

WIPO LIST OF NEUTRALS
BIOGRAPHICAL DATA

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Date of Birth: 1937
Nationality: American

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

B.S., (Chemical Engineering), Purdue University, 1959;
J.D., New York University, 1966;
LL.M., New York University, 1974.

Admitted to Bar:
State of New York – 1967;
State of New Jersey – 1979;
District of Columbia, 2004.

LANGUAGES

English.

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PRESENT POSITION

Ferrells PLLC.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Private Practice, Law Office of Kenneth A. Genoni, Westfield, New Jersey.
Attorney, Ropes & Gray, 2005-2007;
Of Counsel, Fish and Neave, Washington DC., 2000-2005;
Head of Patents, Hoechst Marion Roussel AG, Frankfurt a.M., June 1997 – April 2000.
 Global responsibility for pharmaceutical patent matters;
General Intellectual Property Counsel, Hoechst AG, Frankfurt a.M., June 1996 – June 1997;
Vice President and General Patent Counsel, Hoechst Celanese Corporation (including HRPI
 Pharmaceuticals), New Jersey (1987-96):
 Oversaw the Intellectual Property Department and supervised 23 patent, licensing and
 trademark attorneys; managing and resolving disputes worldwide;
Chief Patent Counsel and Assistant Vice President (1983-87), Vice President and Chief Patent
 Counsel, Engelhard Industries Division (1982-83) and Chief Patent Counsel, Engelhard
 Industries Division (1981-82), Engelhard Corporation, New Jersey:
 Managed the patent department, supervised the protection of intellectual property rights,
 including prosecution, litigation management of patent infringement, trade secrets,
 misappropriation of trademark rights and unfair competition cases, both domestic and
 foreign; negotiation of technology transfer agreements, settlement, acquisition and joint
 venture agreements;
Patent Counsel, Celanese Corporation, New York (1974-81);
Associate, Amster, Rothstein and Engelberg, New York (1972-74);
Senior Patent Attorney, Celanese Corporation, New York (1967-72);
Patent Agent, Esso Research and Engineering Company, New Jersey (1961-67).

MEMBERSHIP IN PROFESSIONAL BODIES

American Bar Association;
American Intellectual Property Association;
Association of Corporate Patent Counsels;
Bar Association of the City of New York;
Association of Corporate Patent Counsel;
New Jersey Bar Association;
Tau Beta Pi;
Omega Chi Epsilon;
Phi Lambda Upsilon.

AREAS OF SPECIALIZATION

Patents, trademarks, trade secrets, unfair competition, licensing, technology transfer and joint ventures.

EXPERIENCE IN INTELLECTUAL PROPERTY

Heavy involvement in patent infringement litigation at Fish & Neave.

Over 38 years of corporate and law firm experience in intellectual property field. Has extensive experience managing and directly handling litigation and resolving disputes, relating primarily to patents, trade secrets, and unfair competition, and major corporations in Japan, Korea, Taiwan, Germany, France, Great Britain, Norway, Canada, China, Brazil and the United States.

Worked in Germany for almost four years as Head of Patents for Hoechst Marion Roussel AG with global responsibility for pharmaceutical matters. Patent experience also in the areas of chemical and textile.

EXPERIENCE IN COURT LITIGATION

Handled the following litigation of intellectual property disputes as Vice President and General Patent Counsel for Hoechst Celanese Corporation:

An infringement action brought by PPG against Hoechst Celanese Corporation which resulted in a holding of invalidity of the PPG patent and an award of attorney's fees for Hoechst Celanese Corporation;

Settled an infringement action brought by General-Electric against Hoechst Celanese Corporation (1990) after the following favorable court decisions:

General Electric v. Hoechst Celanese Corp., 740 F. Supp. 305, 16 U.S.P.Q. 2d 1977 (D. Del. 1990);

General Electric v. Hoechst Celanese Corp., 15 U.S.P.Q. 2d 1673 (D. Del. 1990);

General Electric v. Hoechst Celanese Corp., 698 F. Supp. 1181, 12 U.S.P.Q. 2d 1517 (D. Del. 1990);

Settled an infringement action brought by Hoechst Celanese Corporation against Allied Signal after using a non-binding minitrial to educate the business managers (1993);

Extensive patent infringement litigation brought in 1992 by Hoechst Celanese Corporation against BP Chemicals Ltd., resulting in a preliminary injunction in 1996 in the Republic of Korea, a favorable holding in the United Kingdom in 1997 and the following favorable decisions in the U.S.A.:

Hoechst Celanese Corp. v. BP Chemicals Ltd., 846 F. Supp. 542, 31 U.S.P.Q. 2d 1825 (S.D. Tex. 1994);

Hoechst Celanese Corp. v. BP Chemicals Ltd., 78 F. 3d 1575, 38 U.S.P.Q. 2d 1126 (Fed. Cir. 1996);

Hoechst Celanese Corp. v. BP Chemicals Ltd., 117 S. Ct. 275, 136 L. Ed. 2d 198 (U.S. 1996);

Hoechst Celanese Corp. v. BP Chemicals Ltd., 844 F. Supp. 336, 30 U.S.P.Q. 2d 1833 (S.D. Tex. 1994);

Hoechst Celanese Corp. v. BP Chemicals Ltd., 65 F. 3d 188, 1995 WL 506964 (Fed. Cir. 1995);

Settled a patent infringement case brought by Hoechst Celanese against Union Carbide after using a non-binding mini-trial (1995);

Settled a patent infringement case brought by Hoechst Celanese against Warner Lambert resulting from a court imposed mediation (1995);

Settled a trade secret action brought by Hoechst Celanese against Samsung in South Carolina (1995);

Brought a trade secret action in China against a Chinese company, which was resolved with the help of the Chinese Government (1995);

The disputes handled as Patent Counsel of Celanese Corporation included a trade secret action against a departing employee and a variety of chemical patent infringement cases.

PROFESSIONAL TRAINING IN MEDIATION

Received mediation training at CPR and WIPO.

PROFESSIONAL TRAINING IN ARBITRATION

ICDR, International Arbitration's Deliberations and Determinations, 2006;
AAA Dealing with Delay Tactics in Arbitration (ACE004), 2005;
AAA Arbitration Awards: Safeguarding, Deciding & Writing Awards (ACE001), 2004;
AAA Commercial Arbitrator II Training: Advanced Case Management Issues, 2002;
AAA Arbitrator Update, 2001;
International Arbitrator Training, American Arbitration Association (AAA), San Francisco, October 1994, and New York, October 2000;
Level I Arbitrator Training, AAA, NJRO, August 1990 and August 1999.

EXPERIENCE IN ARBITRATION

Appointed as Special Master to resolve discovery disputes in complex patent litigation;
Extensive experience in alternative dispute resolution, including frequently serving as an arbitrator in patent and commercial cases for the AAA and CPR. Experience includes:
Appointed by the AAA to decide a dispute about a license agreement between Crown Roll Leaf, Inc. and 3-D-Ltd.;
Appointed by the AAA to decide a dispute about a license agreement between Creative Products Resources Associates, Ltd. and CCA Industries, Inc.;
Loral v. Hitachi et al.: nominated Special Master in the litigation in the Eastern District of New York to resolve complex discovery disputes;
Construction Fasteners, Inc. v. SYS Stadler, Inc.: appointed by the Eastern District of Pennsylvania to decide the infringement issues.

ARBITRATION EXPERIENCE
SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	AAA					
	ICC					
	LCIA					
	Ad Hoc					
	Others:					
Number of cases: sub-total						
Domestic Arbitrations	AAA	10		8	2	
	CPR	2		2		
	Private			2		
Number of cases: sub-total		14		12	2	
TOTAL		14		12	2	