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## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

Torsten BETTINGER  
Bettinger Scheffelt Müller  
Partnerschaft mbB  
Munich  
Germany



Nationality: German

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### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Dr. jur., Ludwig-Maximilians-Universität München, 1999;  
Research Fellow, Max Planck Institute for Intellectual Property, Competition and Tax Law;  
Bar Examination, Kammergericht, Berlin, 1995;  
Master of Laws, London School of Economics, 1992;  
Law Degree, University of Konstanz and University of Heidelberg, 1991.

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### LANGUAGES

German, English, French and Spanish

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### PRESENT POSITION

Partner, Bettinger Scheffelt Müller von Gamm, Munich.

Legal Advisor to the German Network Information Center DENIC e.G.

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### PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Research Fellow, Max Planck Institute for Foreign and International Patent, Copyright and Competition Law, Munich.

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### MEMBERSHIP IN PROFESSIONAL BODIES

Deutsche Vereinigung für gewerblichen Rechtsschutz und Urheberrecht e.V. (GRUR);  
German Society for Law and Informatics (DGRI);  
International Association for the Protection of Industrial Property (AIPPI), Head, ICANN Task Force,

November 12, 2019

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Trademark Committee;

International Trademark Association (INTA).

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### **AREAS OF SPECIALIZATION**

Legal practice includes representation and advice in all aspects of IT and software law, trademarks, industrial design, copyright, and unfair competition law.

Advising brand owners in the protection of their marks against abuse on the Internet, including the development of appropriate domain management systems for large domain portfolios, brand monitoring activities, and registration strategies. Has successfully advised on more than 20 applications for new gTLDs (Including for Merck KGaA, BMW Group, Fresenius SA, Der Spiegel, and the Canton of Zurich (Switzerland)), and served as a panelist or party representative in more than 200 UDRP proceedings at the World Intellectual Property Organization.

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### **EXPERIENCE IN INTELLECTUAL PROPERTY**

Practice focused on trademark, copyright and IT-law; writes and lectures internationally on trademarks, copyright, unfair competition and IT-law.

Legal Advisor to the German Network Information Center DENIC e.G.

Served as arbitrator for the Deutsche Institution für Schiedsgerichtsbarkeit (DISS).

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

Head of the ICANN Task Force Committee of AIPPI and representative of AIPPI in ICANN's Intellectual Property Organisation;

Acted as panelist or party representative at the WIPO Arbitration and Mediation Center in more than 200 domain name dispute resolution proceedings under the Uniform Domain Name Dispute Resolution Policy;

Author and Editor of the international handbook "Domain Name Law and Practice", Oxford University Press, 2005, Second Edition 2015;

Author and Editor of the German language textbook "Handbuch des Domainrechts: Nationale Schutzsysteme und internationale Streitbeilegung", Carl Heymanns Verlag, 2017;

Preparation of "Course on Dispute Settlement in International Trade, Investment and Intellectual Property, Domain Name Dispute Resolution", at the request of the United Nations Conference on Trade and Development (UNCTAD), 2003;

Acted as attorney and legal adviser in over 100 conflicts with respect to Internet domain names, as expert in one court case on Internet domain names and as legal adviser of the German Network Information Center (DENIC);

Representative of the Max Planck Institute for Foreign and International Patent, Copyright and Competition Law, Munich:

WIPO Consultative Meeting on Trademarks and Internet Domain Names, first and second sessions; Meeting of the German Ministry of Justice on Internet Domain Names; Co-author, German Group Report, XXXVII Congress of AIPPI, Question Q 143, Internet domain names, trademarks and trade names.

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## MAJOR PUBLICATIONS

### Publications in German

#### Trademark Law

ICANN's New gTLD Program: Ausschreibungsregeln und Streitbeilegung, in: Online-Recht 3.0, Hoffmann/Leible, Stuttgart, 2012;

Uniform Domain Name Dispute Policy, Kap. 6. 2, in Hoeren/Sieber, Handbuch Multimedia-Recht, Rechtsfragen des elektronischen Geschäftsverkehrs, C.H. Beck, 2008;

Außergerichtliche Streitbeilegung für .EU, WRP 2006, 548 – 562;

Course on Dispute Settlement, Domain Name Dispute Resolution, United Nations Conference on Trade and Development (UNCTAD), 2003;

Internationale Kennzeichenkonflikte im Internet, in: Lehmann (Hrsg.), Electronic Business in Europa, C.H. Beck 2002;

Internationale Kennzeichenkonflikte im Internet, in: Lehmann (Hrsg.), Electronic Business in Europa, Internationales, europäisches und deutsches Online-Recht; C. H. Beck 2002;

Die WIPO-Vorschläge zum Schutz von Marken und anderen Kennzeichen im Internet, Wettbewerb in Recht und Praxis (WRP), 2001, 789-796;

Online-Schiedsgerichte für Domainnamensstreitigkeiten: Eine Bestandsaufnahme der ersten 1000 Schiedsentscheidungen seit Inkrafttreten der Uniform Domain Name Dispute Resolution Policy, Wettbewerb in Recht und Praxis (WRP), 2000, 1109-1116;

Territoriales Markenrecht im Global Village: Überlegungen zu internationaler Tatortzuständigkeit, Kollisionsrecht und materiellem Recht bei Kennzeichenkonflikten im Internet, *GRUR Int.* 1999, S. 659-680 (Co-Author D. Thum);

Der lange Arm amerikanischer Gerichte: Personal Jurisdiction im Cyberspace, *GRUR Int.*, 1998, 660;

Die Haftung der DENIC e.G. für rechtswidrige Domains, *Computer und Recht*, 1999, 99;

Der Abschlussbericht der WIPO zum Internet Domain Name Process, *Computer und Recht*, 1999, 492;

Co-Author, German Report, XXXVII Congress of the International Association for the Protection of Industrial Property (AIPPI) in Rio de Janeiro 1998, Question Q 143, Internet domain names, trademarks and trade names;

Kennzeichenrecht im Cyberspace: Der Kampf um die Domainnamen, *GRUR Int.*, 1997, 402;

#### Copyright

Der Werkbegriff im deutschen und spanischen Urheberrecht, München 2001;

Creating Cyberspace, Immaterialgüterrechtlicher und wettbewerbsrechtlicher Schutz des Web-Designers, Special Supplement in *Computer und Recht*, 1999, Dezember, Vol. 12;

Das Wiederaufleben des Urheberrechtsschutzes bei gemeinfreien Fotografien *GRUR* 2000, 12 (Schulze/Bettinger).

#### Information Technology

Werbung und Vertrieb im Internet  
Verlag Otto Schmidt, 2003 (Co-Editor and principal author);

Application Service Providing: Vertragsgestaltung und Konflikt-Management  
*Computer und Recht* 2001, 729 (Bettinger/, Scheffelt);

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Privatrechtliche Haftung für Links, *Computer und Recht*, 1998, 445;

**Publications in English**

Domain Name Law and Practice: An International Handbook,  
Oxford University Press, Second Edition, 2015 (Editor and principal author);

ICANN's New gTLD Program: Applicant Guidebook and Dispute Resolution, in *La Résolution des litiges de propriété intellectuelle*, Prof. Jacques des Werra, ed., 2010;

Domain Name Law and Practice: An International Handbook,  
Oxford University Press, 2005 (Editor and principal author);

Trademark Law in Cyberspace: The Battle for Domain Names, *International Review of Industrial Property and Copyright Law*, 1997, 508;

Territorial Trademark Law in the Global Village, published in *International Review of Industrial Property and Copyright Law (IIC) Vol. 31, 163-182, 285-308*;

Civil Law Responsibility for Links, *International Review of Industrial Property and Copyright Law 1999, Vol. 8, S. 883 - 907 (Co-Autor St. Freytag)*.

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**EXPERIENCE IN COURT LITIGATION**

Attorney in various court litigations of intellectual property disputes in Germany, including cases for infringement of copyright, trademarks and domain names.

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**PROFESSIONAL TRAINING IN MEDIATION**

Party representation.

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