

WIPO LIST OF NEUTRALS
BIOGRAPHICAL DATA

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Date of Birth: December 31, 1959

Nationality: American

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

J.D., University of California, Berkeley, Boalt Hall School of Law, Berkeley, California, 1988. AmJur Awards: Commercial Law, Criminal Law, and Civil Procedure; Editor, Ecology Law Quarterly; Northwest Regional Finalist Team, 1986 Jessup International Moot Court Competition;

M.P.P., Master of Public Policy, Harvard University, Kennedy School of Government, Cambridge, Massachusetts, 1984. Concentrations in Energy Policy and Finance;

B.A., University of Chicago, Chicago, 1982. General Honors and Honors in History; Dean's List 1978-1982; Abram L. Harris Award for Outstanding Academic Achievements and Extracurricular Contributions; University of Chicago Scholarship; Illinois State Scholar; Phi Gamma Delta Leadership Award.

Bar Admissions:

Admitted to Bar California (1988) and District of Columbia, 2004;
Registered foreign Lawyer, United Kingdom, 2001.

LANGUAGES

English.

July 8, 2010

PRESENT POSITION

Professor of Law, Suffolk University Law School, Boston, Massachusetts;
Of Counsel to Steptoe & Johnson LLP, London and Washington, D.C. offices.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Professor of Law, Suffolk University School of Law, Boston, 2004-present;
Courses taught in international and domestic arbitration, international business transactions, international trade, intellectual property and Internet law. The 2008 recipient of Suffolk Law School's Cornelius J. Moynihan Award for Excellence in Teaching. Co-founder and Co-Director of Foreign Direct Investment International Moot Court Competition (FDI Moot) for investor-State arbitration. Coach for Suffolk's FDI Moot and Philip C. Jessup International Moot Court teams. Publications listed below.

Law Practice:

Partner, Steptoe & Johnson LLP, London, 2001-2004;
Specialized in international dispute resolution, international transactions and intellectual property. Represented parties in international arbitrations and litigation and sat as arbitrator. Advised clients on wide variety of commercial, intellectual property, technology, telecommunications and related regulatory matters. A founding partner of Steptoe's London office, and *pro bono* partner as the firm founded the St. Hilda's Community Centre Legal Advice Clinic in East London.

Senior Associate, Pillsbury, Madison & Sutro, San Francisco, 1995-1997;
General litigation and arbitration practice, with specialization in intellectual property matters.

Associate, Howard, Rice, Nemerovski, Canady, Robertson & Falk, San Francisco, 1991-1992;
Worked in all aspects of firm's practice, with time split between appellate litigation and corporate and securities matters.

United Nations and International Organizations:

Head, Electronic Commerce Law Section / Senior Legal Officer, WIPO Arbitration and Mediation Center, World Intellectual Property Organization, Geneva, Switzerland, 1997-2001;
Worked to formulate WIPO's role and policies in relation to electronic commerce, new technologies and their impact on intellectual property.

- One of the principal officers conducting the WIPO Internet Domain Name Process, with recommendations for the Internet Corporation for Assigned Names and Numbers (ICANN) that resulted in implementation of the Uniform Dispute Resolution Policy (UDRP) now in effect for domain name disputes.
- Represented WIPO with its Member States and other international organizations, and at numerous conferences and meetings throughout the world.
- First joined WIPO as Senior Legal Officer in the WIPO Arbitration and Mediation Center.

Legal Officer, Section Head of Category "C" Claims Section, United Nations Compensation Commission (subsidiary organ of Security Council), Geneva, Switzerland, 1992-1995;

Chief attorney responsible for presentation of claims to panel of Commissioners appointed to decide claims for individual loss. Managed development of legal issues and responses, and development of computer systems for processing over 400,000 claims for individual loss, representing approximately US\$ 7.6 Billion. Supervised "C" Section with staff of six lawyers and 18 paralegals.

Legal Assistant, Iran-United States Claims Tribunal, The Hague, The Netherlands, 1989-1990. Legal Assistant to United States Commissioners Richard C. Allison and Charles N. Brower.

Federal Court Clerkship:

Judicial Clerk, United States District Court For The Northern District Of California to Hon. Stanley A. Weigel, San Francisco, 1988-1989. Worked on all aspects of the resolution and disposition of pre-trial motions, trials and settlements, including drafting of bench memoranda, opinions and judgments.

AREAS OF SPECIALIZATION

Domestic and international arbitration, international business transactions, international trade, intellectual property and Internet law.

MEMBERSHIP IN PROFESSIONAL BODIES

Member, WIPO, AAA, CPR, ICC, LCIA, NAF and Nominet panels;
Vice-Chair, Academic Council, Institute for Transnational Arbitration, 2009;
Co-Chair, Intellectual Property Interest Group, American Society of International Law;
Co-Founder and Co-Director, Foreign Direct Investment International Moot Competition;
Organizer and Co-Chair, Symposium on Investor-State Arbitration: Perspectives on Legitimacy and Practice, Suffolk Law School 2008;
Co-Chair, ASIL-ITA Conference on the Iran-United States Claims Tribunal at 25 Years 2006;
Member, ICC Task Force on Amiable Composition in Arbitration;
Member, American Bar Association, International Law and Dispute Resolution Sections;
Member, International Bar Association;
Contributor to the Kluwer Arbitration Blog.

EXPERIENCE IN INTELLECTUAL PROPERTY

Expert in intellectual property matters, with extensive experience in international issues, including licensing and related transactions, arbitrations involving IP issues, trade secrets, and domain name disputes. Formerly employed as Head of the Ecommerce Law Section at WIPO and has consulted for UNCTAD on intellectual property issues. Practice in London focused on intellectual property and technology issues, including transactional matters and acting as lead counsel or sitting as arbitrator in international arbitrations, and representing technology standard-setting bodies in the development of IP (patent) rules for members. Academic research and writing focuses on international intellectual property and dispute settlement issues.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Supported the development of the WIPO's First Domain Name Process and report, which resulted in implementation of the UDRP. Taught domain name workshops while at WIPO. Has provided advice to Nominet in the establishment of its domain name Dispute Resolution Service. Has represented companies in domain name conflicts, and has acted as a panellist in more than 45 cases, both as sole panellist and chair of three member panels. Member of the WIPO, NAF and Nominet panels. Has advised on dispute resolution systems and procedures for domain name disputes, on-line ecommerce, and the U.S. national title insurance industry.

EXPERIENCE IN COURT LITIGATION

Extensive advocacy experience before courts, arbitral tribunals, government agencies and international organizations. Lead lawyer in presenting claims for over 400,000 individuals to the "C" panel of commissions at the United Nations Compensation Commission, and prior to that a legal assistant at the Iran-United States Claims Tribunal. Acted as lead counsel in arbitrations under AAA, ICC, UNCITRAL, Stockholm and Zurich Chamber of Commerce rules with sums in dispute ranging from \$5 million to more than \$350 million and involving intellectual property, international supply and framework contracts, distribution and licensing agreements, joint ventures, telecommunications, investment disputes, and arbitral award enforcement. As

commercial practitioner in California, represented clients involved in state and federal courts. Had a clerkship with the Hon. Stanley A. Weigel in federal district court in San Francisco.

PROFESSIONAL TRAINING IN MEDIATION

Has been trained in mediation through WIPO Mediation training programs and workshops.

EXPERIENCE IN MEDIATION

Has acted as counsel and mediator and in mediations involving commercial disputes, intellectual property and antique goods.

PROFESSIONAL TRAINING IN ARBITRATION

Has been trained in arbitration through WIPO arbitration training programs and workshops. Has researched and written on arbitration and international dispute settlement topics. Has taught numerous courses on domestic (United States) and international arbitration, as well as international litigation at law schools in the United States and Europe.

EXPERIENCE IN ARBITRATION

An expert in international arbitration, international law, and intellectual property. Has extensive experience representing private and public clients in a variety of settings, focusing on international arbitration, litigation and international claims. Has sat as chairman, sole arbitrator and party-nominated arbitrator in arbitrations under AAA, ICC, UNCITRAL, UDRP, Nominet and WIPO rules. Practice experience as counsellor and advocate spans both sides of the Atlantic, and has acted as lead counsel in arbitrations under AAA, ICC, UNCITRAL, Stockholm and Zurich Chamber of Commerce rules with sums in dispute ranging from \$5 million to more than \$350 million and involving intellectual property, international supply and framework contracts, distribution and licensing agreements, joint ventures, telecommunications, investment disputes, and arbitral award enforcement.

Vice-Chair of the Academic Council of the Institute of Transnational Arbitration; contributor to the Kluwer Arbitration Blog; Member of the ICC Task Force on Amiable Composition in Arbitration; Co-founder of the Foreign Direct Investment International Moot Competition which focuses on investor-State arbitration.

SELECTED PUBLICATIONS

Articles:

Latent Grounds for Investor-State Arbitration: Do International Investment Agreements Provide a Powerful (New) Means to Enforce Intellectual Property Rights? (forthcoming 2009);
Arbitration, Civilization and Public Policy: Seeking Counterpoise between Arbitral Autonomy and the Public Policy Defense in View of Foreign Mandatory Public Law, 113 Penn. St. L. Rev. 101 (2009);
Globalization and the Technology Standards Game: Balancing Concerns of Protectionism and Intellectual Property in International Standards, 22 BERKELEY TECH. L.J. 1401 (2007);
Iran-United States Claims Tribunal Precedent in Investor-State Arbitration, with Christopher Drahozal, 23 J. INT'L ARB. 521 (2006);
WIPO Copyright Treaties Coming into Force, Computer and Recht Int'l. (2002);
Intellectual Property Issues and Standards, 11:5 Multilingual Computing and Tech. (2000);
The EU Copyright Directive – UK Implementation, Convergence (January 2003);
IP Audits in the Internet Age, with Dudley Kneller, World eBusiness Law Report (2002);
New Numbering Convention by Ofcom, Convergence (February 2002);
Ralph Lauren Loses String of UDRP Cases, Electronic Business Law (Aug. 2002);
State of Play for E-Commerce Directive, Convergence (July 2002);
Keeping the Confidence in International Arbitration, ICC Members Handbook (2002);

Digital Dispute Resolution, Internet Domain Names and WIPO's Role, Computer und Recht International (February 2001); re-published in The California International Lawyer;

Intellectual Property Issues and Standards, 11 Multilingual Computing and Technology, No. 33, Issue 5 (Aug. 2000);

WIPO Primer on Electronic Commerce and Intellectual Property, Editor and Principal Author, WIPO/OLOA/EC/PRIMER (May 2000);

Awards and Other Decisions, 9 Amer. Rev. Int'l Arb., Parker School of Foreign and Comparative Law, Columbia University (1998);

Enforcement of Foreign Judgments, International Litigation, The International Business Lawyer (Summer 1997);

Using Computers to Evaluate Claims at the United Nations Compensation Commission, Arbitration International, 13 J.London Ct. Int'l Arb., No. 2 (1997);

Arbitration in International Intellectual Property Disputes, The California International Practitioner, Vol. 8, No. 1 (1997);

Proposed Regulations Implementing the "Single Class of Stock, Requirement for S Corporations Create Tremendous Furor and Needless Complexity," with Stuart S. Lipton, 8 J. Taxation of Investments 334 (1991);

Note, *Narrow Grounds for a Complex Decision: The Supreme Court's Review of an Agency's Statutory Construction in Japan Whaling Association v. American Cetacean Society*, 14 Ecology Law Quarterly 485 (1987);

Creative Oil Stockpiling: Evaluating a Three Country Agreement and Designing a Negotiating Strategy, published by Energy and Environmental Policy Center, Harvard University Energy Security Program and submitted to United States Department of State (H-84-03(1984).

Books & Chapters:

DESIGNING COMPENSATION AFTER UPHEAVAL: INSIGHTS FROM THE EXPERIENCE OF THE UNITED NATIONS COMPENSATION COMMISSION, with Timothy Feighery Cymie Payne, Oxford Univ. Press (forthcoming 2010);

THE IRAN-UNITED STATES CLAIMS TRIBUNAL AT 25: THE CASES EVERYONE NEEDS TO KNOW FOR INVESTOR-STATE AND INTERNATIONAL ARBITRATION, with Christopher Drahozal, Oxford Univ. Press (2007);

Chapter: *Technology Standards - New Technical Barriers to Trade?* in THE STANDARDS EDGE, Sherrie Bolin ed. (Stanford Univ. Press 2007);

Chapter: *The Domain Name System and Issues for Developing Countries*, in E-COMMERCE AND DEVELOPMENT REPORT 2002, UNCTAD/SDTE/ECB/2, (2002);

Chapter: *The Role of Intellectual Property: Creating a Positive Environment for Electronic Commerce,*" contribution to book by The Commonwealth Business Council titled E-COMM3: COMMONWEALTH, COMMERCE AND COMMUNICATIONS (Nov. 2000);

Chapter: *Mass Claims Processing: Techniques for Processing Over 400,000 Claims for Individual Loss at the United Nations Compensation Commission*, in THE UNITED NATIONS COMPENSATION COMMISSION, Richard B. Lillich ed. (Transnational Publishers 1995) (published papers from the Thirteenth Sokol Colloquium on International Law, University of Virginia Law School (1994)).

Book Reviews:

Book Review: *Redressing Injustices through Mass Claims Processes: Innovative Responses to Unique Challenges* edited by Permanent Court of Arbitration, and *International Mass Claims Processes: Legal and Practical Perspectives*, edited by Howard M. Holtzmann and Edda Kristjansdottir, in AMER. J. INT'L LAW (2009)

Book Review: *Digital Crossroads: American Telecommunications Policy in the Internet Age* by J. Nuechterlein and P. Weiser, in BI-MONTHLY REVIEW OF LAW BOOKS (2005);

Book review: *Legal Issues in the Global Information Society* by Stephen C. Hicks and Michael L. Rustad eds., in BI-MONTHLY REVIEW OF LAW BOOKS (2005).

Speaking Engagements:

Has spoken at more than 100 conferences around the world on the topics of international dispute resolution, intellectual property, electronic commerce and policy-making. Has also presented at numerous workshops and seminars.

ARBITRATION EXPERIENCE

SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	AAA	2			1	1
	ICC	6		1	1	4
	LCIA/SCC/ ZCC	5				5
	ICSID	1				1
	Ad Hoc	3		1		2
Number of cases: sub-total		17		2	2	13
Domestic Arbitrations	AAA	2	1			1
	JAMS	2				2
	NAF	6		6		
Number of cases: sub-total		10	1	6		3
Domain Name Cases (NAF, Nominet, WIPO)		56	6	42	3	5
TOTAL		83	7	50	5	21

MEDIATION EXPERIENCE**SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations	CEDR	2		2
	Ad hoc	1	1	
Number of cases: sub-total		3	1	2
Domestic Mediations (Estimates)	AAA			
	Court-annexed	2		2
	Ad Hoc			
Number of cases: sub-total		2		2
TOTAL		5	1	4