

## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

Christopher S. GIBSON  
Suffolk University Law School  
Boston, MA  
United States of America



Nationality: American

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### 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.

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### LANGUAGES

English

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### PRESENT POSITION

Director, Business Law and Financial Services Concentration  
Suffolk University School of Law Boston, Massachusetts;  
Professor of Law and Director of the Business Law and Financial Services Concentration at Suffolk University Law School in Boston, teaches and writes in the areas dispute resolution (domestic and

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international arbitration); international business transactions; intellectual property; international investment law; international trade law; transactional skills and contract drafting. Has an active practice

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### PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Step toe & Johnson LLP, London, Partner, 2000-2005

Before joining Suffolk University Law School, Gibson was a founding partner in the London office of Steptoe & Johnson LLP, where his practice focused on international arbitration and litigation, as well as transactional matters involving technology, intellectual property, telecommunications and DNS, licensing and distribution agreements. He was counsel in cases involving corruption and related enforcement against assets in multiple jurisdictions. He acted as counsel in arbitrations with sums in dispute ranging from US\$5 million to more than US\$500 million. He advised clients on wide variety of commercial, intellectual property, technology, telecommunications and related regulatory matters. Acted as outside general counsel for two technology standard-setting organizations (SSOs) for wireless and Domain Name System (DNS) technologies, and advising in telecommunications patents.

Representative matters include:

Represented Swiss trading company as lead counsel for claims under complex framework and supply agreements. Stockholm Chamber of Commerce arbitration with value at \$350 million, achieving favorable settlement.

Represented international company as lead counsel in arbitration and enforcement of arbitral award, obtaining Mareva freezing injunction with follow-up action in multiple jurisdictions, achieving favorable settlement.

Represented claimant, a major telecommunications provider, in a product liability dispute under a GSM frame contract involving alleged defects in one of Europe's largest GSM/GPRS networks. Arbitration under Zurich Chamber of Commerce Rules, with value at approximately \$500 million.

Represented claimant, Motorola, in a \$2.5 billion fraud and enforcement claim against the Uzan family, including obtaining emergency freezing and attachment orders in English, French and Bermudan courts.

Represented Motorola in connection with Indian court proceedings for alleged corporate criminal liability for disclosures in private placement memorandum to obtain funding for the Iridium project.

Acted as outside legal counsel for standard-setting organization (SSO) for mobile telecommunications technology.

Acted as outside legal counsel for standard-setting organization (SSO) for domain name system (DNS) technology.

Acted as outside legal counsel to English telecommunications Company providing wireless content.

Advised variety of Internet and start-up companies on transactional and intellectual property-based issues.

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.

Pillsbury, Madison & Sutro, San Francisco, California, Senior Associate, 1995-1997

Member, Arbitration and Intellectual Property practice groups. General litigation and arbitration practice, with specialization in intellectual property matters.

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

Chief attorney responsible for presentation of claims to panel of Commissioners appointed to decide claims for individual loss. Managed legal development of 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" Unit with staff of five lawyers and 18 paralegals. Conducted external relations with governments, intergovernmental and professional bodies.

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

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

#### Academic:

A tenured professor of law and the Director of the Business Law and Financial Services Concentration at Suffolk University Law School. Served as an Associate Dean of the Law School from 2010 to 2014 and previously as a Co-Director of the International Law Concentration. Was the 2008 recipient of the Law School's highest teaching honor, the Cornelius J. Moynihan Award for Excellence in Teaching. In 2011 was recipient of the Law Schools' other high honor, the Thomas J. McMahon Award for Dedication to Students. Has taught in Suffolk's LL.M. Program in U.S. and Global Business Law at the Eötvös Loránd University Faculty of Law in Budapest, Hungary. Has also taught in Suffolk's Lund Summer Program during the 2008 and 2015 summers. Has taught as a visiting professor at Boston University Law School during the 2010, 2011, 2015, 2016, and spring 2019 terms, with courses on International Business Transactions and International Intellectual Property. Is currently completing the manuscript on his new book, *The Protection of Intellectual Property Rights under International Investment Law*, for Oxford University Press.

#### Suffolk University School of Law, Boston, MA:

Professor of Law and Director, Business Law and Financial Services Concentration, July 2014-present

Professor of Law and Associate Academic Dean, July 2011-July 2014;

Professor of Law and Assistant Dean, 2010-2011;

Associate Professor of Law, 2005-2010;

Co-Director, International Law Concentration, 2007-2011:

-Courses taught in international and domestic arbitration; intellectual property; international business transactions; international investment law; international trade law; transactional skills and contract drafting; and Internet law.

-Cornelius J. Moynihan Award for Excellence in Teaching, 2008;

-Thomas J. McMahon Award for Dedication to Students, 2011;

-Taught in Suffolk's LL.M. Program in U.S. and Global Business Law at the Eötvös Loránd University Faculty of Law in Budapest, Hungary.

-Taught in Suffolk's Lund summer Program in Lund, Sweden, 2008 and 2015.

#### Boston University School of Law, Boston, MA:

Visiting Professor, spring 2010; spring 2011; spring and fall 2015; spring 2016; spring 2019;

-Taught International Business Transactions.

-Taught International Intellectual Property.

#### Federal Court Clerkship:

United States District Court for The Northern District of California, Judicial Clerk, Hon. Stanley A. Weigel, San Francisco, CA 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.

#### Other Relevant Experience:

Office of General Counsel for The University Of California, Berkeley, California, Law Clerk, Commercial and IP Law Section, 1986-1988.

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Pacific Gas and Electric Company, San Francisco, California, Rate Economist, Rates Department, 1984-1995.

Authored policy exhibits for PG&E's General Rate Case and assisted in preparation of pricing policies, marginal cost analysis, and strategies targeting development of independent small power producers. Gas Research Institute, Washington, D.C., Planning and Research Analyst, Department of Economic Analysis and Energy Modelling, 1993.

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### **AREAS OF SPECIALIZATION**

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

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### **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.

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### **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.

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### **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.

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### **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

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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.

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### PROFESSIONAL TRAINING IN MEDIATION

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

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### 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.

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### EXPERIENCE IN ARBITRATION AND MEDIATION

2004-present:

has more than 25 years of experience serving as arbitrator, mediator and counsel in both institutional and *ad hoc* proceedings involving a wide variety of commercial, technology, intellectual property, life sciences, information technology, financial, construction and other commercial matters. On the roster of arbitrators of the following arbitration institutions: AAA/ICDR, ICC, LCIA, NAF, SCC and WIPO.

Subject matters of cases have included technology, pharmaceuticals, telecommunications, intellectual property, investments, insurance, joint venture agreements, financial and loan agreements, construction, and more than 200 disputes involving domain names and trademarks. A selection of notable cases include: Chair of tribunal in *ad hoc* arbitration between two pharmaceutical companies concerning alleged breach of bio-technology license and related claims of patent infringement and patent invalidity, with damages claimed in excess of US\$850 million and parallel litigation in U.S federal court.

Chair of ICDR arbitration under Independent Review Process (IRP) in dispute between technology company and ICANN (Internet Corporation for Assigned Names and Numbers), *Vistaprint Ltd. v. ICANN* (publicly available).

Chair of ICDR arbitration under Independent Review Process (IRP) with claim against ICANN Board of Directors, *Commercial Connect, LLC v. ICANN* (publicly available).

Co-arbitrator in ICC international arbitration concerning storage technology and loan agreements, with damages claimed in excess of US\$25 million.

Co-arbitrator, *ad hoc* arbitration between telecommunications companies under UNCITRAL rules concerning dispute over complex carrier interconnect issues.

Co-arbitrator in ICC arbitration involving distribution agreement and related trademarks between major provider of alcoholic beverages and importer.

Testifying expert in U.S International Trade Commission (ITC) case involving patent infringement and related international commercial matters, concerning mass magnetic data storage technology for cloud computing.

Testifying expert, two ICSID investor-State arbitrations, providing reports on relevant intellectual property, investment and trade-related legal issues.

Testifying expert, New Zealand parliament, providing report on relevant intellectual property and investment issues.

Mediator in *ad hoc* proceedings, successfully resolved dispute over ownership of a trademark rights.

Arbitrator, various AAA commercial and construction disputes.

Independent neutral, *ad hoc* mini-trial proceedings between members of a satellite joint venture, with allegations that one party improperly converted jointly developed technology.

Sole arbitrator in more than 200 disputes involving domain names and trademarks, decided under the Uniform Domain Name Dispute Resolution Policy (UDRP) and United Kingdom (UK) Nominet DRS rules.

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## PUBLICATIONS

Teaches and writes in the areas of international dispute resolution; intellectual property; international business transactions; international investment law; international trade law; transactional skills and contract drafting; and Internet law. Published work includes:

*International Investment Law, Intellectual Property Protection and Right to Regulate*, law review article forthcoming Boston College Law Review (2020).

The Protection of Intellectual Property Rights Under International Investment Law, with Dr. Simon Klopschinski (Oxford Univ. Press, forthcoming 2019).

Gulf War Reparations and The UN Compensation Commission: Designing Compensation After Conflict, with Timothy Feighery and Trevor Rajah as co-editors (Oxford Univ. Press, 2016).

*Yukos v The Russian Federation: A Classic Case of Indirect Expropriation*, 30:2 ICSID Review – Foreign Investment Law Journal (Oxford University Press, 2015).

*Breaking Down Barriers to Technology Transfer: Reforming WTO Standard-Setting Rules and Establishing an Advisory Facility in Standard-Setting for Developing & Least Developed Countries*, in H. H. Lidgard, J. Atik and T.T. Nguyen eds., Sustainable Technology Transfer (Wolters Kluwer 2012).

*Latent Grounds for Investor-State Arbitration: Do International Investment Agreements Provide a Powerful New Means to Enforce Intellectual Property Rights?*, in K. P. Sauvant ed., Yearbook On International Investment Law & Policy 2009-2010 (Columbia Univ. Vale Center & Oxford Univ. Press 2010).

*A Look at the Compulsory License in Investment Arbitration: the Case of Indirect Expropriation*, 25 AM. U. Int'l I. Rev. 1 (2010).

*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).

Book Reviews: *Redressing Injustices through Mass Claims Processes: Innovative Responses to Unique Challenges*, Permanent court of Arbitration ed., and *International Mass Claims Processes: Legal and Practical Perspectives*, Howard M. Holtzmann and Edda Kristjansdottir, eds., in Amer. J. of Int'l Law (2009).

*Globalization and the Technology Standards Game: Balancing Concerns of Protectionism and Intellectual Property in International Standards*, 22 Berkeley Tech. L.J. 1401 (2007).

The Iran-United States Claims Tribunal at 25. The Cases everyone needs to know for investor-state and international arbitration, with Prof. 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).

*Iran-United States Claims Tribunal Precedent in Investor-State Arbitration*, with Prof. Christopher Drahozal, 23 J. Int'l Arb. 521 (2006).

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).

*WIPO Copyright Treaties Coming into Force*, Computer and Recht Int'l. (2002).

Chapter: *The Domain Name System and Issues for Developing Countries*, in E-Commerce and Development Report 2002, UNCTAD/SDTE/ECB/2, (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 (Feb. 2001); re-published in The California International Lawyer.

Chapter: *The Role of Intellectual Property: Creating a Positive Environment for Electronic Commerce*, in book by The Commonwealth Business Council, E-COMM3: Commonwealth, Commerce and Communications (Nov. 2000).

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

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*WIPO Primer on Electronic Commerce and Intellectual Property*, Editor and Principal Author, WIPO/OLOA/EC/PRIMER (May 2000).  
*Awards and Other Decisions*, 9 AMER. REVIEW INT'L ARB., Parker School of Foreign and Comparative Law (Columbia Univ. 1998).  
*Enforcement of Foreign Judgments, International Litigation*, The Int'l Business Lawyer (Summer 1997).  
*Using Computers to Evaluate Claims at the United Nations Compensation Commission*, 13 ARB. INT'L NO. 2, J. London CT. Int'l Arb. (1997).  
*Arbitration in International Intellectual Property Disputes*, The California Int'l Practitioner, Vol. 8, No. 1 (1997).  
*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) (Thirteenth Sokol Colloquium on International Law, Univ. Of Virginia Law School 1994).  
*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).

Speaking engagements:

Has spoken at more than 200 conferences around the world on the topics of international dispute resolution, arbitration, intellectual property, investment law and policy-making. Has also presented at numerous workshops and seminars.

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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	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
<b>TOTAL</b>		<b>83</b>	<b>7</b>	<b>50</b>	<b>5</b>	<b>21</b>



**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
<b>TOTAL</b>		<b>5</b>	<b>1</b>	<b>4</b>