



## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

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Date of Birth: September 29, 1956

Nationality: American

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### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

LL.M., Trade Regulation, New York University School of Law, (Intellectual Property and Antitrust), New York, 1989;

J.D., University of Alabama School of Law, 1986, Managing Board, Alabama Law Review.

B.A., Washington & Lee, *magna cum laude*. 1979.

Admitted to Practice, State Bar of Alabama, Montgomery, Alabama, 1986.

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November 11, 2003

## **LANGUAGES**

English

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## **PRESENT POSITION**

Partner, Balch & Bingham LLP.

Practice focuses on litigation and other disputes involving Intellectual Property and Information Technology. These disputes often involve emergency court-ordered relief. Has had a great deal of experience seeking and defending against such expedited relief as well as seeking and defending against monetary relief. Has had a broad-ranging practice that has included, among other things, the following:

Involving departing employees who allegedly have taken proprietary information or who may have started working for a competitor allegedly in violation of an employment contract;

Involving "cyber-squatters" who adopt confusingly similar domain names or make unauthorized use of trademarks on Internet web sites;

Involving: trademark, copyright and patent infringement, trade secret misappropriation, theft of industrial technology or information, wrongful use of information on Internet websites, unauthorized suggestion of affiliation or sponsorship, product counterfeiting, art counterfeiting, false advertising, invasion of privacy;

Involving software license disputes;

Involving functionality representations as to computer hardware and software

Involving government release and creation of information under the Freedom of Information Act and the Federal Advisory Committee Act;

Assisting with investigations of hacking and data destruction thereby implicating the Computer Fraud and Abuse Act

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## **PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION**

Law Clerk, Honorable M. Truman Hobbs, United States District Judge, Middle District of Alabama, 1986-87;

Regular Army Commissioned Officer in the Infantry and Special Forces, 1979-83.

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## **PRACTICE AREAS**

Intellectual Property and Information Technology Litigation and Counseling; Employee Defections; Internet Litigation and Counseling; Antitrust Litigation; and Business Litigation.

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### **MEMBERSHIP IN PROFESSIONAL BODIES**

Founder and First President/Chair of the Alabama State Bar Section on Intellectual Property;  
Alabama State Bar (admitted to practice), 1986;  
International Trademark Association (INTA), Model State Trademark Bill Subcommittee;  
International Trademark Association;  
American Bar Association;  
Panelist for WIPO Arbitration and Mediation Center in domain name administrative proceedings.

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

Was lead counsel for high profile case involving the way that “relevant markets” were defined as to Second Level Domain names mainly in the .com Top Level Domain. Has represented a variety of clients involving Internet Domain name disputes, all of which have been resolved by way of settlement in advance of trial, and, in some cases, before it is necessary to file suit.

Has been involved with many domain name hijacking cases.  
Assisting clients by way of counseling them as to legal issues relating to domain names.

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### **MAJOR PUBLICATIONS**

Has spoken and written on a variety of intellectual property and information technology issues.

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### **EXPERIENCE IN COURT LITIGATION**

Lead Counsel for Technology and Intellectual Property related litigation.

Has considerable experience in court actions involving the Internet as well as Intellectual Property issues generally. Has represented a variety of high profiled clients/companies.

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### **PROFESSIONAL TRAINING IN MEDIATION**

As Attorney, has attended mediations that relate to complex commercial litigation.

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### **EXPERIENCE IN MEDIATION**

Has participated representing parties in mediation.

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**PROFESSIONAL TRAINING IN ARBITRATION**

In the capacity of a lawyer, has trial experience in arbitration in complex commercial litigation.

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**EXPERIENCE IN ARBITRATION**

Has participated representing parties in arbitration.

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