional Skills Course, 1991.

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### EXPERIENCE IN MEDIATION

Conducted over 200 formal mediations for different agencies (and hundreds of informal conciliations) involving contractual and financial disputes, workers compensation, franchising, de facto relationship disputes (particularly those involving complex property arrangements);

Member of the following mediation panels:

- appointed to inaugural New South Wales Law Society Settlement Week panels in 1992;
- Chartered Institute of Arbitrators international panel;
- Chartered Institute of Arbitrators Australian mediation panel;
- NSW Bar Association mediation panel
- LEADR Advanced Panel, since 1994;
- Supreme Court of NSW, since 1995;
- Land & Environment Court, since 1995;

- Relationships Australia, since 1994;
  - NSW Rural Assistance Authority, since 1995;
  - Building Services Corporation, since 1995;
  - Franchising Advisor Panel;
  - Health Conciliation Registry, since 1997;
  - Family and Child private mediator under the Family Law Act.
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### **PROFESSIONAL TRAINING IN ARBITRATION**

University of Technology, Sydney - International Commercial Arbitration;  
The Chartered Institute of Arbitrators (London): Fellowship programme, appointed as Chartered Arbitrator and member of the arbitration panel.

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### **EXPERIENCE IN ARBITRATION**

Arbitrator for New South Wales District and Local Courts;  
Acted as an arbitrator for the Australian Telephone Information Services Standards Council to determine responsibility under a private code of practice between consumers and suppliers of telecommunication services;  
Member, New South Wales Workers Compensation Tribunal (personal injury jurisdiction);  
Previously a part-time Member of the New South Wales Consumer Trader and Tenancy Tribunal (responsible for consumer, property and fair trading legislation).  
Adjudicator for New South Wales Security of Payments legislation for construction industry disputes.

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**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					
	Others:					
Number of cases: sub-total						
Domestic Arbitrations	CI Arb					
	District, Local Court and Compensation Commission	46		46		
	NSW Govt Tribunals	60		60		
Number of cases: sub-total		106		106		
<b>TOTAL</b>		<b>106</b>		<b>106</b>		

**MEDIATION EXPERIENCE****SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations				
	Ad Hoc			
	Others:			
Number of cases: sub-total		0		
Domestic Mediations	NSW Law Society	8	8	
	Health Services Registry	51	51	
	Relationships Australia and private practice	139	136	3
	Franchising Industry	11	11	
Number of cases: sub-total		209	206	3
<b>TOTAL</b>		<b>209</b>	<b>206</b>	<b>3</b>