

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Justin HUGHES
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Date of Birth: April 4, 1960
Nationality: American

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Harvard Law School, J.D. *magna cum laude*, 1986;

Oberlin College, *magna cum laude* in philosophy, 1982; Phi Beta Kappa, Dahl, Jorgensen, and Patterson endowed prizes; second major in Government, 1977-82;

Additional academic honors include Henry Luce Scholar (1988-89);
Mellon Fellow in the Humanities (1989-91);
Baxter Scholar to the Hague Academy of International Law (1985).

LANGUAGES

English, French, Spanish (reading)

September 22, 2014

PRESENT POSITION

William H. Hannon Distinguished Professor of Law, Loyola Law School, Loyola Marymount University, Los Angeles.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Senior Advisor to the Undersecretary of Commerce for Intellectual Property, U.S. Department of Commerce, Washington, D.C.; U.S. chief negotiator and head of delegation at the Beijing (2012) and Marrakesh (2013) Diplomatic Conferences; recipient of the Secretary of Commerce's Gold Medal for outstanding service (2014), 2009-2013;

Professor of Law, Cardozo School of Law, Yeshiva University, New York, 2002-2013;

Third Hosier Distinguished Visiting Chair in Intellectual Property, DePaul College of Law, Chicago, Illinois, 2003;

Visiting Professor, UCLA Law School, Los Angeles, teaching Copyright, Trademark, and Cyberlaw, 2001-02;

Adjunct Professor, Cardozo Law School, teaching Cyberlaw, 2000-01;

Attorney-Advisor, U.S. Patent and Trademark Office [Office of Legislative and International Affairs], Department of Commerce, Washington, D.C., 1997-01;

Scheduler, Clinton/Gore and California Coordinated Campaign, 1996;

Attorney, Manatt, Phelps & Phillips, Los Angeles, concentrating on intellectual property litigation and transaction work, civil litigation, and international commercial arbitrations, 1991-95;

Clerk to the Lord President, Supreme Court of Malaysia, Kuala Lumpur, Malaysia [as Henry Luce Scholar, *infra*]. 1988-89;

Attorney, Coudert Frères, Paris, France, concentrating in international commercial arbitrations concerning bauxite, natural gas, alumina, joint venture contracts, and patent rights. 1986-88.

AREAS OF SPECIALIZATION

See above professional history and publications below

MEMBERSHIP IN PROFESSIONAL BODIES

Member of the New York and California state bars;
American Bar Association;
Pacific Council on International Policy.

EXPERIENCE IN INTELLECTUAL PROPERTY

See above professional history and publications below.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

WIPO UDRP arbitrator experience includes Domain Name Decision D2004-0526 [stokeseed.com], D2004-0339 [lloydbanks.com], D2005-1129 [toyota-usa.com], D2005-1175 [tillamookcandy.com, et

al.], D2006-0070 [g-unit.com], D2006-0561 [playboyatthepalms.com], D2006-0887 [lumberliquidater.com, et al], D2007-0255 [wal-mart-toy.com, et al.], D2007-1558 [honda-jp.org]

In addition to these, teaching (above) and scholarship (below), co-author of 2000 U.S. Government report to Congress, *Abusive Domain Name Registration Involving Personal Names*, available at < <http://www.uspto.gov/web/offices/dcom/olia/tmcybpiracy/repcongress.pdf>>.

MAJOR PUBLICATIONS

Cognitive and Aesthetic Functionality in Trademark Law, 36 CARDOZO L. REV. ____ (2015, forthcoming);

Traditional Knowledge, Cultural Expression, and the Siren's Call of Property, 49 SAN DIEGO LAW REVIEW 1215 (2013);

The Photographer's Copyright – photograph as art, photograph as database, 25 HARVARD J. ON LAW & TECHNOLOGY 339 (2012);

A short history of 'intellectual property' in relation to copyright, 33 CARDOZO L. REV. 1293 (2012);

Locke's 1694 Memorandum (and More Incomplete Copyright Historiographies) [introductory essay], 27 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL 555 (2010);

Copyright and Its Rewards, Foreseen and Unforeseen, 122 HARV. L. REV. FORUM 81 (2009);

Created Facts and the Flawed Ontology of Copyright, 83 NOTRE DAME L. REV. 43 (2007);

American Moral Rights and Fixing the Dastar Gap, 2007 UTAH L. REV. 659 (December 2007);

Champagne, Feta, and Bourbon: the Spirited Debate about Geographical Indications, 58 HASTINGS LAW JOURNAL 299 (2006);

Copyright and Incomplete Historiographies – of Piracy, Propertization, and Thomas Jefferson, 79 SOUTHERN CALIFORNIA LAW REVIEW 993 (2006);

Size Matters (or Should) in Copyright Law, 75 FORDHAM LAW REVIEW 575 (2005);

On the Logic of Suing One's Customers and the Dilemma of Infringement-Based Business Models, 23 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL 723 (2005);

Of World Music and Sovereign States, E-Commerce and the Formation of Legal Norms, 35 LOYOLA UNIVERSITY CHICAGO LAW JOURNAL 155 (2004);

The Internet and the Persistence of Law, 44 BOSTON COLLEGE LAW REVIEW 359 (2003);

Fair Use Across Time, 43 UCLA LAW REVIEW 775 (2003);

How extra-copyright protection of databases can be constitutional, 28 U. DAYTON LAW REVIEW 159 (2003);

The Line Between Work and Framework, Text and Context, 18 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL 19 (2001);

Recoding Intellectual Property and Overlooked Audience Interest, 77 TEXAS LAW REVIEW 923 (1999);

The Personality Interest of Artists and Inventors in Intellectual Property, 16 CARDOZO ARTS & ENTERTAINMENT LAW JOURNAL 81 (1998);

Foreign lis alibi pendens, Non-Chinese Majority Tribunals and Other Issues of Neutrality in CIETAC Arbitrations, 13 *ARBITRATION INTERNATIONAL* 63 (Winter 1997);

The Philosophy of Intellectual Property, 77 *GEORGETOWN LAW JOURNAL* 287 (1988);

A New Generation of State Tax and Expenditure Limitations [with G. Reiman], 22 *HARVARD JOURNAL ON LEGISLATION* 269 (1985);

Group Speech Acts, 7 *PHILOSOPHY AND LINGUISTICS* (1984).

EXPERIENCE IN COURT LITIGATION

Extensive experience as described above, 1991-95.

PROFESSIONAL TRAINING IN MEDIATION

WIPO Arbitration and Mediation Center seminars, Geneva, 1995.

EXPERIENCE IN ARBITRATION

Extensive experience as described above, 1986-98, 1995; see also publications.
