
WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Maxim H. WALDBAUM
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Date of Birth: August 14, 1942
Nationality: American

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

J.D., New York University School of Law, New York, 1970;
(cum laude, Salutatorian, Order of the Coif);
M.Sc., (Electrical Engineering), University of Pennsylvania, Philadelphia, 1966;
B.Sc., (Electrical Engineering), Rutgers University, New Brunswick, 1964.

Admitted to practice:

New York;
United States District Courts for the Eastern and Southern Districts of New York, Eastern District of Michigan;
United States Court of Appeals for the Federal Circuit, Second Circuit, Third Circuit, Ninth Circuit;
United States Patent and Trademark Office.

LANGUAGES

English.

August 4, 2011

PRESENT POSITION

Partner, Schiff Hardin LLP, since July 2004.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Trial lawyer/counselor in patents, trademarks, copyright issues of e-commerce/domain name disputes with significant transactional experience (over 150 separate acquisitions) regarding due diligence of intellectual property in concluding transaction. This 30 years plus experience as a partner/first chair in litigation includes his work as counsel in arbitrations, as an arbitrator and in mediations, as well as mediator for the International Trademark Association.

MEMBERSHIP IN PROFESSIONAL BODIES

Member, Distinguished Panel of Neutrals, International Trademark Association (INTA) 2000-present;
Chair (and Founder), Counterfeiting Enforcement Committees, International Trademark Association (INTA), 1989-1995;
Member, Board of Directors, International Trademark Association (INTA), 1995-97;
President, Fédération Internationale des Conseil en Propriété Industrielle (FICPI), United States Group, 1994-97;
Counsel, Fédération Internationale des Conseil en Propriété Industrielle (FICPI), United States Group, 1985-94;
Chair, Fédération Internationale des Conseil en Propriété Industrielle (FICPI) CET 6 Group, Enforcement of IP Rights (1997-2006) ;
Delegate, Hague convention of Judgments 2002-2006;
ETA Kappa NU, Electrical Engineering Society;
Pi Mu Sigma, Mathematics Society;
Fellow of The American Bar Foundation;
Member ABA Advisory Panel;
Member, Board of Directors, Loyola University (Chicago) Law School.

AREAS OF SPECIALIZATION

Intellectual property: litigation of patents, trademarks and copyrights. Has developed particular expertise representing companies in the computer hardware, neural networks, software, pharmaceutical, polymer chemical, electrical and nuclear engineering industries and financial/investment banking industries in addition to litigating trademark and copyright matters in most manufacturing contexts.

EXPERIENCE IN INTELLECTUAL PROPERTY

Has concentrated in the field of intellectual property for over 30 years.
Selected in the Euromoney guide to the World's Leading Patent Law Experts and the Guide (1998-present) to the World's Leading Trademark Law Practitioners(1998-present).

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Has litigated over 100 domain name issues for over nine years. Responsible for all INTA publicity on domain name dispute issues as member of the Internet Committee and its DNS governance subcommittee (2001-2004).

MAJOR PUBLICATIONS

“Acquiring and Protecting Intellectual Property Rights”, co-author, Matthew Bender, 1985, (up-dated 1986-2004);
 “CAFC Patent Developments to Date”, ABA, Appellate Practice Committee, Litigation Section, November 1984, 1985, 1986, 1988;
 “Compensation in Patent Damage Cases”, American Intellectual Property Law Association, 1985;
 “Patent Rights in Space”, Space Communication and Broadcasting Journal, 1987;
 “The Federal Circuit at Half-Decade – Pro Patent and Pro Forma; Southwestern Legal Foundation”, Matthew Bender, 1988;
 “Defending Summary Judgement Motions in Intellectual Property Cases”, AIPLA quarterly, Spring 1992;
 “The Status of Patent Harmonization”, University of Texas Computer Law Institute, 1990;
 “Penwalt Redux – Judicial Uncertainty vs. Procrustean Bed, AIPLA Journal, Fall 1991;
 “Diverted Goods: Wolf in Sheep’s Clothing”, Managing Intellectual Property, July/August 1994;
 “Trademark Enforcement and the Internet”, Computer Law Reporter, June 1999;
 “21st Century Money Banking and Commerce”, Chapter 18, Intellectual Property Considerations in E-Commerce, 1998;
 “Cutting Edge Trademark Enforcement”, International Trademark Association, 1999.
 Post Judgment Royalties After Plaiice v Toyota, AIPLA Quarterly DigestTBP Summer 2010).

EXPERIENCE IN COURT LITIGATION

Has been a trial lawyer for 30 years plus and lead counsel in many complex patent/antitrust/trademark litigations including complex multi-district litigations in intellectual property, video game industry, semiconductor fuzing technology, laser bar code patent enforcement, cosmetics, neutraceuticals, publishing, business method patents, financial industry IP, trade dress and copyright litigation in luxury goods.

PROFESSIONAL TRAINING IN MEDIATION

Has received CPR/INTA professional training for membership as a member of the Panel of Neutrals for INTA in mediation presently an INTA Neutral Mediator, 2000-present.

EXPERIENCE IN MEDIATION

Has participated in 10 to 15 mediations as counsel for trademark/copyright owner. Has conducted mediation work for INTA class training (32 hours).

PROFESSIONAL TRAINING IN ARBITRATION

American Arbitration Association chosen arbitrator in multiple patent disputes. Has received training 16 hours for AAA.

EXPERIENCE IN ARBITRATION

Worked both as arbitrator and counsel in arbitrations involving patents, trademarks/copyrights, trade dress, design rights and right of publicity

ARBITRATION EXPERIENCE
SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	AAA	1			1	1
	ICC					
	LCIA					
	Ad Hoc					
	Others:	108		108		
Number of cases: sub-total						
Domestic Arbitrations	AAA	5			2	3
	Various (in practice)					
Number of cases: sub-total						
TOTAL		113		113	2	4

MEDIATION EXPERIENCE
SUMMARY TABLE

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations				
	Ad Hoc			
	Others:			
Number of cases: sub-total				
Domestic Mediations	Federal Courts	39	4	30
Number of cases: sub-total		9	2	
TOTAL		39	4	30