



## WIPO LIST OF ARBITRATORS

### BIOGRAPHICAL DATA

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Date of Birth: December 28, 1954

Nationality: British and American

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### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

J.D., University of California, Davis, Martin Luther King Jr. School of Law, 1983-86;

(Senior Articles Editor of Law Review; Order of the Coif);

B.A., The Evergreen State College, Olympia Washington, 1973-77.

#### **Professional Activities:**

Founding Trustee, Evidence for Development,

a UK-based charity providing innovative economic analysis through special software and methods to reduce poverty, assist the broader aid community (including governments, NGOs, charities and intergovernmental organizations).

Business Software Alliance Vice President, 1992 – 2003, chairing Latin America and Middle East and Africa divisions of BSA, Vice-Chair for Europe, Middle East and Africa. BSA is a worldwide trade association. Promoted software industry development, improved protection for software authors, managed Copyright infringement litigation and worked February 18, 2009

with local organizations to provide legal IPR training and advance accessibility to technology and commerce in the digital age; substantial focus on Copyright administration, e-commerce and Internet and Domain Name development issues.

Former Board member and officer of several legal-rights, legal assistance, cultural, and immigration-rights related organizations serving Latino, African-American, and Asian communities.

**Admitted to Law Practice:**

Federal and US Appellate Courts, 1986;  
California State Courts, 1986.

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**LANGUAGES**

English, Spanish. Portuguese (reading skills).

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**PRESENT POSITION**

**International Legal Consultant and Of Counsel**, since June 2003.

**Main activities and responsibilities:**

Of Counsel to Khasawneh & Associates, Dubai UAE (see “[www.nklc.ae](http://www.nklc.ae)”).  
(regional firm specializing in international intellectual property law (transactional, contentious and policy development), banking and finance, e-commerce, commercial law, joint ventures).

Legal/Judicial Training and International Legal Consultancy.

Creation and delivery of Copyright and Authors Rights development-law workshops and materials for judicial and public official training programs on Intellectual Property and Competition Law on behalf of UNDP, EU, USAID, IDLO, inter-governmental and non-governmental organizations (Eastern Europe, Asia, Middle East).

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**PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION**

**Regional Legal Counsel for Africa, Mediterranean & Middle East**, Microsoft Corporation; previously Senior Attorney and Corp Attorney for Latin America, working for Microsoft Global Resources GmbH, Switzerland; Microsoft Ltd (UK), United Kingdom; Microsoft Corporation, Redmond Washington, 1992-2003.

Responsibility as legal director for IP Copyright protection, competition and commercial law and other legal issues, litigation, software licensing, policy development, government relations and community affairs in (over period of 11+ years) 80 countries, supporting approximately 40 subsidiaries in addition to parent company as primary IP right-holder in those territories.

**Litigation Attorney, Morrison & Foerster** law firm, Palo Alto, California, 1990-92 (IP and commercial litigation).

**Visiting Lecturer, University of Santa Clara School of Law**, Santa Clara, California (Copyright law), 1991-92.

**Litigation Attorney, Brown & Bain attorneys**, Palo Alto, California, 1987-90 (IP/Copyright and commercial litigation).

**Adjunct Faculty**, (part-time visiting lecturer with active private law practice) University of California, Hastings School of Law, San Francisco, California, 1989-90.

**Consultant to Director of Agricultural Sciences**, Texas Department of Agriculture, 1987 (community education regarding medical and legal aspects of agricultural worker health and safety).

**Law Clerk to Honorable Judge William C. Canby Jr.**, US Court of Appeals for the 9th Judicial Circuit, Phoenix, Arizona USA, 1986-87.

**Research Assistant to Prof. Friedrich K. Juenger, University of California**, Davis, Martin Luther King Jr. School of Law, 1984-86 (comparative law, private international law).

**Consultant**, National Institute of Health project, 1984 (part-time, concurrent with law studies, medical and legal aspects of occupational health).

**Employed and consultant positions**, Cultural, Education and Welfare and legal-rights agencies, 1977-83.

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### **AREAS OF SPECIALIZATION**

International intellectual property policy, copyright, legislation, transactional and litigation, e-commerce.

International competition and commercial law (EU, US, developing countries)

Law development training for judiciary and public officials in above areas and procedural aspects, rule of law.

Semi-professional musician (guitar, stringed instruments, voice, performing, composition).

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### **MEMBERSHIP IN PROFESSIONAL BODIES**

California Bar Association;

Development Executive Group;

INTA;

Founding Trustee, Evidence for Development (UK).

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### **EXPERIENCE IN INTELLECTUAL PROPERTY**

Extensive experience both during in-house counsel position at Microsoft (1992-2003) and in private practice in Silicon Valley (1986-92), *see above*; for litigation IP experience, *see below*. Also conducted advising, reviewed client IP programs for US and Japanese corporations to determine compliance with applicable norms, to develop IP asset protections programs, and pre-publication legal review of significant contributions in computer science field.

Participated as invited expert to present at conferences and trainings regarding US and EU Competition Law and Intellectual Property, trade, continuing legal education, on behalf of WIPO, BSA, USPTO & US Copyright Office's International Copyright Institute, EU and UNDP and other development programs, universities in USA, UK, Europe, Africa, Latin America and Caribbean from 1990 to present.

In association with above positions, contributed to the development of national, regional and worldwide copyright and authors' rights, e-commerce, and competition-law legislation and treaties in over 70 countries.

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

WIPO Panelist since 2007, presiding over a substantial number of Domain Name disputes under the UDRP. Substantial prior experience in Domain Name development, disputes, policies, and litigation as in-house counsel for Microsoft for 11 years with responsibility for a range of countries.

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### **MAJOR PUBLICATIONS**

*FDI and Competition Policy: The Impact of Competition Policy on International Technology Development, Local Deployment and Investment*, in Expert Group Meeting On Competition Laws And Policies: Identification Of Common Grounds In The ESCWA Region (Economic & Social Commission For Western Asia 2002);

*La Protección de las Obras en las Autopistas de la Información*, in X Congreso Internacional sobre la Protección de los Derechos Intelectuales (WIPO, Quito 1995);

*Multimedia in the Global Information Infrastructure*, WIPO Worldwide Symposium on Copyright in the Global Information Infrastructure, Mexico, D.F. 55 (with R. Holleyman) (1995);

*Authors' Rights in Latin America*, Quarterly Review of Economics & Finance, 1994, vol. 34, supp. 1, 117 (with R. Neff);

*Agent Orange and National Consensus Law: Trespass on Erie or Free Ride for Federal Common Law?*, 19 U.C. Davis L. Rev. 201 (1985-86);

*Mass Toxic Torts May Be Hazardous to Your Courts*, 20 U.C. Davis L. Rev. 657 (1987).

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### **EXPERIENCE IN COURT LITIGATION**

Complex court litigation in U.S. state and federal courts, including:

- (1) Intellectual property - Copyright, patent, trademark, trade secret (software development, authorship and royalty disputes, unpublished works, film-related disputes, videogames, semiconductor chips design and manufacturing process, and expert systems and knowledge-based engineering, biopatents and medical patents); counsel for Apple Computer in *Apple v. Microsoft & Hewlett Packard* (user interface design), *Xerox Corp. v. Apple Computer* (computer visual displays and input methods); *Apple v. Video Technology* (video display patents and chip design); *Bavariasonor GmbH v. 360 Pacific, Inc. & Electronic Arts* (unlicensed videogame based on *Das Boot* film);
- (2) Class action litigation (employment, securities, ERISA);
- (3) Commercial litigation (breach of contract, fraud, financial disputes, JVs);
- (4) US immigration and nationality law (including successful litigation against US Secretary of State); and
- (5) Case management and judicial opinion writing as US Circuit Court clerk.

Extensive management of Copyright infringement litigation and royalties collection, advising and development of cases, evidence and settlements throughout U.S., Latin America, Europe, Middle East and Africa for over 11 years as Vice-president of Business Software Alliance on behalf of several leading software publishers, and in-house counsel at Microsoft Corporation (software copyright, domain names, competition law, commercial and regulatory issues).

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### **PROFESSIONAL TRAINING IN ARBITRATION**

World Intellectual Property Organization (WIPO) Arbitration Workshop, Geneva, October 2007.

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### **EXPERIENCE IN ARBITRATION**

Recent experience representing parties in commercial arbitration before arbitration tribunals on behalf of Khasawneh and Associates, Dubai. Earlier representation experience in arbitrations in Silicon Valley, 1986-1992, copyright, technology and commercial disputes. (See also experience as WIPO Domain Name dispute panelist, above).

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