

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

William Peter KNIGHT
Banki Haddock Fiora
Level 10
179 Elizabeth Street
Sydney, NSW 2000
Australia



Telephone: +61 2 9266 3445

Fax: +61 2 9266 3455

E-mail: knight@bhf.com.au

Date of Birth: November 7, 1953

Nationality: Australian

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

M.A., (Law), University of London, 1981;
LL.B., (Law), University of Sydney, 1977;
B.A., (English Literature and Language), University of Sydney, 1975.

Admitted:

Supreme Court of New South Wales, 1978;
High Court of Australia, 1978;
Federal Court of Australia, 1978;
Supreme Court of the ACT, 1990;
Supreme Court of Victoria, 1991;
Supreme Court of Western Australia, 2000.

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34, chemin des Colombettes, 1211 Geneva 20, Switzerland
T +41 22 338 82 47 F +41 22 740 37 00 E arbiter.neutrals@wipo.int W www.wipo.int/amc

LANGUAGES

English.

PRESENT POSITION

Partner, Banki Haddock Fiora, 2009.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Partner, Clayton Utz, Sydney, since 1991-2009;
Senior Counsel, Asia Pacific Operations, Apple Computer, Inc., Sydney, 1986-90;

MEMBERSHIP IN PROFESSIONAL BODIES

Member:

Copyright Society;
International Trade Mark Association (INTA);
Computer Law Association Inc.;
Corporate Lawyers Association;
INTA Meetings Committee;
Dispute Resolution Working Group of Domains Administration Ltd. (AUDA).

AREAS OF SPECIALIZATION

Intellectual property: copyright, trade secrets, trade mark and trade practices law.

Computer law, in particular information technology issues.

EXPERIENCE IN INTELLECTUAL PROPERTY

Involvement with the computer industry since 1982, in respect of litigation concerning the protection of computer programs by copyright, as well as trade marks protection. Since that time, has practiced continuously in all aspects of intellectual property affecting both suppliers and users of information technologies, both in litigation and dispute resolution, and commercial contract negotiations.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Has advised many Australian and foreign companies with respect to the registration and transfer of, and dispute resolution concerning, .com and .net domain names. As a member of the Dispute Resolution Working Group of Domains Administration Ltd, (AUDA), is involved with domain name administration and policy in Australia.

MAJOR PUBLICATIONS

Books:

"The Legal Environment of Computing, co-author, Addison-Wesley, 1990;

Articles:

"Copyright Amendment (Digital Agenda) Act 2000", Keeping Good Companies Volume 53, No. 2, March 2001;

"The Electronic Transactions Bill 1999", Computer and Telecommunications Law Review, Vol. 6, Issue

4, June 2000;
 "Australian Copyright Act Amended", The Computer Law Association Bulletin, Vol. 14, No. 1, April 1999;
 "Australia's Response to the Agreement on Trade-Related Aspects of Intellectual Property Rights", The Journal of World Intellectual Property, Vol. 2, No. 2, March 1999;
 "Recent Developments in Information Technology Law In the Asia-Pacific Region (Part II)", The Computer Lawyer, Vol. 14, No. 4, April 1997;
 "Recent Developments in Information Technology Law In the Asia-Pacific Region (Part I)", The Computer Lawyer, Vol. 14, No. 3, March 1997;
 "Proposed Amendments to the Copyright Act", Journal of the Copyright Society of Australia, February 1995;
 "Proposed Amendments to Australian Copyright Law", The International Computer Lawyer, February 1995;
 "Nintendo Decisions Affect Grey Marketing in Australia", The International Computer Lawyer, September 1994;
 "CCOM v Jiejing: Australian Court Revisits Software Patents", The International Computer Lawyer, May 1994;
 "Impact of Copyright Laws on the use of New Multimedia Technology", The International Computer Lawyer, February 1993;
 "Copyrights Computer Software and Competition In Australia", The Internatinal computer Lawyer, February 1993;
 "Computer Products, Parallel Imports and Copyrights in Australia and New Zealand" and "Computer Contracts: Recent Developments in the Legal Liability of Vendors", Software Law Journal, Vol. 5, No.1, February 1992;
 Regular Contributor to Computerworld column.

Professional Affiliations:

Contributor, Essays on Computer Law (1990 Longman Professional Edited by Gordon Hughes);
 Contributor, Butterworths Laws of Australia, Copyright Section;
 Headnotes, Intellectual Property Reports, Butterworths.

EXPERIENCE IN COURT LITIGATION

Has advised clients with respect to all levels of court process in Australia, in particular Federal Court and Supreme Court, Intellectual Property and IT contract disputes.

EXPERIENCE IN MEDIATION

Has participated in mediations representing clients in respect of dispute resolution processes, and is familiar with all mediation processes.

EXPERIENCE IN ARBITRATION

Has advised clients in arbitrations regarding IT contract disputes in Australia.
