

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Peter L. MICHAELSON
Arbitrator, Mediator and Attorney-at-Law
Michaelson ADR Chambers, LLC
New York, NY
United States of America



New Jersey office
Rumson, NJ
United States of America

Nationality: American

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

LLM., Trade Regulation, New York University, New York, New York, 1985;
J.D., Duquesne University, Pittsburgh, Pennsylvania, 1979;
M.S., Electrical Engineering, Carnegie-Mellon University, Pittsburgh, 1975;
B.S., Electrical Engineering and Economics, Carnegie-Mellon University, Pittsburgh, 1974.

Bar Admissions:

New York;
New Jersey;
Pennsylvania;
Alaska;
US Supreme Court;
US Court of Appeals for the Federal Circuit;
US Third Circuit Court of Appeals;
US District Court for the District of New Jersey; and
other US Circuit and District Courts;

January 29, 2020

United States Patent and Trademark Office (U.S. PTO), Reg. Patent Attorney N° 30,090.

LANGUAGES

English

PRESENT POSITIONS

Arbitrator, Mediator & Attorney, Michaelson ADR Chambers, LLC Jan 2011-present;
 Chair Emeritus -- New York Branch, Chartered Institute of Arbitrators;
 Serve as an ADR neutral (arbitrator and mediator) primarily for international and domestic disputes involving:
 (i) intellectual property (IP) disputes (including patent disputes spanning a wide range of technologies; trademark, domain name and trade secret disputes),
 (ii) information technology (IT), and
 (iii) technical and technology-related disputes across many industries and industrial sectors, including, e.g., aviation, defense contracting, energy, general manufacturing, infrastructure (including investment), electronics (hardware and software), lighting, major appliances, medical devices, telecommunications and pharmaceuticals; and secondarily:
 (iv) disputes across a wide range of other substantive areas including, e.g.: antitrust (merger), breach of contract, consumer credit, consumer fraud, consulting, joint ventures and partnerships, licensing (including university technology transfer), mergers & acquisitions, securities and financial, and telecommunications (including reciprocal compensation).

Also serves as court-appointed expert in patent law.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITIONS

Principal, Attorney, Arbitrator and Mediator, Michaelson and Associates (and predecessor law firms), Shrewsbury, New Jersey 1984-April 2012;
 Trustee (Americas Region), Chartered Institute of Arbitrators (UK), London, November 2011-December 2012;
 General Counsel (virtual), Direct Grid Technologies, Edgewood, New York (October 2010-April 2012);
 Associate Attorney, Pennie & Edmonds, New York, 1982-84;
 Corporate Patent Attorney (Member of the Legal and Patent Staff), Bell Telephone Laboratories, Holmdel, New Jersey, 1979-82;
 Electronics Development Engineer, Rockwell International Corporation, Municipal & Utility Division, Pittsburgh, 1977-79;
 Electronics Development Engineer, Aluminum Co. of America (Alcoa), Alcoa Technical Center, Production Equipment Laboratories, Pittsburgh, 1976-77; and
 Electronics Project Engineer, Control Systems Research, Inc., Pittsburgh, 1975-76.

AREAS OF SPECIALIZATION

Intellectual property generally;
 Patents;
 Trademarks and Domain Names;

Trade Secrets; and
IT and Technology-related dispute resolution, generally.

MEMBERSHIP ON ADR PANELS and IN PROFESSIONAL ORGANIZATIONS

ADR Panel Memberships:

Approved Mediator/Arbitrator in Intellectual Property Disputes,
Arbitrator, ICANN Domain Name and Legal Rights Objections (LRO) Disputes, and
Trademark Post-Delegation Dispute Resolution Procedure panel
WIPO Arbitration and Mediation Center, Geneva, Switzerland;

Fellow, Chartered Arbitrator, and Member, also Assessor (International Arbitration), Examiner (International Arbitration), Tutor (Arbitration and Mediation) and Course Director (International Arbitration)
Chartered Institute of Arbitrators, London, England;

Arbitrator and Mediator, ICDR
Arbitrator -- ICDR ICANN String Confusion Objections (SCO) Panel
International Centre for Dispute Resolution (ICDR), New York, New York;

Arbitrator and Mediator, American Arbitration Association (AAA) Commercial Panel (patent, trademark and technology rosters; and IP specialty rosters including pharmaceutical, biotech, SEP-FRAND, blockchain and others); Large Complex Case (LCC), Consumer Account, Domain Name Dispute, E-discovery/Special Master, M&A and Joint Venture panels; also Member, National Patent Advisory Council; New Jersey Superstorm Sandy Mediator, American Arbitration Association, New York, New York;

Fellow, College of Commercial Arbitrators (US), Austin, Texas;

Fellow - American College of e-Neutrals, Birmingham, Alabama;

Member of Distinguished Panels of Neutrals – Technology panel; and formerly Bio-tech and e-Discovery panels, International Institute for Conflict Prevention & Resolution (formerly "CPR Institute for Dispute Resolution"), New York, New York;

Member, List of World's Leading Technology Neutrals ("Tech List")
Silicon Valley Arbitration and Mediation Center, Palo Alto, California;

Arbitrator and Mediator, National Academy of Distinguished Neutrals (NADN);

Arbitrator and Mediator, Federal Arbitration, Inc. (Fed Arb), Palo Alto, California;

Arbitrator, International Chamber of Commerce (ICC) International Court of Arbitration, Paris, France;

Arbitrator, London Court of International Arbitration (LCIA), London, England;

Arbitrator, IP Disputes Panel, Singapore International Arbitration Centre (SIAC), Singapore;

Arbitrator, Mediator and Domain Name Dispute Resolution Panelist, Kuala Lumpur Regional Centre for Arbitration (KLRCA), Kuala Lumpur, Malaysia;

Arbitrator, Asian Domain Name Dispute Resolution Centre (ADNDRC), ICANN Uniform Domain Name Dispute Resolution Policy (UDRP) and Register Transfer Dispute Resolution Policy (RTDRP) Panels, Hong Kong

International Arbitration Centre (HKIAC), Hong Kong;

Arbitrator, Pacific International Arbitration Centre (PIAC), Ho Chi Minh City, Vietnam;

Arbitrator, International Panel, British Columbia International Commercial Arbitration Centre (BCICA), also Canadian International Internet Dispute Resolution Centre (CIIDRC), Vancouver, British Columbia, Canada;

Arbitrator, National Association of Securities Dealers (NASD) and New York Stock Exchange (NYSE), both now FINRA (Financial Industry Regulatory Authority), New York, New York;

Accredited Mediator, Centre for Effective Dispute Resolution (CEDR), London, England;

Arbitrator and Mediator, United States District Court, Eastern District of New York;

Memberships in Professional Organizations:

American Bar Association;

Chartered Institute of Arbitrators (Fellow and Chartered Arbitrator; Former Institute Trustee (Americas Region); and Chair Emeritus, Co-Founder and Former Acting Treasurer -- New York Branch);

College of Commercial Arbitrators (Fellow);

American College of e-Neutrals (Fellow);

International Arbitration Club of New York;

National Academy of Distinguished Neutrals;

Silicon Valley Arbitration and Mediation Center (member of the "Tech List");

Alaska, New Jersey and New York State Bar Associations.

EXPERIENCE IN INTELLECTUAL PROPERTY

Served as General Counsel (on a virtual basis) for Direct Grid Technologies, LLC handling a wide variety of general corporate issues, including intellectual property.

Conducted intellectual property and unfair competition litigation in the U.S. Courts; and inter-parte and ex-parte proceedings in the U.S. Patent and Trademark Office involving patents and trademarks, including, e.g. patent appeals, patent interferences and trademark oppositions. Acted as counsel in patent infringement cases involving, e.g., software-based systems, electronic hand-held calculators, video equipment, electronic instruments, and electronic point-of-sale terminals and computer systems utilizing these terminals.

Prepared/prosecuted many patent applications, both U.S. and foreign, covering a wide range of electronic and mechanical technologies, e.g.; microprocessor and computer hardware and software including, among other areas, massively parallel processing systems; operating systems; cryptography; business methods; decision-theoretic processing; complex electronic systems (both computer and non-computer based); cryptography; semiconductors and semiconductor fabrication; fiber optics; photographic apparatus; displays; electronic circuitry; and mechanical devices and metallurgy. Prepared/prosecuted both US and foreign trademark applications.

Prepared patent validity and infringement opinions involving complex electronic technology; prepared trademark validity and infringement opinions.

Experienced in patent and trademark licensing, including FRAND licensing.

Counseled in intellectual property, antitrust, unfair competition and privacy law.

MAJOR PUBLICATIONS, PRESENTATIONS and OTHER PROFESSIONAL ACTIVITIES

Reported decisions (as arbitrator):

OpenTLD, B.V. v. Internet Corporation for Assigned Names and Numbers (ICANN), case no.: 01-15-0004-1379 (ICDR, August 24, 2015) (Emergency Arbitration);

Hawaii Community Federal Credit Union v. Texas International Property Associates - NA NA, 88 USPQ2d 1761 (Nat. Arb. Forum, September 3, 2008);

322 West 57th Owner LLC v. Administrator, Domain, C/O Mecca Hosting, 88 USPQ2d 1491 (WIPO, August 6, 2008);

Marvel Manufacturing Co. v. Koba Internet Sales LP, 87 USPQ2d 1276 (WIPO, May 5, 2008);

Paxar Americas Inc. v. eNom Inc., 84 USPQ2d 1730 (Nat. Arb. Forum, June 22, 2007);

Shaw Industries Group Inc. v. Arcadia Publishing Inc., 84 USPQ2d 1574 (WIPO, March 20, 2007);

SPX Corp. v. Hevun Diversified Corp., 81 USPQ2d 1621 (Nat. Arb. Forum, November 13, 2006);

Beat the Bookstore, LLC v. May Enterprises, 79 USPQ2d 1360 (Nat. Arb. Forum, December 19, 2005);

Estate of Marlon Brando v. Whois Guard, 77 USPQ2d 1229 (Nat. Arb. Forum, August 29, 2005);

Sound Unseen Ltd. v. Vanderhorst, 77 USPQ2d 1585 (WIPO, August 18, 2005);

Ringling Bros-Barnum & Bailey Combined Shows Inc. v. Lima, 74 USPQ2d 1887 (Amer. Arb. Assoc., May 13, 2005);

Mess Enterprises v. Scott Enterprises Ltd., 74 USPQ2d 1289 (WIPO, January 25, 2005);

Lockheed Martin Corp. v. Skunkworx Custom Cycle, 74 USPQ2d 1486 (WIPO, January 18, 2005);

True Blue Productions Inc. v. Hoffman, 73 USPQ2d 1512 (WIPO, December 22, 2004);

National Collegiate Athletic Association v. Brown, 72 USPQ2d 1319 (WIPO, August 30, 2004);

Register.com Inc. v. Reile, 70 USPQ2d 1351 (Nat. Arb. Forum, January 27, 2004);

Office of Personnel Management v. MS Technology Inc., 70 USPQ2d 1333 (Nat. Arb. Forum, December 9, 2003);

National Association of Professional Baseball Leagues, Inc. v. Zuccarini, 67 USPQ2d 1315 (WIPO, January 21, 2003);

Cable News Network LP v. Khouri, 68 USPQ2d 1570 (Nat. Arb. Forum, December 16, 2002);

Kalaydjian v. Steinle, 64 USPQ2d 1576 (Nat. Arb. Forum, August 27, 2002);

Princeton Linear Associates Inc. v. Copland, 61 USPQ2d 1895 (Nat. Arb. Forum, February 8, 2002).

Contributed articles concerning various aspects of intellectual property law and alternative dispute resolution to professional, legal and technical publications; specifically:

Co-author, "Chapter 20 - Use of Arbitration in Resolving Disputes involving Intellectual Property", *Handbook of Commercial Arbitration, 2nd Ed.*, American Bar Association, Section on Litigation (forthcoming);

"Emergency Arbitration: Fast, Effective and Economical", *Just Resolutions* (publication of the American Bar Association, Dispute Resolution Section), March 2016;

"Arbitrator Selection", *An Arbitration Primer for Litigators*, New York State Bar Association (NYSBA), Dispute Resolution Section, December 2015, p. 7-8;

"Patent Arbitration: It Still Makes Good Sense", *Landslide* (Journal of the Intellectual Property Section of the American Bar Association), Vol. 7, No. 6 (July/August 2015), an updated version appears in *CPR Alternatives*, March 2016, p. 35-41;

"When Speed and Cost Matter: Emergency and Expedited Arbitration", *New Jersey Law Journal*, Vol. 218, No. 4 (October 27, 2014), p. 50;

"The New 2014 WIPO ADR Rule Set: Flexible, Efficient and Improved", *NYSBA New York Dispute Resolution Lawyer*, Vol. 7, No. 2 (Fall 2014), pp. 32-35;

"Neutral Selection: Some Guidance from a Neutral", *Dispute Resolution Journal*, Vol. 69, No. 1, June 2014, pages 25-31 (published for the American Arbitration Association by JurisNet, LLC); an expanded version appears in *CPR Alternatives*, Vol. 32, No. 6, June 2014, pages 85 and 89-93;

“Demystifying Commercial Arbitration: It’s Much Better Than You Think”, *New Jersey Law Journal*, Vol. 216, No. 7, Section 3 -- Alternative Dispute Resolution Supplement, May 26, 2014, pages S1, S2 and S8;

“Neutral Selection: Some Guidance from a Neutral”, and Interview (IP Member Spotlight) of Peter L. Michaelson, both appearing in *American Bar Association -- Just Resolutions*, March 2014;

"Enhanced Tribunals: Why It's Time to Use Personality Screening to Supplement Selection Criteria" (a two-part article), *CPR Alternatives*, November 2010 (part 1), and "Can Conflicting Styles Be Detected? How Personality Screens Make Tribunal 'Matches' for More Effective Arbitration", *CPR Alternatives*, December 2010 (part 2);

"Enhancing Arbitrator Selection: Using Personality Screening to Supplement Conventional Selection Criteria for Tripartite Arbitration Tribunals", *Arbitration - The International Journal of Arbitration, Mediation and Dispute Management*, Vol. 76, February 2010, p. 98-112;

"In International Arbitration, Disclosure Rules at the Place of Enforcement Matter Too," *Dispute Resolution Journal*, Vol. 62, No. 4, pp. 82-88, November 2007-January 2008, re-published as Chapter 29, pages 355-360, *American Arbitration Association Handbook on International Practice*, Juris Publishing, September 2010 and as Chapter 11, pages 133-142, *American Arbitration Association Handbook on International Arbitration and ADR*, Juris Publishing, October 2010;

"Vacatur Not Warranted for Undisclosed Trivial Past Association – But Guidance for Other Transactions is Lacking," *Dispute Resolution Journal* (ADR News Section, Ethics in Arbitration), Vol. 62, No. 1, pp. 4 and 21, February-April 2007;

"Patent and Trade Secret Protection of Software: Patentability of Programs - Nature and Scope of Trade Secret Protection," *Computer Software and Chips 1986*, *Practising Law Institute*, pp. 403-429, 1986;

"The 1984 Semiconductor Chip Protection Act - A Comprehensive View," *Communications and the Law*, Vol. 8, No. 5, pp. 23-55, October 1986;

"Legal Defenses Against Piracy," *Electronics Week*, Vol. 38, No. 9, p. 53, March 1985;

"Software Protection in the United States - Facts, Fantasies, Methods and Results," Proceedings of EUREL - 6th European Conference on Electrotechnics, EUROCON 84, *Computers in Communication and Control*, pp. 26-28, Brighton, England, September 1984. Reprinted in Japanese in *Business Communication Journal*, published by the Kikaku Center Co., Ltd., Tokyo, pp. 59-63, December 1984;

"A Brief Look at the Legality of Competitive Restrictions Imposed on Trade Secret Licensees by Trade Secret Licensors," *Journal of the Patent Office Society*, Vol. 63, No. 6, pp. 320-334, June 1981.

Conducted numerous legal seminars concerning intellectual property law, alternative dispute resolution and domain name arbitration for various professional and continuing legal education organizations and national, state and regional bar associations, including:

Webinars prepared for the American Arbitration Association (AAA):

- a) "Arbitrating Blockchain, Smart Contract and Smart Legal Contract Disputes", February 2020 (co-presenter);
- b) "What an Arbitrator Should Know About Sanctions, Immunity and Malpractice Insurance", July 2019 (co-presenter);
- c) "A Few Things Every AAA Arbitrator Should Know -- Ethics & AAA Standards and Responsibilities for Members of the AAA Roster of Arbitrators and Mediators; and Social Media", February 2019 (co-presenter);
- d) "Arbitrating Technology Disputes", November 2018 (co-presenter);
- e) "Neutral Selection for the Large Arbitration Case: Tips from the Front Line", February 2016 (co-presenter);, and
- f) "Neutral Selection for Regular Track Cases: Tips from the Front Line", February 2016 (co-presenter).

"Arbitrating Blockchain, Smart Contract, and Smart Legal Contract Disputes", *22nd Annual Spring Conference of the American Bar Association Section of Dispute Resolution*, New Orleans, Louisiana, April 23-24, 2020 (moderator and panelist);

"International Commercial Arbitration -- What You Need to Know", *New Jersey State Bar Association, 2019 ADR Day -- Valuable Tips for Arbitrators and Mediators for Resolving Conflicts in a Complicated World*, Iselin, New Jersey, June 5, 2019 (moderator and panelist);

"Technology Arbitration", *New York State Bar Association, Dispute Resolution Section, Arbitration Committee*, New York, New York, April 19, 2018;

"Procedural Issues", *2017 WIPO Mediators' Meeting - Exchange of Best Practices*, WIPO, Geneva, Switzerland, March 24, 2017 (panelist);

"Clearing the Fog: Practical Insights for Enhancing AAA Arbitrator Practices and Opportunities", Sessions 205/305, *AAA/ICDR Neutrals' Conference*, New Orleans, Louisiana, February 19-20, 2016 (panelist);

"Intellectual Property Arbitration", *4th Annual Georgetown International Arbitration Month program sponsored by Georgetown International Arbitration Society*, Georgetown University Law Center, Washington, DC, February 10, 2016 (panelist);

Webinars: "Neutral Selection for the Large Arbitration Case: Tips from the Front Line", *American Arbitration Association*, February 2016; and "Neutral Selection for Regular Track Cases: Tips from the Front Line", *American Arbitration Association*, February 2016;

"Emergency Arbitration in IP Matters", Teleconference Program, *ABA Dispute Resolution Section IP Committee and IPL Section ADR Committee*, December 17, 2015;

"WIPO Mediation and Arbitration Workshop" (including a session on FRAND Disputes), *World Intellectual Property Organization Arbitration and Mediation Center*, Palo Alto, California, November 12-13, 2015 (faculty/panelist);

"Award Writing" session of "Commercial Arbitration Training for Arbitrators and Counsel: Comprehensive Training for the Conducting of Commercial Arbitration" sponsored by the *New York State Bar Association and Benjamin N. Cardozo School of Law*, New York, New York, June 1-3, 2015 (panelist);

"ADR in Innovation and Technology Cases: Are Tech Cases Special? What You Need to Know", *17th Annual Spring Conference of the American Bar Association Section of Dispute Resolution*, Seattle, Washington, April 17-20, 2015 (panelist);

"Protecting Your IP Overseas: WIPO Services and Initiatives", specifically "Mediation of IP Disputes -- The WIPO Experience", *World Intellectual Property Organization in partnership with the United States Patent and Trademark Office and in cooperation with the American Intellectual Property Law Association and with the support of the United States Chamber of Commerce*, November 12, 2014, Princeton, New Jersey (panelist);

"WIPO Arbitration Workshop" and "WIPO Mediation Workshop", *World Intellectual Property Organization Arbitration and Mediation Center* and co-sponsored by the *United States Patent and Trademark Office, The New York Branch of The Chartered Institute of Arbitrators and the Licensing Executives Society (US and Canada)*, November 6 and 7, 2014, New York, NY (panelist);

"Neutral Selection: Some Guidance from Neutral", *9th Annual Fordham Law School Conference on International Arbitration and Mediation*, New York, NY, June 12-13, 2014 (panelist);

"Arbitrating Disputes over RAND (Reasonable and Nondiscriminatory) Licensing Commitments", Teleconference Program, *ABA Dispute Resolution Section IP Committee and IPL Section ADR Committee*, May 21, 2014 (panelist);

"Perspectives of an IP Neutral – Discussion on a Few Topics", *High Technology Law Group*, San Jose, California, October 10, 2013 (speaker);

"International Arbitration -- Market Opportunities". *2013 Americas Regional Meeting, MSI Global Alliance*, New York, NY, June 8, 2013 (speaker);

"WIPO Mediation and Arbitration: Alternative to Global Patent Litigation", *Annual Meeting of the American Bar Association, ABA-IPL Programs*, Chicago, Ill., August 2-7, 2012 (panelist);

"The ABA's Got Talent" specifically sub-session "How Niche Marketing has Helped Grow Your Practice" at *14th Annual Spring Conference of the American Bar Association Section of Dispute Resolution*, Washington, DC, April 18-21, 2012 (panelist);

"Issues Raised for Arbitrators by Current and Anticipated Future Use of Social Media such as Facebook, Twitter, YouTube and Other Internet-based Programs", specifically the portion "Social Media - Challenges for Arbitrators

-- An Explanation of Social Media”, *2011 Annual Meeting of the College of Commercial Arbitrators*, Denver, Colorado, October 22, 2011 (panelist);

“Streamlining Arbitration – It’s What Your Client Wants”, *2011 Annual Meeting of the New Jersey State Bar Association*, Atlantic City, New Jersey, May 19, 2011 (panelist);

“E-Discovery and ADR -- Yes It Matters”, *Justice Marie Garibaldi American Inn of Court for Alternative Dispute Resolution*, in conjunction with the New Jersey State Bar Association Dispute Resolution Section and the New Jersey Association of Professional Mediators, Basking Ridge, New Jersey February 10, 2011 (panelist);

“Mediating and Arbitrating Technology Cases”, *New Jersey State Bar Association, Dispute Resolution Section*, New Jersey Law Center, New Brunswick, New Jersey, November 9, 2010 (panelist);

“Different Options for Resolving International Disputes Involving Intellectual Property”, *Arbitration and Mediation for International Intellectual Property Disputes*, presented by American Bar Association - Section of Intellectual Property Law, World Intellectual Property Organization, and International Intellectual Property Society (IIPS), New York City, March 25, 2010 (panelist);

“Anatomy of a Mediation - Effective Strategies for Maximizing Positive Outcomes”, *First Annual Fall Meeting of the Dispute Resolution Section of the New York State Bar Association*, New York City, November 13, 2008 (panelist);

“Special Focus on Evidentiary Issues”, October 29, 2008, *Fifth Annual Seminar on International Commercial Arbitration: How to Handle Intellectual Property and Telecommunication Cases*, American University, Washington College of Law, Washington, D.C., October 27-30, 2008, sponsored by American University Washington College of Law, American Arbitration Association, International Centre for Settlement of Investment Disputes (ICSID) and International Chamber of Commerce (ICC) (panelist);

“Registrars and the UDRP - registrars as registrants and other conundrums -- The GE (D2007-1834), Ricard (D2008-0789), Canwest (D2008-0687) and Eva Padberg (D2007-1886) cases”; *Domain Name Panelists Meeting, WIPO Arbitration and Mediation Centre*, Geneva, October 20, 2008 (co-presenter);

“Mediating IP Disputes - Overcoming the Skeptics: a panel discussion followed by an audience driven, freeze-frame mock mediation session”, *C.I.Arb. Mediation Symposium: The Big Issue and Challenges Facing Mediators*, Chartered Institute of Arbitrators, London, UK, September 24, 2008 (panelist);

“Arbitration and Mediation of Intellectual Property Disputes Today”, jointly sponsored by American Bar Association IP and Dispute Resolutions sections at *2007 Annual Meeting of the American Bar Association*, San Francisco, California, August 9-14, 2007 (speaker requested by WIPO);

“Resolving Domestic and International IP Disputes Through Arbitration and Mediation”, *Presentation by WIPO Arbitration and Mediation Center, sponsored by IP and International Law Sections of The D.C. Bar Association and the Federal Circuit Bar Association*, Washington, D.C., May 22, 2007 (speaker requested by WIPO);

“Advanced Strategy and Tactics for Intellectual Property Disputes”, *Session D5, April 27, 2007 at ADR in Bloom, Ninth Annual Spring Conference of the American Bar Association Section on Dispute Resolution*, Washington, D.C., April 25-28, 2007 (panelist);

“WIPO: Domain Names Dispute Resolution”, *Annual Meeting of the International Law and Practice Section of the New York State Bar Association*, New York City, January 24, 2007;

“Confidentiality and Conflict of Interests in Intellectual Property Disputes”, *Intellectual Property Focus Area, an International Commercial Arbitration and Mediation Conference, The International Centre for Dispute Resolution*, Philadelphia, Pennsylvania, December 6, 2006 (panelist presenting on topic);

“Alternative Dispute Resolution in Intellectual Property Disputes”, *International Intellectual Property Society Meeting*, New York City, September 14, 2006 (panelist);

“Advanced Strategies and Tactics for Intellectual Property Disputes” and “Consideration in Selecting a Mediator – An In-house Perspective” at *ADR on My Mind in Georgia, Eighth Annual Spring Conference of the American Bar Association Section of Dispute Resolution*, Atlanta, Georgia, April 5-8, 2006 (panelist in both sessions);

“Confronting Realities and Ethical Traps in IP ADR”, *Session 2A at Hot Topics in Entertainment and Intellectual Property, American Bar Association Section of Dispute Resolution*, Las Vegas, Nevada, October 21, 2005 (panelist);

“Mediation in IP cases: Practice Pointers from All Perspectives”, *New York Intellectual Property Law Association*, New York City, January 14, 2005 (panelist);

“Resolving Patent Disputes through Mediation and WIPO - Less Risk, Less Cost and Better Results”, *BIO (Biotechnology Industry Organization) Intellectual Property Counsels’ meeting*, Boston, Mass., October 4-5, 2004, (spoke in my own capacity and also represented WIPO Arbitration and Mediation Center);

“Resolution of Intellectual Property Disputes in the 21st Century” workshop in IP ADR at *50th Council Meeting of the Asian Patent Attorneys Association (APAA)*, Fukuoka, Japan, October 24-27, 2004 (panelist invited by APAA);

Panelist for “ADR Practitioner Session”, *WIPO Mediation Interest Group Meeting, World Intellectual Property Organization*, Geneva, Switzerland, September 6, 2004;

“Common Pitfalls and Some New Twists to IP ADR”, Session E8, April 17, 2004 at *Resolution and Resilience in New York, 6th Annual Spring Conference of the American Bar Association Section of Dispute Resolution*, New York, New York (panel member for roundtable discussion);

“Patent ADR – A Better Way: Less Risk, Less Cost, Better Results”, *Part of Session C15, “ADR in a High Tech World”*, March 21, 2003, at *Insight for Inspired Practice, 5th Annual Spring Conference of American Bar Association Section of Dispute Resolution*, March 20-22, 2003, San Antonio, Texas;

“ADR and Internet Domain Names – The New Top Level Domains and Their Dispute; Resolution Processes”, *Advanced Seminar in Trademark Law, Practising Law Institute*, June 5, 2002, New York City;

“Tales of a Domain Name Arbitrator – Revenge, Deceit and Extortion; Watch Out! You Just Might Be the Next Victim” and “Pete’s Patent Law Primer – What You Need to Know”, *Recent Developments in Intellectual Property & E-Commerce on the Internet, Alaska Bar Association*, October 11, 2001, Anchorage, Alaska.

Seminars and Programs Organized:

Organized/co-organized professional seminars, courses and programs, including:

“Accelerated Route to Fellowship Program” (international commercial arbitration training course), *New York Branch of The Chartered Institute of Arbitrators*, June 13-15, 2016 in New York, New York and June 12-14, 2017 in New York, New York;

My responsibilities included complete and sole administration and faculty selection for the June 2016 course and co-administration, with the Vice Chair of the CI Arb NY Branch, of the June 2017 course;

“Joint Columbia Law School -- Chartered Institute of Arbitrators Course on International Commercial Arbitration”, *Columbia University School of Law and The Chartered Institute of Arbitrators New York Branch*, May 11-15, 2015; June 6-10, 2016 and June 5-9, 2017, New York, New York;

My responsibilities included complete and sole administration of the May 2015 and June 2016 courses, and co-administration, with the Vice Chair of the CI Arb NY Branch, of the June 2017 course;

“The New York Convention: Back for the Future”, *A joint conference between the Chartered Institute of Arbitrators New York Branch and UNCITRAL concerning the UNCITRAL Guide to the New York Convention and other contemporary issues regarding the Convention*, October 21, 2015, New York, New York;

“The Judges’ Program” *The New York Chapter of the Chartered Institute of Arbitrators and co-sponsored by The North American Branch of the Chartered Institute of Arbitrators, ICDR, ICC, CPR Institute, American Bar Association Section of International Law, New York State Bar Association, Skadden Arps Slate Meagher & Flom LLP, and Fordham University School of Law*, at Fordham University Law School, New York, New York, October 6, 2011;

Engaged in other professional activities, including:

Volunteer Judge, “ABA Representation in Mediation National Competition”, *ABA Section of Dispute Resolution*, New Orleans, Louisiana April 22, 2020, and New York, New York, April 6, 2016;

Arbitrator in the 8th Annual NYU Law School Practice Moot for The Annual Willem C. Viz International Commercial Arbitration Moot competition, New York, New York, March 16, 2019;

Arbitrator in the: 9th Annual ICDR Practice Moot, sponsored by the ICDR, for The Annual Willem C. Vis Moot International Commercial Arbitration Moot competition, New York, New York, February 26, 2016; 10th Annual ICDR Practice Moot, sponsored by the ICDR, for The Annual Willem C. Vis Moot International Commercial Arbitration Moot competition, New York, New York, March 10, 2017; 11th Annual ICDR Practice Moot, sponsored by the ICDR, for The Annual Willem C. Vis Moot International Commercial Arbitration Moot competition, New York, New York, February 23, 2018; and 12th Annual ICDR Practice Moot, sponsored by the ICDR, for The Annual Willem C. Vis Moot International Commercial Arbitration Moot competition, New York, New York, March 15, 2019;

Arbitrator in pre-moot practice sessions, sponsored by the ICC International Court of Arbitration for The Annual Willem C. Vis Moot International Commercial Arbitration Moot competition, New York, New York, 10th Annual Session February 12, 2016 and 13th Annual Session February 15, 2019;

Participant in: "USPTO Roundtable Consultation on the Use of Mediation for Disputes Before the USPTO", *United States Patent and Trademark Office, Silicon Valley Regional Office*, San Jose, California, November 10, 2015 (organized by the USPTO and the WIPO Arbitration and Mediation Center);

Volunteer Judge, "ABA Representation in Mediation National Competition", *ABA Section of Dispute Resolution*, Seattle, Washington, April 15, 2015;

Tutor for "Accelerated Route to Fellowship Program" (international arbitration training course), *New York Branch of The Chartered Institute of Arbitrators*, New York, NY, May 15-17, 2014;

Volunteer Judge, "ABA Representation in Mediation National Competition", *ABA Dispute Resolution Section Annual Spring Meeting*, Miami, Florida, April 2, 2014;

Co-organized/organized professional seminars and programs, including: "The Judges' Program", *The New York Chapter of the Chartered Institute of Arbitrators* and co-sponsored by The North American Branch of the Chartered Institute of Arbitrators, ICDR, ICC, CPR Institute, American Bar Association Section of International Law, New York State Bar Association, Skadden Arps Slate Meagher & Flom LLP and Fordham University School of Law, at Fordham University Law School, New York, New York, October 6, 2011;

At the request of Carnegie-Mellon University (CMU), I provided a presentation and served as panel leader and moderator for a panel discussion, for CMU students and alumnus interested in pursuing a legal career, entitled "So you want to be a lawyer: a frank discussion of what really awaits you in the profession", Carnegie-Mellon University, Pittsburgh, Pennsylvania, September 15, 2010;

Instructor for "*Joint CI Arb-CPR Arbitrator Training (Fast Track to Fellowship in the Chartered Institute of Arbitrators)*", New York, May 20-22, 2010;

Supporting Fellow and National Summit Participant of "The College of Commercial Arbitrators -- Protocols for Expedition, Cost-Effective Commercial Arbitration", Oct; 2009;

Participant in "Intellectual Property Roundtable - Patent Practice: A Shifting Landscape", *Regional General Counsel, September 2009, (supplement to New Jersey Law Journal, vol; 197, September 28, 2009)*, pages 24-31;

WIPO Arbitrator for Mock International Licensing Dispute held at *2007 Annual Meeting of the Licensing Executives Society (LES)*, Vancouver, B;C;, Canada, October 14-17, 2007, specifically sessions 5-L and 6-L "*Resolving International Licensing Disputes through Arbitration*", October 17, 2007 (requested by WIPO to represent organization and to serve as arbitrator);

Volunteer arbitration judge for *First Annual National Arbitration Competition sponsored by the American Bar Association and the National Arbitration Forum*, William Mitchell College of Law, St; Paul, Minnesota, November 18-20, 2005;

Master, Justice Marie L; Garibaldi American Inn of Court (New Jersey) for Alternative Dispute Resolution.

PROFESSIONAL TRAINING IN MEDIATION and ARBITRATION

Managing the Process with E-Discovery 2.0, October 2018 and Arbitrating in a Digital World - Fair & Expeditious

Management of e-Discovery, New York, New York, October 2017, both through the American College of e-Neutrals;

e-Discovery Negotiation Training, The Sedona Conference, New York, New York, February 2018;

ICDR International Symposia on Advanced Case Management Issues, New York, New York, December 2017;

ICDR International Symposia on Advanced Case Management Issues, Washington, DC, September 2016;

2015 Joint Columbia Law School -- Chartered Institute of Arbitrators Course on International Commercial Arbitration, New York, New York, May 2015;

ICDR International Symposia in Advanced Case Management Issues, International Centre for Dispute Resolution, Coronado, California, February 2009;

Advanced Mediator Training, The Hague, Netherlands, CPR Institute of Dispute Resolution, New York, NY, October 2004;

Advanced Mediator Skills Training, Chipping Campden, Gloucestershire, England, Mediation and Training Alternatives (MATA) in association with Centre for Effective Dispute Resolution (CEDR), London, England, May 2004;

American Arbitration Association, Arbitrator II Workshop – Advanced Case Management, Somerset, NJ, October 2002;

American Arbitration Association, Arbitrator I Workshop – Fundamentals of the Arbitration Process, New York, NY, December 2001;

Center for Effective Dispute Resolution (CEDR), 6th Annual International Summer School, Mediator Skills Training, London, England, August-September 2001;

Center for Dispute Settlement - Advanced Mediation Techniques Training Course, Washington, D.C., May 2000;

Harvard Law School Program of Instruction for Lawyers – Lawyer as Negotiator Workshop, June 1999;

Harvard Law School Program of Instruction for Lawyers – Advanced Mediation Workshop, November 1997;

Harvard Law School Program of Instruction for Lawyers -- Mediation Workshop, June 1996;

WIPO Workshop for Arbitrators, Geneva, Switzerland, November 1996;

WIPO Training Program on Mediation of Intellectual Property Disputes, Geneva, Switzerland, May 1995;

Harvard Law School Program on Negotiation, June 1993.

Various other training programs and professional seminars on alternative dispute resolution including mediation, arbitration and other procedures.

EXPERIENCE IN COURT LITIGATION and INTER-PARTES PROCEEDINGS

Acted as co-counsel in various patent litigations in various U.S. District Courts concerning various aspects of electronic technology, specifically software, electronic calculators, electronic musical instruments, electronic point of sale terminals and various forms of video equipment. All these cases have involved patent infringement and validity issues.

Conducted *inter parte* proceedings in the U.S. PTO involving patents and trademarks.

EXPERIENCE IN ARBITRATION

Arbitrated:

(a) international and domestic intellectual property (IP) disputes, including patent disputes involving a wide range of technologies from electronic to pharmaceutical to mechanical; trademark and trade secret disputes;

(b) international and domestic information technology (IT) and technology-related disputes across various commercial areas encompassing, e.g., telecommunications, biotech, infrastructure and energy (oil, gas, solar);

(c) bilateral investment treaty (BIT) disputes involving technology; and
 (d) international and domestic commercial disputes across a wide range of other substantive areas including, e.g.: antitrust (merger), breach of contract, consumer credit, consumer fraud, consulting, joint ventures and partnerships, licensing (including university technology transfer), securities and financial, and telecommunications (including reciprocal compensation).

Specifically, substantial matters handled illustratively include:

- Arbitration, as Chair of a three-person panel and under the International Centre for Dispute Resolution (ICDR), a patent licensing dispute involving a recombinant human enzyme replacement for treating a rare genetic disease with more than US \$ 100 Million in contention;
- Arbitration, as a member of a three-person panel and under the ICDR, of an international patent licensing dispute concerning hot-wall vertical furnaces used in atomic layer deposition processing during semiconductor fabrication with upwards of approximately US \$150 Million in contention;
- Arbitration, as Chair and under the Financial Industry Regulatory Authority (FINRA), of a contractual dispute between a major investment company, as Claimant, and a major international securities broker-dealer as Respondent. The dispute concerns the sale to the Claimant by the Respondent of notes issued by a foreign oil and gas exploration and production company for financing development and exploitation of a foreign oil field. The Claimant alleges the Respondent engaged in fraud and misrepresentation in the sale and seeks more than US \$ 65 Million in damages from the Respondent;
- Arbitration, as Chair and under the ICDR, of a contractual dispute concerning indemnification under a stock purchase agreement, underlying a US \$ 425 Million corporate acquisition, with approximately US \$30 Million in contention;
- Arbitration, as Chair and under the ICDR, of an international contract dispute involving an alleged breach of confidentiality concerning the unauthorized manufacture and sale of remote control units for cable television set-top boxes, with approximately US \$10 Million in contention;
- Arbitration, as sole arbitrator and under the ICC, of a software licensing dispute involving automated spend analysis software provided online as a service;
- Arbitration, as a sole panelist and under the ICDR, of a dispute concerning a joint development agreement involving network-connected, 4K-resolution, touch-screen enabled whiteboards;
- Arbitration, as a member of a three-person panel and under the ICC, of an international patent licensing dispute concerning haptic technology used in mobile telecommunications devices with approximately US \$ 60 Million in contention and requested injunctive relief potentially prohibiting at least hundreds of millions of dollars of future device shipments to the US;
- Arbitration, as a member of a three-person panel and under the ICDR, of a dispute concerning an international IT supply/consulting agreement involving licensed resale of commodity trading and risk management software for intended use by a national electric utility;
- Arbitration, as a sole arbitrator and under the ICDR, of a dispute involving alleged trade secret misappropriation and patent infringement of a critical component of astronautic launch vehicles;
- Arbitration, as an emergency arbitrator and under the ICDR, of a contractual dispute, between the Internet Corporation for Assigned Names and Numbers (ICANN) and a domain name registrar, involving a suspension, imposed by ICANN on the registrar, of new generic top level domain (gTLD) name registrations and inbound name transfers for non-compliance with its Registrar Accreditation Agreement with ICANN;
- Arbitration, as a sole arbitrator and under the ICDR, of a dispute concerning a reciprocal international telecommunications carrier service agreement;
- Arbitration, under the ICDR, of an international contract dispute regarding a failed software development project;
- Arbitration, under the ICDR, of an international licensing dispute concerning negative pressure wound care technology with approximately US \$ 10 Million in dispute;
- Arbitration, under the ICDR, of an international biotechnology licensing dispute involving technology, including cytometers, and related confidential technical information for use in sex-selective breeding of cattle and other livestock with damages claimed of approximately US \$ 60 Million;
- Arbitration, as a member of a three-person panel and under the AAA, of a domestic patent royalty dispute concerning high frequency ventilators primarily used for respiratory support;
- Arbitration, under the ICC, of an international patent licensing dispute involving wireless mobile technology with approximately US \$ 25 Million in dispute;

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- Arbitration, as a member of a three-person panel and under the ICDR, of an international patent licensing dispute also involving wireless mobile technology;
 - Arbitration, as a member of a three-person panel and under the ICDR, of an international patent dispute involving several US patents and concerning compact fluorescent lamps with approximately US \$ 100 million in dispute;
 - Arbitration, as sole arbitrator and under the AAA, of a domestic patent licensing dispute involving magnetic resonance imaging (MRI) technology with approximately US \$ 25 Million in dispute;
 - Arbitration, as member of three-person panel and under the ICDR, of a technology development contract and patent infringement dispute involving spinal fixation devices with approximately US \$ 25 Million in dispute;
 - Arbitration, as sole arbitrator and via a CPR referral, of a US dispute, involving allegations of breach of confidentiality and trademark infringement, concerning manufacture and distribution of a web-based demand-side energy load management system with damages claimed of US \$107 Million;
 - Arbitration, as sole arbitrator and under the AAA, of a multi-million dollar US patent dispute. Arbitration was handled on an expedited basis after transfer out of USDC-ED Texas (Marshall Division). Entire arbitration, including evidentiary hearing and rendition of reasoned award, consumed approximately 7 weeks;
 - Arbitration, under the AAA, of a domestic patent dispute involving air bag technology including, among other issues, inventorship of each of approximately 20 US patents;
 - Arbitration, via a CPR referral, of a domestic patent dispute, involving a genetically-engineered pharmaceutical drug having cumulative sales through 2006 of approximately US \$4.4 Billion and annual sales then of approximately US \$2.5 Billion and expected additional sales throughout the remainder of the terms of the patents in dispute of approximately US \$22 Billion. Arbitration was handled on an expedited basis after conclusion of trial discovery and transfer out of USDC-ED Texas (Marshall Division). Entire arbitration, including a 2-week evidentiary hearing, consumed approximately 3 months;
 - Arbitration of a BIT dispute under the UNCITRAL rules and through the LCIA, specifically an international contract dispute between a US telecommunications company and a foreign government involving alleged governmental expropriation of a national telecommunications network, with damages being claimed by the telecommunications company of approximately US \$150 million;
 - Arbitration, under the AAA, of a domestic patent dispute involving reverse geometry contact lenses;
 - Arbitration, under the AAA, a contract dispute involving a very large semiconductor manufacturer and concerning development of specialized integrated circuits for DSL (digital subscriber line) equipment with liabilities being claimed amounting to several tens of millions of US dollars;
 - Arbitration, via a CPR referral, a domestic patent dispute involving arterial stents, with multiple US patents at issue, between two major multi-national competing medical device manufacturers with liability estimated to be between US \$400-800 million;
 - Arbitration, under the AAA, of an IT dispute resulting from an installation of enterprise (ERP) software and involving a large international accounting/IT consulting firm with liabilities claimed between US \$25-40 million;
 - Arbitration, via a CPR referral, a telecommunication dispute concerning payment of reciprocal compensation between a large incumbent local exchange carrier (ILEC) and a competitive local exchange carrier (CLEC) with a total amount of compensation impacted at the ILEC estimated at approximately US \$50 million.

Arbitrated approximately 285 domain name disputes for various ICANN accredited dispute resolution service providers (WIPO, NAF, AAA, CPR, ADNDRC, eResolution).

Served on single and three person arbitration panels, as chair of three person panels, emergency arbitrator, and as mediator and co-mediator.

Represented clients in domain name arbitrations.

EXPERIENCE IN MEDIATION

Mediated numerous patent litigations in the U.S. District Courts involving complex electronic technology and Hatch-Waxman based pharmaceutical disputes. Also mediated trademark litigations in the U.S. District Courts. Also mediated a wide variety of non-IP/technology matters.

Specifically, substantial matters handled illustratively include:

- Mediation, via a WIPO referral, a dispute involving a large software maintenance and support agreement;
- Mediation, under the AAA, of a dispute involving a patent monetization agreement and which the parties were unable to resolve after approximately 1 1/2 years of direct negotiations;
- Mediation, on an ad hoc basis, of a domestic patent dispute involving database technology with approximately US \$ 16 Million in dispute;
- Mediation, via WIPO referral, of an international patent dispute involving automotive structural technology with several US patents in dispute;
- Mediation, on a court-annexed basis for the United States District Court - Eastern District of New York, of four separate Hatch-Waxman patent litigations involving a common prescription drug then having annual sales of approximately US \$350-400 Million. These litigations were consolidated, by the mediator and for purposes of mediation, and collectively involved three innovator pharmaceutical companies and three generic pharmaceutical companies;
- Mediation, via a WIPO referral, of an international patent dispute involving both mechanical and electronic aeronautical technology, with multiple US patents at issue, with potential liability to the parties involved of approximately US \$600 million. Through this mediation the parties not only settled their existing disputes but also agreed on establishing a framework to avoid future patent disputes going forward;
- Mediation of an international patent dispute between two large US appliance manufacturers that successfully ended five years of foreign patent litigation with liabilities claimed of approximately US \$30 million;
- Mediation of a US patent dispute involving personal digital assistants (PDAs) which successfully ended US patent litigation and formed a framework for future business co-operation between the disputants;
- Mediation, for the New Jersey Superior Court, of disputes covering a wide range of substantive legal areas (including, e.g., contract, malpractice, real property, employment discrimination, and other commercial matters), and, for the American Arbitration Association, storm-related insurance disputes resulting from Superstorm Sandy.

Listed in and Ratings:

1) Martindale-Hubbell:

a) "AV" Rated (highest); and

b) listed in Bar Register of Preeminent Lawyers (2019 and prior editions), Peer Review Rating 5.0 out of 5 ("Preeminent");

2) AVVO (avvo.com): Attorney Rating "10.0" out of 10 - "Superb";

3) *Inside New Jersey*, "Top Rated Lawyers -- The Definitive Guide to Legal Representation in New Jersey", ADR and Arbitration sections, 2012 and subsequent editions.

Also listed in:

Who's Who in America;

Who's Who in the East;

Who's Who in American Law;

Who's Who in American Finance and Industry;

Who's Who in Finance and Business;

Who's Who in the World, and

Who's Who in Emerging Leaders in America.

The Roster of International Arbitrators - 2nd Ed., Juris Publishing.

MEDIATION EXPERIENCE**SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations	WIPO	3	3	
	Ad Hoc	1	1	
Number of cases: sub-total		4	4	
Domestic Mediations	Ad Hoc	68	66	2
	Court	108	108	
	Other	17	17	
Number of cases: sub-total		193	191	2
TOTAL		197	195	2

ARBITRATION EXPERIENCE
SUMMARY TABLE

Type	Administering Institution		Role	
	Name	Number of Arbitrations	Arbitrator	Counsel
International Arbitrations	Various	173	173	
Number of cases: sub-total		173	173	
Domestic Arbitrations	Ad Hoc	28	28	
	Administered (WIPO, NAF, AAA, etc.)	352	348	4
Number of cases: sub-total		380	376	4
TOTAL		553	549	4