

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

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Date of Birth: December 12, 1933
Nationality: American

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Political Science - University of Colorado – 1954;
B.S. and J.D. - College of Law, University of Denver - 1954-56;
Adjunct Professor (International Commercial Arbitration), McGeorge School of Law,
Salzburg, Austria - 1977-91.
Fellow, Chartered Institute of Arbitrators, (UK) – 1988;
American Arbitration Association – 1968;
United States Supreme Court Bar – 1965;
Supreme Court of Colorado Bar – 1957.

LANGUAGES

English

June 25, 2014

PRESENT POSITION

Senior Attorney and President, Harry L. Arkin and Associates, P.C., Attorneys and Counselors at Law.

MEMBERSHIP IN PROFESSIONAL BODIES

International Bar Association;
American Bar Association;
Colorado Bar Association;
American Arbitration Association;
Chartered Instituted of Arbitrators (U.K. and North American Branch);
London Court of International Arbitration (North American User's Council);
Licencing Executives Society (International), Inc.;

President, North American Trade Dispute Resolution Center;
Center for Public Resources - Oil and Gas Committee - International ADR.

AREAS OF SPECIALIZATION

Arbitration/Mediation: International commercial, construction, licensing and securities;
Company/Corporate Law: Mergers and acquisitions, joint ventures and contracts generally;
Intellectual Property: Licensing agreements.

EXPERIENCE IN INTELLECTUAL PROPERTY

Has acted for twenty years as counsel involved in negotiation and drafting of international and domestic licensing agreements covering patents, know-how, copyright and trademarks for parties licensing in and out, from and to countries such as USA, France, Japan, Australia, Israel;
Mediation of disputes involving the same to permit continuance of relationships or termination.

MAJOR PUBLICATIONS

"Pre-Arbitration Dispute Resolution," International Business Lawyer (Journal on the Section of Business Law), Vol. 21, No. 8, (September 1993);

"The Foreign Investor in the United States," The Transnational Person: Private Rights in the

International Business Community, Kluwer, (1992);

"New Opportunities for Arbitration in East/West Trade," The Transnational Lawyer,

Vol. 3, No. 2, (Fall 1990);

"Barriers on the Battlefield," Effective Dispute Resolution for the International Commercial Lawyer, Kluwer, (1989);

"Ad Hoc Arbitration: A Viable Alternative," International Business Lawyer (Journal on the Section of Business Law), Vol. 15, No. 1, (January 1987); also published in Arbitration (Journal of the Chartered Institute of Arbitrators), Vol. 53, No. 4, (November 1987).

Selected Recent Lectures

"Dispute Review Boards - The American Model," Arbitrators' Institute of New Zealand, Auckland, and

Institute of Australian Arbitrators, Sydney, (1994);
 "Arbitration in Latin American Mining," Mineral Law Foundation Special Institute, Houston, Texas, (1994);
 "Private Dispute Resolution Under NAFTA," Canada-US-Mexico/SBA Conference, Seattle, (1994);
 "Better Contracting Practices - Dispute Review Boards," North American Tunneling, Denver, (1994);
 "Dispute Resolution in International Technology Transfer," Denver, (1993);
 "International Commercial Dispute Resolution," Denver and London, (1993);
 "US Company Law Update", London, (1993);
 "Limited Liability Company Seminar," Denver, (1992);
 "Differences in Approach: Australian-American Arbitration," Institute of Arbitrators-Australia, Sydney, Melbourne, and Brisbane, (1991);
 "Use of Computers in Arbitration/Mediation," The Chartered Institute of Arbitrators, London, (1990);
 "Arbitration in Eastern Europe," Pacific Law Institute, Sacramento, (1990);
 "New Concepts in the Resolution of Disputes in International Construction Contracts," The Chartered Institute of Arbitrators, London, (1989).

EXPERIENCE IN COURT LITIGATION

Has over thirty years experience as counsel to parties in well over fifty cases involving litigation, arbitration and mediation;
 Experience covers litigation in all USA federal and many State courts;
 Has acted as court-appointed settlement judge, mediator, and sole and panel arbitrator;
 Arbitration experience, both domestic USA and foreign, under American Arbitration Association, ICC, and various British and colonial jurisdiction's (e.g., Cayman Islands) arbitration rules.

PROFESSIONAL TRAINING IN MEDIATION

Whilst having no specific mediation training, has served as a court-appointed mediator and as counsel in business mediation cases, including a large securities matter involving federal bankruptcy action.

PROFESSIONAL TRAINING IN ARBITRATION

AAA Arbitration Refresher Course - 1987;
 ICC/AAA International Colloquium and Workshop - 1993;
 Chartered Institute of Arbitrators Fellowship Refresher Weekend, Dublin, Ireland - 1993.

EXPERIENCE IN MEDIATION

On appointment by court in USA, has served as mediator in four cases of which three were resolved and the fourth, after litigation, resulted in a judgment almost exactly as suggested in mediation. Three of these cases were contract/business related and one related to damages arising from negligence;

Has served as counsel in major securities fraud litigation in USA referred to mediation, in which the client was persuaded to resolve case through mediation.

EXPERIENCE IN ARBITRATION

Over a period of more than twenty years, has served as sole and panel arbitrator in cases in USA and the Cayman Islands and have served as counsel or co-counsel in many arbitrations under the auspices of the AAA and the ICC, as well as ad hoc arbitrations in USA and Switzerland, involving construction, commercial, securities, debt, and other issues. Examples include:

- securities contract involving purchase of Australian/New Zealand bonds hedged with currency options on Hong Kong exchange;
- both defended and acted for claimants (as arbitrator) in different cases involving construction negligence, including the collapse of large building;
- licensing agreement involving Swiss technology tied to equipment-leasing agreement;

As Adjunct Professor at McGeorge School of Law at Salzburg, Austria, taught international commercial arbitration for fifteen years;

At present arbitrator/panelist:

- American Arbitration Association;
 - North American Trade Dispute Resolution Center (NATDRC);
 - Hong Kong International Arbitration Centre;

 - British Columbia International Commercial Arbitration Centre;
 - Asia-Pacific Centre;
 - China International Economic and Trade Arbitration Commission (CIETAC);
 - Regional Center for International Commercial Arbitration, Cairo.
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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	10	2	1	3	4
	ICC	3				
	LCIA	1				
	Ad Hoc	6	4	1		1
	Others:					
Number of cases: sub-total		20	6	2	2	5
Domestic Arbitrations	AAA	1				
Number of cases: sub-total		21	6	2	2	5
TOTAL		41				