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## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

Luiz Edgard MONTAURY PIMENTA  
Montaury Pimenta, Machado & Vieira de Mello  
Rio de Janeiro  
Brazil



Nationality: Brazilian

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### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Law Degree, Candido Mendes University of Law, 1982.

Recognized by numerous international ranking agencies and is an accomplished speaker in Brazil, USA, Latin America and Europe.

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### LANGUAGES

English, Spanish and Portuguese

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### PRESENT POSITION

Senior Partner, Montaury Pimenta, Machado & Vieira de Mello, an IP trial lawyer since 1990;  
Current president of ABPI (Brazilian Association of Intellectual Property), 2018 – 2021.

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### PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Trademark Attorney, Dannemann, Siemsem, Bigler & Ipanema Moreira, Law Firm, 1981 – 1985.

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### MEMBERSHIP IN PROFESSIONAL BODIES

Brazilian Association of Industrial Property Agents (ABAPI);  
Brazilian Association of Industrial Property (ABPI);  
Brazilian Bar Association (OAB);

October 4, 2021

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Member, INTA International Committee - Counterfeiting & Enforcement Group.

General Attorney, ABAPI, 1994-98;

Member, ABPI Trademarks / Domain Names Disputes Committee, 1999 – 2000.

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### **AREAS OF SPECIALIZATION**

Advertising Law, Anti-Piracy Programs, Copyright and Software, Domain Names, Fashion Law, Litigation, Management of Intellectual Property Rights, Suppression of Unfair Competition, Trade Dress, Trademarks.

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### **EXPERIENCE IN INTELLECTUAL PROPERTY**

Has over 30 years of experience in the Intellectual Property field and heads the firm's Litigation team, as well as coordinating the different departments within the firm. Has litigated a diverse range of complex IP cases before Brazilian Federal and State courts. Experience includes cases related to patents, trademarks, copyrights, domains, designs and unfair competition practice.

Advises and represents domestic and international clients in different industry and technology sectors. He has conducted numerous trials before the Brazilian Appellate and Superior Courts, presenting oral arguments, attending in-chambers hearings and meetings. Furthermore, is a panelist at the domain name disputes resolution centres of WIPO, NAF and ABPI, and has been responsible for several important decisions involving crossborder IP disputes.

Intellectual Property Lawyer since 1982;

President of the Brazilian Intellectual Property Association (ABPI) 2018-2019/2020 – 2021;

Attorney General for the Brazilian Intellectual Property Association (ABPI) 2014 – 2015 / Prosecutor of ABPI (2014-2015);

Member, INTA International Panel of Neutrals;

Member, IP Committee of the American Chamber of Commerce (AMCHAM);

Counselor, Brazilian Intellectual Property Association (ABPI), (2000 – 2001, 2005 – 2007 and 2010 – 2011);

Attorney General, Brazilian Industrial Property Agents Association (ABAPI), (1996 – 2001 and 2005 – 2007);

Member, INTA Committee on Trade Dress (2003 – 2005);

Member, INTA International Committee – Famous & Well Known Marks (2014 – 2015);

Vice-President, Brazilian Industrial Property Agents Association (ABAPI) (2002 – 2005);

Member, INTA International Committee, Anti-Counterfeiting Enforcement Group (1994 – 1998 and 2000 – 2001);

WIPO Arbiter for Domain Names Disputes;

Arbiter, National Arbitration Forum (NAF), USA;

Expert, Chamber of Dispute Resolution (CASD-ND), ABPI;

Professor, Postgraduate Program, Centro Federal de Educação Tecnológica (CEFET), 2001;

Professor, Postgraduate Course on Intellectual Property Law, Fundação Getúlio Vargas (FGV), 1999 – 2000.

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### **EXPERIENCE WITH RESPECT TO DOMAIN NAMES**

Obtained the first preliminary injunction court decision in Brazil, in a domain name / trademark conflict dispute;

Professor, Getulio Vargas Foundation - Master (trademarks and the Cyberspace).

WIPO Panelist for the domain name disputes since 2013.

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### MAJOR PUBLICATIONS

"Será o fim da novela das patentes no Brasil?", Valor Econômico, September 2019;  
"The Brazilian Patent: A Soap Opera or Novel", Lexology, August 2019;  
"Intellectual Property is the key to Brazilian development", ABPI Newsletter, May 2019;  
"Operações Societárias no Direito Nacional e Estrangeiro", ALAE, Book Co-author, 2016,  
"Disclaimers in Trademark Examination", Expert Guides, May 2016;  
"New procedural rules in Brazil and their impact on IP litigation", World Trademark Review, March 2016;  
"Patenteamento do segundo uso médico", Jornal Valor Econômico, March 2016;  
"The Changing Face of IP Law in Brazil", Magazine Inside the Minds: IP Client Strategies in Central and South America, 2009;  
Artigo publicado na Revista da Propriedade e Ética, Março – April 2008;  
"How to Protect Famous Trade Marks in Brazil", Managing Intellectual Property Magazine – Américas IP Focus 2006, October 2006;  
"Domain Name Piracy", Trademark World Magazine, April 1999;  
"Using Criminal Procedures for Trademark Piracy in Brazil", Trademark World Magazine, March 1996.

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### EXPERIENCE IN COURT LITIGATION

Thirty years' experience - Intellectual Property cases (I.P. Infringement, I.P. cancellation court actions);  
Thirty years' experience - Domain Names Court Disputes.

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### PROFESSIONAL TRAINING IN MEDIATION

Local and international seminars about alternative dispute resolutions organized by INTA.

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### EXPERIENCE IN MEDIATION

Private negotiations for settlement I.P. Court Disputes.

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