

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

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Date of Birth: July 20, 1948

Nationality: American

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

J.D., Columbia University School of Law, Harlan Fiske Stone Scholar;
Writing and Research Editor, The Columbia Journal of Environmental Law), 1974;
S.B. and S.M. (Physics), Massachusetts Institute of Technology, 1971;
Research Fellowship, Harvard University Observatory.

Courts and States Admitted:

- New York, 1979;
 - United States District Court for the Southern and Eastern Districts of New York, 1979;
 - Supreme Court of the United States, 1978;
 - United States Courts of Appeal for the First and Ninth Circuits, 1975 and 1979;
 - United States District Court for the District of Massachusetts, 1975;
 - Massachusetts, 1974.
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August 27, 2019

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LANGUAGES

English.

PRESENT POSITION

Partner, Halket Chambers, Adjunct Professor of Law at the Fordham University School of Law (Subjects taught include International Arbitration and Representation of Technology Start-Ups) and Associate Member of Chambers, Tanfield Chambers.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Partner in charge of the Commercial Technology Practice in the New York Office, Member of the Commercial Technology, Life Sciences, Private Equity and General Corporate Groups, Bingham McCutchen LLP, New York (2001-2005);
Partner, Co-Chair of the Technology and the Emerging Company Group, Member of the General Corporate Group Hughes, Hubbard & Reed LLP, New York (1999-2000);
Partner, Halket & Pitegoff LLP and predecessors, New York (1986-1999);
Assistant General Counsel (1983-1986); Attorney (1982-1983) Engelhard Corporation, New Jersey;
Associate, Dewey Ballantine, New York (1978-1982); Sullivan & Worcester, Massachusetts (1974-1978).

MEMBERSHIP IN PROFESSIONAL BODIES

Fellow of the College of Commercial Arbitrators; Fellow, Chartered Arbitrator, Chairman of the New York Chapter, Chairman of the Technology Committee, Tutor, Member of the Practice and Standards Committee of the Chartered Institute of Arbitrators; Chairman of the Technology Advisory Committee of the American Arbitration Association; Former Member of Task Force on IT in Arbitration of the ICC Commission on Arbitration; Former Chairman of the Section of Science and Technology of the American Bar Association, of the ABA's Division on Ventures and Enterprise and of the ABA's Aerospace Law Division; Former Chairman of the Subcommittee on Software and the Uniform Commercial Code of the Association of the Bar of the City of New York.

AREAS OF SPECIALIZATION

Domestic and international general corporate and commercial law practice, specializing in computer and other technology transactions and the representation of high technology companies. Practice has included commercial and financial transactions, corporate and commercial counseling, all aspects of computer matters and e-commerce, acquisitions, divestitures, joint ventures, licensing and securities offerings.

Clients have included small and large high technology companies (in computers, e-commerce, electronics, telecommunications, chemicals and materials sciences, medical equipment, biotechnology and pharmaceuticals), other emerging growth companies, financial institutions, commodities trading operations and various basic industrial and consumer product companies.

EXPERIENCE IN INTELLECTUAL PROPERTY

Over 30 years domestic and international general corporate and commercial experience specializing in technology and intellectual property (IP) matters and the representation of high technology companies.

Corporate experience - includes corporate, securities and business counseling, joint ventures, mergers and acquisitions, public and private (early and late stage) debt and equity financings and domestic and international commercial transactions (approximately 35% of practice).

Commercial technology practice - includes software licensing, equipment and hardware transactions, internet and e-commerce transactions, biotech and medical device matters, design and development contracts, outsourcing, government contracts, supply chain and other commercial matters (35% of practice).

IP practice includes - IP licensing and other contracting, IP counseling and the management of IP litigation in patents and trade secrets (principally technology and business method), copyrights (principally information technology and design and other visual arts) and trademarks (for various industries) (30% of practice).

International experience - includes transactions in many European countries, South Africa, Israel, South America, India, Japan, Korea and other countries in the Far East.

Significant clients- have included small and large technology companies (including computers (buy and sell sides), internet, electronics, telecommunications, medical equipment and biotechnology), financial institutions (including private equity, venture capital, commercial and investment banks and accounting firms) and various consumer product and basic industrial companies (including fashion, cosmetics, consumer electronics, defense, chemicals and materials sciences).

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Membership on the WIPO Domain Name Panel and the Asian Domain Name Dispute Resolution Centre (Hong Kong). Counseling with respect to domain name matters (10 years).

MAJOR PUBLICATIONS

Selected publications

Choice of Law in International Intellectual Property Arbitrations: A Three-Dimensional Chess Game?, in Contemporary Issues in International Arbitration and Mediation (Arthur W. Rovine ed., Martinus Nijhoff, 2009);

Improving Arbitration through Technology: a Quest for Basic Principles, 62 DISPUTE RESOLUTION JOURNAL no. 3, 54 (2007);

The Use of Technology in Arbitration: Ensuring the Future is Available to Both Parties, 81 ST. JOHN'S L. REV. 269 (2007);

Arbitration Offers Advantages in Resolving Technology Disputes, N.Y.L.J. Techrends, vol. 8, no. 2, March 22, 2004 at T3;

Using Technology to Resolve Business Disputes, A special supplement of the ICC Court of Arbitration Bulletin, ICC Publication No. 667 (2004)(with others);

Outsourcing the Web Site Design Project, N.Y.L.J.E-COMMERCE, June 9, 2003 at S5;

To Do: Determine the Value of My Failed Startup's IP, Venture Capital Journal, October 2002, at 43;

The Benefits of Arbitration for Technology-Based Disputes: More than meets the Eye?, THE Metropolitan Corporate Counsel, Vol. 8, No. 9, September 2000;

ADR and On-Line Dispute Resolution, in ARBITRATION NOW 69 (Paul H. Haagen ed., ABA Press, 1999) (joint author);

The Role and Responsibility of the Association and the Bar in a Changing Technological Environment, 49 REC.A.B.C.N.Y. 470 (1994) (with others).

Selected speeches, etc.

Advanced CI Arb – CPR International Arbitrator Training Course (New York City, NY) (2010) (Tutor)

Eleventh Annual American Bar Association Section of Dispute Resolution Spring Conference (New York City, NY) (2009) (Speaker on e-discovery in arbitration)

Third Annual Conference on International Arbitration and Mediation (Fordham Law School – New York City, NY) (2008) (Moderator of panel on technology and ADR; speaker on choice of law in international IP arbitrations)

The Future of Commercial Dispute Resolution (Law Society of Scotland and CI Arb - Edinburgh, Scotland) (2008) (Speaker on the use of technology in arbitration)

Second Law and Information Society Symposium (Fordham Law School – New York City, NY) (2008) (Moderator of panel on enforcement of rights against a corporate data warehouse)

Advanced Arbitrator Training Program (CPR and CI Arb - New York City, NY) (2007) (Speaker on e-discovery)

Venture Mentor Lecture Series (MIT - Cambridge, MA) (2007) (Speaker on personnel issues arising in a start-up); Best Practices in International Arbitration (CPR and CI Arb - New York City, NY) (2007) (Lecturer)

International ADR Reporting Program Series (ICDR – Philadelphia, PA)(2006) (Moderator of panel on intellectual property and international arbitration)

Symposium on Transatlantic Perspectives on Alternative Dispute Resolution (St. John's University School of Law and CI Arb - London, England) (2006) (Moderator of panel on technology issues and adr and speaker on the use of technology in arbitration)

IAP Seminar (MIT - Cambridge, MA) (2005 and 2004) (Lecturer)

CORE Entrepreneurship Lecture Series (Columbia University - New York, NY)(2004)(Speaker on start-up legal issues).

EXPERIENCE IN COURT LITIGATION

Experience in all phases of litigation and the supervision of litigation before federal, state courts and administrative agencies (25 years);

Counsel in over 25 court cases in courts of first instance and appellate courts in the USA (antitrust, intellectual property matters, copyright infringement in the area of computer programs, general contractual or commercial disputes);

Worked in a managerial role in several commercial disputes in the United Kingdom.

PROFESSIONAL TRAINING IN MEDIATION

American Arbitration Association, Mediator Training Course, 1993.

PROFESSIONAL TRAINING IN ARBITRATION

Chartered Institute of Arbitrators: Advanced Fellowship Course, New York, 1998;
 American Arbitration Association: Numerous annual and other training courses, 1986 - present.
 International Chamber of Commerce; Various annual courses

EXPERIENCE IN ARBITRATION AND MEDIATION

Over 20 years experience as neutral or counsel in international and domestic complex commercial arbitrations and mediations. Extensive experience arbitrating (as chair, sole, or panel member) or mediating disputes involving licensing, intellectual property, commercial technology matters, domain names and other internet disputes, securities, franchising, government contracting and various international and domestic commercial matters. Industries involved include computers and e-commerce, telecommunications, pharmaceuticals, medical equipment and health care, defense, aviation and transportation, finance and banking, heavy equipment, home products, fashion and consumer electronics. Amounts in controversy have exceeded \$250,000,000.

Recent or significant matters have included disputes involving: patents and patent and trade secret licensing in the telecommunications (international – chair), pharmaceuticals (domestic – chair), software (international – chair), internet (international - chair), chemical equipment (international - sole member), industrial equipment (international – sole member) and financial business method (chair); trademark and copyright (design) licensing dispute in consumer products (three matters – counsel and sole member); software design and licensing (various international and domestic matters – either chair or sole member); securities and banking (various international and domestic matters – either chair or sole member); outsourcing of information processing services (domestic - party appointed member); acquisition of a medical equipment company (international - party appointed member); products liability pertaining to commercial aircraft (international - sole member) and transportation equipment (domestic - member); aircraft charter (international - sole member); telecommunications backbone services and equipment (international - chair); computer games (domestic - sole member) and movie distribution (domestic - member).

ARBITRATION EXPERIENCE**SUMMARY TABLE**

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	AAA/other	30	9	17	4	1
	Ad Hoc	2		2		
Number of cases: sub-total		32	12	19	4	1
Domestic Arbitrations	AAA/other	35	9	19	8	1
Number of cases: sub-total		35	9	19	8	1
TOTAL		67	21	38	12	2

MEDIATION EXPERIENCE**SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations	AAA	4	3	1
Number of cases: sub-total		4	3	1
Domestic Mediations	AAA	2	2	
Number of cases: sub-total		2	2	
TOTAL		6	5	1