

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

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Date of Birth: February 7, 1949
Nationality: American/Italian

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Ph.D., (Statistics), Harvard University, 1977;
B.S., (Mathematics), Massachusetts Institute of Technology, 1973.

LANGUAGES

English, Italian and French, (oral comprehension of German and Spanish).

PRESENT POSITION AND PROFESSIONAL EXPERIENCE

Partner, Hill & Associates, Geneva (since 1996). Has provided tactical and strategic consulting for a party in a \$10 million arbitration under the auspices of the International Chamber of Commerce (ICC). Has also provided strategic consulting for a party involved in a mediation as part of a very large ICC arbitration. Has chaired the Informal Working Group on Dispute Resolution in Telecommunications;

May 17, 2017

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Information Technology Services Manager, Orange Communications, Lausanne (since July 1999). Responsible for the network, central systems, over 1200 PCs, user support, and Internet and Intranet services;

Head, Information Technology Division, University of Geneva, Geneva (1997-1999). Responsible for the network, central systems, over 6000 work-stations and PCs, user support, administrative applications, library infrastructure, and audio-visual services;

Advanced Learning Technologies and working Methods Program Manager--Europe, Hewlett-Packard European Headquarters, Geneva (1995-1997). Responsible for defining and implementing a European strategy for the use of distance learning, computer-based training, telecommuting and related well-known or emerging technologies that are likely to transform working methods within Hewlett-Packard in the future. Was invited as a guest lecturer on negotiation at the School of Law, University of Lausanne. Achievements include delivery of an agreed strategy and implementation plans for specific projects;

Mobile Communications Services Manager, WW, Hewlett Packard ("HP") European Headquarters, Geneva (1992-1995). Responsible for defining and implementing a worldwide strategy for the use of cellular phones and emerging radio-driven mobile communication devices within HP, including negotiation of volume discounts with potential savings of over \$1M/year for GSM services;

Chief executive officer of the EDIFACT (Electronic Data Interchange) standardization bodies in Western Europe (1992-1993). Responsible for organizing and directing the work of some 300 experts and leading two-party and multi-party mediation sessions;

Responsible for managing voice services for HP in Europe (1991-1994); savings were increased from \$0.3M/year in 1991 to \$1.2M/year in 1994 and plans put in place to achieve savings of \$2.5M/year in 1995; conducted negotiations with major telecommunications services suppliers;

EDI Program Manager for HP in Europe (1987-1991). Responsible for defining and implementing HP's EDI strategy. Processes and systems were put in place allowing the number of EDI links to increase from 30 in 1987 to 150 in 1991 and 600 in 1994; the time required to implement a link decreased from months to two days. Editor of CCITT Recommendation X.435 for EDI and X.400;

Information Systems Manager, Hewlett Packard Middle East and Africa sales office, Geneva (1983-1987);

Economic Forecasting Analyst, Hewlett Packard European Headquarters, Geneva (1982-1983);

Executive Research Statistician, A.C. Nielsen Co. International Statistical Research Group, Lucerne (1978-1981);

Senior Consultant, Dynamics, Boston, Massachusetts (1976 - 1978);

Assistant Director, National Bureau of Economic Research Computer Research Center, Boston (1975-1976);

From Systems Programmer to Manager of Applications Programming, National Bureau of Economic Research Computer Research Center (1971-1975);

Systems Programmer, TROLL Project, Massachusetts Institute of Technology (1969-1971).

MEMBERSHIP OF PROFESSIONAL BODIES

American Arbitration Association (AAA);
 American Association for the Advancement of Science;
 Association for Computing Machinery;
 Swiss Arbitration Association (ASA);
 Society for Computers and Law.

AREAS OF SPECIALIZATION

Information technology--software development, operations management;
 Telecommunications--international standards, voice services, mobile services;
 Electronic data interchange and electronic commerce generally;
 Mediation--two-party and multi-party.

EXPERIENCE IN INTELLECTUAL PROPERTY

Twenty years' professional experience negotiating contracts for services, software and hardware, both as buyer and seller. Familiar with case-law relevant to computer and telecommunications issues.

MAJOR PUBLICATIONS

EDI and X.400 Using Pedit: The Guide for Implementors and Users, published by Technology Appraisals, London, 1990; also translated into French and published by AFNOR;

"What is the Smallest Copyrightable Element in a Multi-Media Work?" *Computers and Law*, Vol. 6, No. 3, p. 15, August-September 1995;

"Non-Adversarial Mediation," *The Dispute Resolution Journal*, Vol. 50, No. 3, p. 43, July-September 1995; and *The Journal of International Arbitration*, Vol. 12, No. 4, p. 135, December 1995;

"Mediation and Lean Arbitration," *International Commercial Litigation*, p. 34, November 1995;

"Establishing an Internet Presence," *Computers and Law*, Vol. 6, No. 4, p. 6, October-November 1995;

"The Draft UNCITRAL Model Law for Electronic Commerce: Issues and Solutions," with Dr. Ian Walden, *The Computer Lawyer*, Vol. 13, No. 3, p. 18, March 1996;

"A Businessman's View of the UNIDROIT Principles," *Journal of International Arbitration*, Vol. 13, No. 2, p. 163, June 1996;

"Minitel: An Example of Electronic Commerce Compared to the World-Wide Web," *EDI Forum*, Vol. 9, No. 2, p. 89; and *The Information Society*, Vol. 13, No. 1, January-March 1997;

"*Compagnie de Navigation et Transports S.A. vs. MSC Mediterranean Shipping Company SA* Revisited: The Writing Requirement of the New York Convention," *Bulletin of the Swiss Arbitration Association*, No. 3, p. 488, September 1996;

"MED-ARB: Swatch or New Coke?" *Arbitration International*, Vol. 13, No. 1, p. 115, 1997;

"Dispute Avoidance and Resolution Mechanisms," *The Arbitration and Dispute Resolution Journal*, Part 4, December 1996), p. 287;

"Comments on the Interpretation of 9 USC and The New York Convention", *Mealey's International Arbitration Report* (Vol. 12, no. 8, August 1997), p. 23; and *Bulletin of the Swiss Arbitration Association* (1997, no. 3), p. 523;

"Will Cybercourts use Cyberspace?", *International Commercial Litigation* (October 1997), P.33;

"Formal Requirements for Arbitration Agreements: Does Kahn Lucas Lancaster v. Lark International Open Pandora's Box?", *Mealey's International Arbitration Report* (Vol. 12, no. 10, October 1997), p. 18; and *Bulletin of the Swiss Arbitration Association* (1997, no. 3), p. 523;

"Enforceability of a mediation clause", *Arbitration* (November 1997, Vol. 63, no. 4), p.302;

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Book review of *Arbitration and Mediation in International Business*, by Christian Buehring-Uhle, *Arbitration* (November 1997, Vol. 63, no. 4), p. 317;

“The Internet, Electronic Commerce, and Dispute Resolution: Comments”, *Journal of International Arbitration* (December 1997), p. 103;

“Disputes regarding Electronic Commerce – their resolution online and otherwise”, in *The World Business Agenda for Electronic Commerce* (ICC Publishing, 1997), p. 140;

“The Theoretical Basis of Mediation and ADR: Why They Work”, *Arbitration International* (Vol. 14, no. 2, 1998), p. 173;

“New Paths for Dispute Resolution”, *Improving International Arbitration: Liber Amicorum Michel Gaudet* (ICC Publishing, 1998), p. 57;

“Ways to speed technology disputes”, *International Commercial Litigation* (November 1998), p.27;

“The Writing Requirement of the New York Convention: Are There Black Holes in International Arbitration?”, *Mealey’s International Arbitration Report* (Vol. 13, no. 11, November 1998), p. 17;

“Remunerating Authors and Publishers in a Digital World”, *Journal of World Intellectual Property* (Vol. 2, no. 1, January 1999), p.35;

“Online Arbitration: Issues and Solutions”, *Arbitration International* (Vol. 15, no. 2, 1999), p. 199;

La médiation familiale et d’autres types de médiation: Tronc commun et branches divergeantes, unpublished work for the Certificat of Family Mediation, CEFOC (May 1999);

“La prévention des différends, un besoin réel de la pratique ou une invention de juristes?” (with Catherine Kessedjian), *International Law Forum* (Vol. 1, no. 2, 1999), p.10;

Guest editor, with Prof. C. Kessedjian of the Recurring Themes section of Vol. 1, no. 2, 1999 of *International Law Forum* (on dispute prevention);

“Common Points and Differences among Different Types of Mediation”, *The Arbitration and Dispute Resolution Law Journal* (forthcoming).

PROFESSIONAL TRAINING IN MEDIATION

Included in ongoing management training at Hewlett-Packard (has attended approximately 10 courses averaging three days each during the past 12 years);

WIPO Training Program on Mediation in Intellectual Property Disputes, May 1995;

Accredited mediator, Centre for Dispute Resolution (CEDR), London, 1997;

CEFOC/INPOER divorce mediator training.

EXPERIENCE IN MEDIATION

Consulted by a party in a mediation that was part of a major arbitration under the auspices of the ICC;

Practicing divorce mediator;

As Editor of CCITT Recommendation X.435, and as UN/EDIFACT Rapporteur for Western Europe, has conducted numerous mediations related to the development of international standards. The mediations typically start as multi-party conflicts, which can often be reduced to a successive series of two- or three-party mediation sessions. These mediations involved participants from the United States of America, Canada, Japan, Singapore, Taiwan (Province of China), Australia, and all European countries. They took place in a variety of venues around the world.

PROFESSIONAL TRAINING IN ARBITRATION

WIPO Workshop for Arbitrators, November 1996.

EXPERIENCE IN ARBITRATION

Acted as consultant to a party in a \$10 million arbitration held under the auspices of the ICC.

ARBITRATION EXPERIENCE
SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	AAA					
	ICC	1				(Consultant) 1
	LCIA					
	Ad Hoc					
Number of cases: sub-total		1				1
Domestic Arbitrations						
Number of cases: sub-total						
TOTAL		1				1

MEDIATION EXPERIENCE**SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations	ITU-TS	4	4	
	UN/EDIFACT	6	6	
	Ad Hoc	1		1
Number of cases: sub-total		11	10	1
Domestic Mediations	Ad hoc	5	5	
Number of cases: sub-total				
TOTAL		16	15	1