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**WIPO LIST OF NEUTRALS**

**BIOGRAPHICAL DATA**

Professor Dr. Colin Yee Cheng ONG, QC  
Dr. Colin Ong Legal Services  
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Date of Birth: September 1967

Nationality: Bruneian

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**EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS**

Queen's Counsel, England and Wales;  
Advocate & Solicitor, Supreme Court of Singapore;  
Advocate & Solicitor, Supreme Court of Brunei;  
A Master of the Bench of the Inner Temple, England;  
PH.D., Commercial Law and Litigation, University of London, Queen Mary (CCLS);  
LLB., (Hons), University of Sheffield;  
LL.M., (Commercial Law) University of London, Queen Mary (CCLS);  
Diploma, International Commercial Arbitration, (London CIArb);  
Accredited Tutor & Examiner, professional qualifications for Chartered Institute of Arbitrators;  
Chartered Arbitrator;  
Fellow, Chartered Institute of Arbitrators (London);  
Fellow, Malaysian Institute of Arbitrators;  
Fellow, Singapore Institute of Arbitrators.

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**LANGUAGES**

English; Malay/Bahasa Indonesia and Chinese.

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November 29, 2017

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### PRESENT POSITION

Arbitrator and Barrister, Senior Partner of Dr. Colin Ong Legal Services, Brunei;  
 Arbitrator and Counsel, Eldan Law LLP (Singapore);  
 Arbitrator and Queen's Counsel, St Philips Stone Chambers (London);  
 President, Arbitration Association Brunei Darussalam (AABD) ;  
 Advisory Governing Council, Indonesian National Board of Arbitration (BANI);  
 Appointing Council, Cambodian National Commercial Arbitration Centre (NCAC);  
 Vice President, Appointing Council, Thailand Arbitration Center (THAC);  
 Visiting Professor of Law, University of Hong Kong;  
 Visiting Professor of Law, Universitas Indonesia;  
 Visiting Professor of Law, Universitas Padjadjaran Indonesia;  
 Vice President, Asia Pacific Regional Arbitration Group (APRAG) (2009 - 2018);  
 Member, ICCA-Queen Mary Task Force on Third-Party Funding in International Arbitration;  
 Vice Chair, Arbitration Committee, Inter Pacific Bar Association;  
 Member ICC Commission on Arbitration (Task Force on the New York Convention);  
 Advisory Committee Member of the China - ASEAN Legal Research Center.

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### PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

One of 45 leading arbitration figures worldwide under age of 45 - Global Arbitration Review (2011);  
 Associate Member Barrister and Arbitrator, Essex Court Chambers, London (1992-2014);  
 Associate Member Barrister, 3 Verulam Buildings, London (1996- 2013);  
 Visiting Fellow, University of London, Queen Mary (Centre For Commercial Law) (1996-2013);  
 Adjunct Associate Professor National University of Singapore (2004- 2013);  
 Former Principal Legal Consultant, ASEAN Centre for Energy, ASEAN (Jakarta) 2002-2003;  
 Councillor, London Court of International Arbitration (Asia-Pacific Users);  
 Visiting Professor of Law, King's College, University of London;  
 Adjunct Professor of Malaysian Law, Universiti Kebangsaan Malaysia;  
 Member of CEDR Commission on Settlement in International Arbitration;  
 Adjunct Associate Professor (Arbitration and Construction), National University of Singapore;  
 Visiting Fellow, University of London, School of International Arbitration (Queen Mary);  
 Independent Arbitrator and Foreign Law Consultant of Khattar Wong, Singapore;  
 Panel Member of the ASEAN Protocol on Enhanced Dispute Settlement Mechanism, ASEAN.

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### AREAS OF SPECIALIZATION

#### **Commercial; IPR and Information Technology practice in particular:**

Regularly instructed as counsel or appointed as arbitrator and has been involved in over 300 arbitrations conducted under many rules including AAA, BANI, CIETAC, HKIAC, ICC, LCIA, LMAA, KLRCA, SCMA; SIAC, TAI; UNCITRAL and WIPO rules. Experienced in many applicable laws including English, Indian, Indonesian, Malaysian, Hong Kong, PRC, Singapore and Thai law. All aspects of Commercial Arbitration; Intellectual Property Law including advisory and IP litigation Protection and exploitation of IP rights such as trademarks, trade names, trade secrets, domain names, information technology. Lead counsel, Runner-up case of GAR Awards 2016 for 'the most important reported decision 2015' category for PGN v CRW [2015] SGCA 30. Top 30 arbitration lawyers in the World (*Euromoney's Expert Guides - Best of the Best: Arbitration* (2017)). Recognised as a "Thought Leader" by *Who's Who Legal (Arbitration)* [2017]. In 2010, he became the first non senior judge from ASEAN to be elected as a Master of the Bench of the Inner Temple. First ASEAN national lawyer appointed English Queen's Counsel.

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### MEMBERSHIP IN PROFESSIONAL BODIES

Bar Council of England and Wales;  
 Chartered Institute of Arbitrators;  
 Law Society of Brunei Darussalam;

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Law Society of Singapore;  
 Academy of Law, Singapore;  
 ASEAN Law Association;  
 APRAG (Asia Pacific Regional Arbitration Group);  
 Malaysian Institute of Arbitrators;  
 Singapore Institute of Arbitrators;  
 Vice President, Asia Pacific Regional Arbitration Group (APRAG) (2009 - 2018);  
 Member, ICCA-Queen Mary Task Force on Third-Party Funding in International Arbitration;  
 Member ICC Commission on Arbitration (Task Force on the New York Convention);  
 Vice Chair, Arbitration Committee, Inter Pacific Bar Association (ITPA).

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### EXPERIENCE IN INTELLECTUAL PROPERTY

Actively involved in all aspects of intellectual property and information technology matters and anti-counterfeiting cases for and against intellectual property rights holders. Regularly instructed in the manufacturing, pharmaceutical, copyright, software, music and film industries since 1998. Regularly sits as arbitrator in matters concerning IP rights and Information Technology matters and experienced in hearing disputes concerning trade marks, passing off, franchising issues, trade secrets and industrial designs, licensing agreements, reverse engineering allegations, ancillary and allied rights. Experienced in passing off, parallel importation and other aspects of Intellectual property. Experienced arbitrator and counsel in Civil law jurisdictions and governing law matters pertaining to Indonesian law; Japanese law; PRC law; Thai law and several other civil law jurisdictions; and has also sat in many arbitrations where evidence and oral hearings had been given in English as well as in the Chinese and Malay/Bahasa Indonesia languages.

All of arbitral decisions have been upheld by courts of law in different seats. Reported IT related arbitration upheld by the Malaysian courts and reported in *Majlis Amanah Rakyat v Kausar Corporation Sdn Bhd* [2011] 3 All Malaysia Reports 315.

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### EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Advising clients in development of domain name registration matters and issues of cyber squatting issues. Conducted several seminars and international talks on the subject matter. Rendered numerous administrative panel decisions in WIPO domain name disputes, since 2005, including matters dealing with whether the usage of Chinese language characters have been deemed to have infringed trademark and IP rights.

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### MAJOR PUBLICATIONS

#### **Correspondent Editorial Board/Author of Journals:**

Current editorial board of Arbitration (Journal of Chartered Institute of Arbitrators); Asian International Arbitration Journal; Butterworths Journal of International Banking & Financial Law; China-ASEAN Law Review; Dispute Resolution International and Maritime Risk International). Maritime Risk International (London) and other international legal journals.

Ex- Editorial board member of Amicus Curiae (IALS, London); Advisory Board of Asian International Arbitration Journal; Asia Business Law Review (Singapore); Asian In-House Handbook (Hong Kong); Business Law Review. Several publications on intellectual property law including *Trade Mark Laws of Brunei Darussalam* [Oceana, (2002) & (2006)] and *The Advent of the Trans-Pacific Partnership, Trademark lawyer* (2016) Issue 1.

#### **Books and International loose leafs (excluding articles):**

*Cross Border Litigation within ASEAN: The Prospects for Harmonization of Civil and Commercial Litigation* (Kluwer Law, 1997); Euromoney's OFC Publication (1998); *Trade Mark Laws of Brunei Darussalam* (Oceana Publications 2002); *Getting the Deal Through: Dispute Resolution* (contributing author, Herbert Smith (ed), London 2004 & 2005); Brunei and Malaysian chapters in *Attachment of Assets*, (Juris Publishing 2005); Co-author (with Professor Dr. Priyatna) Indonesia chapter in

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*Attachment of Assets*, (Juris Publishing 2005); *The International Comparative Legal Guide to International Arbitration* (contributing author, Global Legal Group – 2004); Co-author (with Dato Syed Ahmad Idid), Malaysian chapter, *Enforcement of Money Judgements* (Juris Publishing 2005); Co-author (with Datin Hayati Salleh), Brunei chapter, *Enforcement of Money Judgements* (Juris Publishing 2005); Chapter on *Corporate Finance in Euromoney Institutional Investor IFLR 1000 (2004)*; Chapter in *Foreign Judgments* (Garb & Lew, Kluwer 2005 and 2014); *Leading Asian Arbitrators Handbook* (Cross-Examination chapter, Juris 2007); *Regional Overview: Asia Pacific International Arbitration* (GLG 2008 to 2010); ASEAN chapter in *World Arbitration Reporter* (2nd Ed.) (Juris 2010); LCIA Chapter in *Arbitration 2010* (GTDG); *Take the Witness Chapter: Cross-Examination in International Arbitration* (co-author, Hwang, Juris 2010); Chapter in *Asia Arbitration Handbook* (OUP) (Moser) 2011; *Costs in International Arbitration* (Co-Author, O' Reilly, Lexis Nexis 2013), *Interim Measures in International Arbitration* (co-editor, Newman, Juris 2014); ASEAN Overview chapter in *International Arbitration Review* (6th Ed Carter) 2015; *Dispute Resolution Provisions in the 1999 FIDIC Form of Contracts* (ICLG 2015); *The Advent of The Trans Pacific Partnership* (Trademark Lawyer 2016) ; Chapter on *Bifurcation in The Investment Treaty Arbitration Review* (2016 and 2017); and *Case Strategy and Preparation for Effective Advocacy* chapter in *The Guide to Advocacy (GAR)* (2017)

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### EXPERIENCE IN COURT LITIGATION

Litigation experience since 1992. Retained as lead counsel or adviser by other law firms in arbitration related court matters and IP/IT related matters in Brunei, England and Singapore. Often retained as lead counsel or counsel in international arbitration cases in the ASEAN countries, England; Hong Kong, Japan and Korea and other countries. More details can be found in any independent legal publication such as *The International Who's Who of Commercial Arbitration*; *The International Who's Who of International Commercial Arbitration/Litigation*; *Expert Guide to the World's Leading Litigation Lawyers*; *The International Who's Who of Banking Lawyers*; *Chambers & Partners Global*; *Legal 500*; *Asia-Pacific Legal 500*; *Asialaw Profiles and IFLR 1000*.

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### EXPERIENCE IN MEDIATION

Appointed as Mediator and Conciliator.

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### PROFESSIONAL TRAINING IN ARBITRATION

Attended all the courses organized by the Chartered Institute of Arbitrators necessary to lead to and complete Fellowship grade. Invited since 2005 to be a tutor and examiner for both Chartered Institute of Arbitrators and Singapore Institute of Arbitrations fellowship training courses. Undertook training courses on domain name matters including *Workshop on Arbitration of Intellectual Property Disputes and on WIPO Domain Name Dispute* organized by WIPO Arbitration and Mediation Center before being appointed on first WIPO case in 2005.

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### EXPERIENCE IN ARBITRATION

Appointed as arbitrator, counsel and expert witness in both ad hoc and institutional commercial arbitrations around the world. Recognised in legal directories including *Who's Who Legal: Thought Leaders (Arbitration)* and included amongst the top 30 arbitration lawyers in the World by *Expert Guides: Best of the Best 2017 (Arbitration)*. In 2011, nominated as one of the leading 45 arbitration lawyers in the World under 45 years old by Global Arbitration Review.

#### **Accredited Arbitrator and Panelist of the following International Institutions:**

AAA/International Centre Dispute Resolution;  
 Arbitration Association Brunei Darussalam;  
 Austrian Arbitration Association ;

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Australian Centre for International Commercial Arbitration (ACICA);  
Badan Arbitrase Nasional Indonesia (Indonesian National Board);  
Beijing Arbitration Commission (BAC);  
Centro de Arbitraje de Mexico (CAM);  
China International Economic and Trade Arbitration Commission (CIETAC);  
Chinese Arbitration Association (Taipei);  
Council for National and International Commercial Arbitration, India;  
Dubai International Arbitration Centre;  
Hong Kong International Arbitration Centre;  
Institute of Architects PAM (Malaysia);  
International Court of Arbitration of the ICC (Paris) (ad hoc list);  
International Center for Alternative Dispute Resolution (India);  
International Centre for Dispute Resolution, Ireland (American Arbitration Association);  
Japan Commercial Arbitration Association;  
Korean Commercial Arbitration Board;  
London Court of International Arbitration;  
Malaysian Institute of Arbitrators;  
Perth Centre for Energy and Resources Arbitration  
Philippine Dispute Resolution Center;  
Singapore Institute of Arbitrators;  
Tehran Regional Centre for Arbitration;  
Venice Chamber of National and International Arbitration (VENCA);  
World Intellectual Property Organisation (WIPO).

Ad hoc legal adviser to various quasi-governmental and investment bodies within the ASEAN countries. Regularly instructed as lead counsel or co-counsel or appointed as arbitrator in ASEAN, North Asia, European, Middle East and International law firms. Visiting professor at various Civil law and Common law universities (Top 20 Universities in the World) and invited as speaker to an average of 5 major international legal conferences and international arbitration colloquiums a year since 2000.

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