

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Jacques de WERRA
Vice-Rector
University of Geneva
24 rue du Général-Dufour
1211 Geneva 4



Telephone: +41 22 379 85 10

Facsimile: +41 22 379 84 67
Email: jacques.dewerra@unige.ch

Date of Birth: May 9, 1970
Nationality: Canadian and Swiss

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Professor of contract law and of intellectual property law, University of Geneva;
Visiting Professor of e-commerce law and intellectual property law (Master program in law, criminality and security of new technologies), University of Lausanne, 2005-2006;
Lecturer (for intellectual property law), University of Geneva, 2003 – 2006;
LL.M., Master of Laws, Columbia University School of Law, 2001;
Doctorate in Law (Ph.D), University of Lausanne, 1996;
Degree in Law, University of Lausanne, 1993.

Admission to:
New York Bar, 2002;
Geneva Bar, 1999.

January 12, 2016

LANGUAGES

French, English, German.

PRESENT POSITION

Professor of contract law and of intellectual property law, University of Geneva.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Associate, Lenz & Staehelin, Zurich/Geneva, Switzerland, 2002-2006;
Trainee, Fross, Zelnick, Lehrmann & Zissu P.C., New York, 2002;
Trainee, and then associate, de Pfyffer & Partners, Geneva, 1997-1999;
Intern, Morrison & Foerster, LLP, Brussels, 1996;
Research assistant, Law School of the University of Lausanne, 1993-1996.

AREAS OF SPECIALIZATION

Intellectual property law and intellectual property related agreements (including licensing agreements);
Computer law, information technology law and media law;
Contract law (including agency, distribution, franchising, joint venture, research and development agreements and technology transfer agreements).

MEMBERSHIP IN PROFESSIONAL BODIES

Art Law Center (vice director, www.art-law.org);
Association Littéraire et Artistique Internationale (ALAI), Swiss Group;
International Association for the Advancement of Teaching and Research in Intellectual Property (ATRIP);
French Commission on arbitration (Comité français de l'arbitrage)
International Association for the Protection of Intellectual Property (AIPPI), Swiss Group (member of the board);
Licensing Executives Society (LES), Swiss Group
Swiss Arbitration Association (ASA);
Swiss Forum for Communication Law (member of the board);
Swiss Sports Law Association.

EXPERIENCE IN INTELLECTUAL PROPERTY

Member of the Swiss Federal Arbitral Commission for the Management of Copyrights and Neighbouring Rights

Counsel/expert activity in judicial and arbitral proceedings in intellectual property disputes (trademark, copyright, patent and designs) since 2002;

Counsel/expert activity concerning the contractual exploitation of intellectual property rights (drafting, reviewing and interpreting intellectual property related agreements, setting up of intellectual property holding structures, legal audits in intellectual property law (due diligence), etc.) since 2002;

Academic teaching and research activities in intellectual property law and in contract law (including the organization of an international annual IP conference at the University of Geneva, "Journée de Droit de la Propriété Intellectuelle", www.jdpi.ch);

Scientific publications relating to various aspects of contract law and of intellectual property law.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Counsel/expert activity in numerous disputes relating to domain names (gTLDs and ccTLD for “.ch”) since 2002;

Counsel/expert activity for contractual and legal aspects of electronic commerce and Internet since 2002;

Academic teaching on various aspects of Internet law (specifically intellectual property and Internet, on-line auctions and legal aspects of electronic commerce);

Various scientific publications on Internet law.

MAJOR PUBLICATIONS

Editor of an intellectual property book series: propriété intellectuelle – *intellectual property* (www.pi-ip.ch):

- Vol. 1: Sport et propriété intellectuelle / *Sport and Intellectual Property* (2010)

- Vol. 2: La résolution des litiges de propriété intellectuelle / *Resolution of Intellectual Property Disputes* (2010) ;

Liquidation d'un contrat de licence de marque et mesures provisionnelles: quelques observations à la lumière de l'ATF 136 III 200, *in* : sic !, revue suisse de droit de la propriété intellectuelle, de l'information et de la concurrence (www.sic-online.ch) 2010, 662 ;

How to Protect Trade Secrets in High Tech Sports ? A Legal Analysis in the light of America's Cup and Formula One Experiences (co-authored with Henry Peter), *in*: Sport et propriété intellectuelle/Sport and Intellectual Property, 79-121, Zurich 2010;

Des marques et des contrats : la marque d'agent et l'action en cession de marque, *in*: Mélanges en l'honneur de François Dessemontet, (E. Philippin et al. eds), Lausanne : 2009, 71-94 ;

What Legal Framework for Promoting the Cross-Border Flow of Intellectual Assets (Trade Secrets and Music)? A View from Europe towards Asia (China and Japan), *in*: Intellectual Property Quarterly 2009 (Issue 1), 27-76;

Fighting Against Biopiracy: Does the Obligation to Disclose in Patent Applications Truly Help?, *in*: Vanderbilt Journal of Transnational Law 2009 (vol. 42 Issue 1, January 2009), 143-179;

Kunst und geistiges Eigentum [Art and intellectual property], *in*: Kunst Kultur Recht, Schweizerisches und internationales Recht (P. Mosimann/M.-A. Renold/A. Raschèr eds), Basel 2009, 443-521;

The Moral Right of Integrity, *in*: Research Handbook on the Future of EU Copyright (E. Derclaye éd.), London 2008, 267-285;

L'authentification des oeuvres d'art et le droit de la propriété intellectuelle [the authentication of art works and intellectual property law], *in*: L'expertise et l'authentification des oeuvres d'art (M.-A. Renold/P. Gabus/J. de Werra eds), Zurich 2007 (vol. 19 of the Studies in Art Law Series), 103-134;

Réglementer la résolution des litiges en ligne en Suisse: défis et enseignements de la pratique (with Thomas Schultz) [regulating on line dispute resolution in Switzerland: challenges and practical experiences], special issue of the review "Informatica e diritto" (1-2, 2007) on "Il processo telematico", 431-475;

Lettre de Suisse [Letter from Switzerland], *in*: Propriétés Intellectuelles n° 24 July 2007, 374-383;

Commentary of Art. 16 – 18 of the Swiss Copyright Act [dealing - among others – with copyright contracts], *in*: Stämpfli Handkommentar Urheberrechtsgesetz (R. Oertli/B. K. Müller eds), Bern 2006, 120-167;

Domain-Dispute.ch – la procédure de résolution des litiges pour le noms de domaine “.ch” [the dispute resolution proceedings for “.ch” domain names], *in*: 125 ans de dépôts de marques, numéro spécial de la revue suisse de droit de la propriété intellectuelle, de l'information et de la concurrence (www.sic-online.ch), Decembre 2005, 149 – 159;

Les contrats de niveau de service [Service level agreements], *in*: Internet 2005 (CEDIDAC), Lausanne 2005, 109 – 148;

Access Control or Freedom of Access, *in*: Digital Rights Management: The End of Collecting Societies?, Berne/New York/Brussels/Athens 2005, 111 – 122;

L'évolution du droit d'auteur à l'épreuve d'Internet [the evolution of copyright law challenged by Internet], *in*: Internet 2003 (CEDIDAC), Lausanne 2003, 1- 32;

La protection juridique contre le contournement des mesures techniques [the legal protection against the circumvention of technological protection measures], *in*: Internet 2003 (CEDIDAC), Lausanne 2003, 275 – 296;

Moving Beyond the Conflict Between Freedom of Contract and Copyright Policies: in Search of a New Global Policy for Information Licensing Transactions, *in*: 25 Columbia Journal of Law & the Arts (2003), 239 – 378;

Co-titularité des droits de propriété intellectuelle (tout particulièrement des brevets) dans le cadre de projets de recherche et développement conjoints: Un piège à éviter? [co-ownership of intellectual property rights (most specifically patents) in the context of joint research and development projects], *in*: Anwaltsrevue/Revue de l'Avocat 2003, 10 - 13 (with Thierry Calame);

The Legal System of Technological Protection Measures under the WIPO Treaties, the Digital Millennium Copyright Act, the European Union Directives and other National Legislations (Australia, Japan), *in*: Adjuncts and Alternatives to Copyright: Proceedings of the 2001 Congress of the Association Littéraire et Artistique Internationale, New York 2002, 179 – 279, also published *in*: 189 Revue Internationale du Droit d'Auteur (July 2001), 66 – 213;

Droit d'auteur et Internet: une question de business models? [copyright law and Internet : a question of business models?], *in*: Medialex 2001, 10 – 11;

Le droit à l'intégrité de l'œuvre [the right of integrity of the work], Ph. D thesis, Lausanne 1997.

EXPERIENCE IN COURT LITIGATION

Counsel in various judicial proceedings in Switzerland essentially in the field of intellectual property law since 2002.

EXPERIENCE IN ARBITRATION

Activities as arbitrator, counsel or expert in various commercial arbitration proceedings (governed by different rules, including the ICC Rules, the rules of the Court of Arbitration for Sport) relating to commercial agreements, intellectual property related agreements and sports law.

EXPERIENCE IN MEDIATION

Counsel in a commercial mediation relating to an intellectual property related agreement (patent license agreement); participation to various seminars in commercial mediation.

ARBITRATION EXPERIENCE
SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	AAA	1				1
	ICC	4	1		1	2
	LCIA					
	Ad Hoc	2				2
	Court of Arbitration for Sport	4				4
Number of cases: sub-total		11				
Domestic Arbitrations	AAA					
	Ad Hoc					
Number of cases: sub-total						
TOTAL		11	1		1	9

MEDIATION EXPERIENCE**SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations	ICC			
	AAA	1		1
	Ad hoc			
Number of cases: sub-total				
Domestic Mediations (Estimates)	AAA			
	Court-annexed			
	Ad Hoc			
Number of cases: sub-total				
TOTAL		1		1