

## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

Thomas P. PINANSKY  
Barun Law  
Barun Law Building  
92 gil 7, Teheran-ro  
Gangnam-gu  
Seoul 135-846  
Republic of Korea



Telephone: +82 2 3479 7517

Fax: +82 2 3478 6222

E-mail: tom.pinansky@barunlaw.com

Date of Birth: December 10, 1958

Nationality: American

---

### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

J.D., University of Pennsylvania Law School, Philadelphia, Pennsylvania, May 1985;  
International Law Society;  
Morris Fellow;  
Social Chairman, Sharswood Law Club;  
Administrative Fellow, Van Pelt Residential College;  
Writing Consultant, Department of English.

A.B., (Sociology) Magna Cum Laude, Harvard College, Cambridge, Massachusetts, June 1981;  
John Harvard Scholarship, 1979-80;  
Harvard College Scholarships, 1977-79.

#### Bar Admissions:

Texas 1985;  
District of Columbia 1988.

---

November 13, 2018

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](mailto:arbiter.neutrals@wipo.int) W [www.wipo.int/amc](http://www.wipo.int/amc)

---

## LANGUAGES

English, French, Korean.

---

## PRESENT POSITION

Barun Law.

---

## PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Attorney (Partner/Senior Foreign Attorney), Kim, Shin & Yu, Seoul, Korea, since December 1990:  
 Advises international corporate clients (North American, European, Australian/New Zealand, Korean, other Asian) regarding:

- (1) business and legal issues arising in the context of international transactions and international operations (e.g., market entry and business presence, joint ventures, mergers and acquisitions, private equity investment, venture capital investment, infrastructure projects, project financing, distribution, licensing, inbound and outbound foreign investment, real estate acquisitions and commercial leasing, labor/employment, intellectual property rights, international arbitration and business disputes);
- (2) matters of Korean law (jointly with Korean attorneys), US law and general international legal principles arising in civil law and common law jurisdictions; and (3) general matters of Asia-Pacific legal, business and cultural practices. Duties include (1) assuming ultimate responsibility for providing legal and business services and general advice to a broad spectrum of international and Korean clients; (2) managing overall client relationships;
- (3) drafting and supervising the drafting of a broad range of documents, legal opinions and written correspondence;
- (4) assisting clients with negotiations;
- (5) representing international clients in international arbitration matters including developing and overseeing the implementation of strategy;
- (6) engaging in daily client contact with senior executives, in-house counsel and international counsel in Seoul, Singapore, Hong Kong, Tokyo, and corporate offices throughout the world;
- (7) facilitating communication among foreign clients and Korean attorneys, IPR specialists and tax professionals; and
- (8) training Korean professionals as to international legal and business practices. Major responsibility for client development, client relations, firm management issues and strategic positioning of and future planning for the firm.

Attorney/International Consultant, Min, Sohn & Kim, Seoul, Korea, December 1988 -December 1990;

### **U.S. Legal Experience:**

Attorney (Associate), Hogan & Hartson, Washington, D.C., March 1987- October 1988;  
 Member of the Commercial Practice Group. Emphasis on general corporate, banking and securities law. Mergers of financial institutions; general corporate (some international); consumer credit; mortgage-backed securities; bank regulatory.

Attorney (Associate),Vinson & Elkins, Austin, Texas, June 1985-February 1987;  
 Member of the Business, Banking and Real Estate Section. Commercial loan originations and workouts; commercial real estate acquisitions, sales, lending, development and leasing; general corporate.

### **Summer Associate Positions:**

Baker & McKenzie (Formerly MacDonald, Halsted & Laybourne), San Diego and Los Angeles, California, 1984;

Clark, Thomas, Winters & Newton, Austin, Texas, 1984;

---

Foster, Lewis, Langley, Gardner & Banack, San Antonio, Texas, 1983.

**Business Positions:**

Russell Promotions, Inc., Stuart, Florida;  
Vice President, Asia – December 1996-December 2000;

Global Health Alternatives Inc., London, England;  
Principal and Director - October 1996-June 1997 (GHA acquired Downeast Cranberry Company. GHA merged with Natural Health Trends Corporation, a publicly-traded company in July 1997);

Kona Cold Lobsters Ltd., Kailua-Kona, Hawaii;  
Director, Asia-Pacific - December 1993-March 1997;

Downeast Cranberry Co., South Portland, Maine;  
Founding Principal and Director, October 1993 until date of acquisition by international investment group.

---

**AREAS OF SPECIALIZATION**

International conflict - corporate experience;  
International transactions: foreign investment mergers and acquisitions, commercial real estate acquisitions;  
venture capital and private equity investments;  
Engineering: infrastructure projects;  
Licensing.

---

**MEMBERSHIP IN PROFESSIONAL BODIES**

Member:

JoongAng Daily News, Advisory Council;  
State Bar of Texas, International Law Section;  
District of Columbia Bar, International Law Section;  
International Bar Association;  
European Union Chamber of Commerce in Korea;  
Australian/New Zealand Chamber of Commerce in Korea;  
Canadian Chamber of Commerce in Korea;  
Korea/New Zealand Business Council;  
Association of the United States Army;  
Harvard Club of Seoul;  
University of Pennsylvania Club of Seoul;  
Seoul Club;  
International Policy Committee, Chamber of Commerce of the United States of America.

**Present affiliations:**

Asia-Pacific Council of American Chambers of Commerce – Chairman, since June 2001;  
Duties Include: (1) chairing an organization comprising 24 American Chambers of Commerce in 18 Asia-Pacific countries; (2) developing and prioritizing positions on issues affecting US business in Asia; (3) leading a delegation to Washington, DC to brief Senators, Members of the House of Representatives, senior members of the Executive Branch and other political and business leaders;  
American Chamber of Commerce in Korea - Governor, Board of Governors; Chairman, Agriculture/Food Products Committee;  
Duties include: (1) fulfilling the advisory and voting responsibilities vested in a governor; (2) representing AmCham Korea at international conferences; (3) preparing and presenting positions on international trade issues; (4) organizing and chairing committee meetings; (5) briefing visiting businessmen, government officials and academics; and (6) authoring various material for AmCham publications.

**Former affiliations:**

Asia-Pacific Council of American Chambers of Commerce 2002, Doorknock, Washington, D.C.; – May 19-22, 2002, led delegation of Asia-based US business people in order to brief US Government officials on US-Asia trade/business issues;

Asia-Pacific Council of American Chambers of Commerce 2001 Doorknock, Washington, D.C., June 10-13, 2001;

Briefed US Government officials on US-Asia trade/business issues.

Asia-Pacific Council of American Chambers of Commerce 2000, Doorknock, Washington, D.C., June 11-4, 2000;

Briefed US Government officials on US-Asia trade/business issues;

Asia-Pacific Council of American Chambers of Commerce 1999, Doorknock, Washington, D.C., June 13-16, 2000;

Briefed US Government officials on US-Asia trade/business issues;

US–Mongolia Business Council – Participant – meetings with senior Mongolian Officials (including Prime Minister Nambarya Enkhbayar), Ulaanbaatar, Mongolia, September 11-13, 2000;

International Shopping Center Law Conference, Participant, Scottsdale, Arizona, October 20-22, 1999;

Asia-Pacific Council of American Chambers of Commerce – Vice Chairman, 1998-01;

American Chamber of Commerce in Korea – ;

Governor, Board of Governors, 1992-94;

Member, Special Advisory Committee to the President, 1995;

Chairman, US Government/Asia-Pacific Council of American Chambers of Commerce Committee, 1992-95,

Chairman, Travel/Tourism Committee, 1989-92;

Member:

Visit USA Committee:

Seoul Foreign Correspondents' Club;

United States Embassy Association:

Chambre de Commerce et d'Industrie Francaise en Coree;

Asia-Pacific Council of American Chambers of Commerce 1998, Doorknock, Washington, D.C., June 14-18, 1998;

Briefed US Government officials (including Secretary of Defense William Cohen) on US-Asian trade/business issues;

Asia-Pacific Council of American Chambers of Commerce 1997, Doorknock, Washington, D.C., June 8-12, 1997;

Briefed US Government officials (including Secretary of Commerce Daley) on USA-Asia trade/business issues;

American Chamber of Commerce in Korea 1996, Doorknock, Washington, D.C., April 27- May 2, 1996.

**EXPERIENCE IN INTELLECTUAL PROPERTY**

Currently dealing with business and legal issues arising in the context of international transactions and international operations involving intellectual property rights, international arbitration and business disputes.

Played significant role in the successful representation of the world's largest company in a high-profile trademark dispute over its corporate name that ultimately went to the Supreme Court of Korea.

**EXPERIENCE WITH RESPECT TO DOMAIN NAMES**

As part of overall corporate representation.

---

**PUBLICATIONS/SPEECHES/ETC.**

Speaker, "Investing and Practicing Law in Korea", Special Perspectives Roundtable, Investment and Finance Committee of the International Law Section of the Washington, DC. Bar Association, Washington, DC., June 12, 2003;

Speaker, "Government Procurement Disputes", International Forum on National IT Strategy, The Korean Association for Regional Information Society & Digital Economy Study Society of the National Assembly of Korea, Seoul, Korea, February 21, 2003;

Interviewee, "KBS 2 8:00 p.m. News", Provided Commentary on Lotteries, Korea Broadcasting Service, Seoul, Korea, February 5, 2003;

Interviewee, "Lessons from Korea", *Topics*, American Chamber of Commerce in Taipei, Vol. 33, No. 1, Taipei, Taiwan, January 2003;

Guest/Interviewee, "Trading Post", TV Program on International Trade and Investment, Provided Commentary on President-Elect Roh's Policies on Labor Relations, Privatization and Free Economic Zones, Arirang Network, Seoul, Korea, January 24, 2003;

"Bringing Free Trade to North Korea", *The Asian Wall Street Journal*, December 18, 2002;

Speaker, "Arbitrating and Winning Korean Defense Procurement Disputes", Aerospace & Defense Committee of the American Chamber of Commerce in Korea, Seoul, Korea, December 10, 2002;

Briefer/Participant "Business Briefing for Madeleine Albright, President the Albright Group" (briefing organized and hosted by the American Chamber of Commerce in Korea), Seoul, Korea, November 11, 2002;

Speaker, "Is Korea Finally Open for Foreign Investment?", Asia Business Committee, American Chamber of Commerce in Japan, Tokyo, Japan, September 27, 2002;

Guest/Briefer, "APCAC Update", AmCham Beijing, Beijing, China; AmCham Indonesia, Jakarta, Indonesia; AmCham Singapore; AmCham Cambodia, Phnom Penh, Cambodia; AmCham Thailand, Bangkok, Thailand; and AmCham Japan, Tokyo, Japan, September 13-27, 2002;

Contributor, "Securitization in Korea and Taiwan", ING Debt Products and Lovells, September 2002;

Guest, "In Focus", TV Talk Show on International Business Issues, Topic: Corporate Ethics, Corporate Governance, Arirang Network, Seoul, Korea, August 15, 2002;

Interviewee, Becoming a Business Hub of Northeast Asia: "The Role of Legal Services Market Development", Chosun Ilbo (□□□□), June 26, 2002;

Interviewee, "US Senate Nears Vote on Bush's Trade Negotiating Power", Channelnewsasia, Singapore, May 22, 2002;

Interviewee, "Senate to Vote on Presidential Trade Authority This Week", San Francisco Chronicle, May 21, 2002;

Interviewee, "PM to talk Tough with Bush", The New Zealand Herald, Auckland, New Zealand, April 1, 2002;

Speaker/Host, Introduced and Thanked Keynote Speaker, Prime Minister Helen Clark, Auckland, New Zealand, March 23, 2002;

Speaker, "Multi-Jurisdictional Acquisitions", Asia-Pacific Council of American Chambers of Commerce Annual Meeting, Auckland, New Zealand, March 22, 2002;

Participant, Small Private Reception Hosted by Korean President Kim, Dae Jung and Korean First Lady Lee, Hee Ho for United States President George W. Bush and First Lady Laura Bush, Secretary of State Colin Powell, National Security Advisor Condoleezza Rice, Chief of Staff Andrew Card and several other senior White House officials, Blue House, Seoul, Korea, February 20, 2002;

Private Briefer, Mr. David McIntosh, President, The Law Society, London, England, 11 Seoul, Korea, March 29, 1997;

Speaker/Panelist, "Getting Started, Gaining Momentum, and Avoiding Pitfalls", Exhibitors' Briefing & Korea Market Orientation, Great American Food Show, Seoul, Korea, Korea, March 17, 1997;

Speaker, "Inbound and Outbound Investment Issues", Korea/New Zealand Business Council Study Group, Seoul, Korea, October 28, 1996;

Lecturer, "International Business: Basic Issues of Concern to Management", International Business Expert Course, International Trade Institute, Korea Foreign Trade Association, Seoul, Korea, August 12- August 13, 1996;

Speaker/Participant "Business Briefing for Secretary Kantor", one of five people selected to make an oral presentation to Secretary of Commerce Mickey Kantor on U.S. - Korea business issues (briefing organized and hosted by the American Chamber of Commerce in Korea in coordination with U.S. Government officials);

Speaker and Workshop Leader, "Asia/Pacific Business Outlook 1996", International Business Education and Research (IBEAR) Program, School of Business Administration, University of Southern California, The Commercial Service, International Trade Administration, United States Department of Commerce, Los Angeles, California, March 18-20, 1996;

Contributor, "Current Taxation Policy: Requires Increased Predictability, Transparency, Consistency", Hankuk Kukse Shinmun, No. 344, October 20, 1995;

Contributor, "The Korean Visa Problem", *Journal of the American Chamber of Commerce in Korea*, Vol. 33, No. 5, September/October 1995;

Speaker, "Seminar on Doing Business in East Asia (Seminaire, Asie de L'est: Le Monde des Affaires)", Faculté des Sciences de l'Administration, Université Laval, Ste. Foy, Quebec, Canada, July 17, 1995;

Speaker, "Establishing a Business Presence in Korea/Trends in Korean Outbound Investment", Korea/New Zealand Business Council, Auckland, New Zealand, July 3, 1995;

Speaker, "Doing Business in Korea (Les Affaires en Corée)", World Trade Centre, Montreal, Quebec, Canada, September 28, 1994;

"The Value of International Travel", *Business Times*, Vol. 4, No. 4, April 1, 1994;

Co-author, "The US Tourist Visa Issuance Process: Time for Change", *Journal of the American Chamber of Commerce in Korea*, Vol. 28, No. 1, January/February 1994;

Speaker/Participant, "Business Briefing for President Clinton", one of four people selected to make an oral presentation to President Bill Clinton, Secretary of State Warren Christopher and Undersecretary of the Treasury Lawrence Summers on U.S. - Korea business issues (briefing organized and hosted by the Board of Governors of the American Chamber of Commerce in Korea in coordination with various U.S. Government agencies), Seoul, Korea, July 11, 1993;

Co-author, "Tax Conference - In Print (Tax Deductions for Financing Overseas Investments - Part 2)", Korea Section, *The CCH Journal of Asian Pacific Taxation*, Vol.4, Issue 7, November/December 1992:

"Hidden Barriers", *Maeil Kyungje Shinmun*, September 3, 1992;

---

Co-author, "Tax Conference - In Print (Tax Deductions for Financing Overseas Investments - Part 1)", (Korea Section), *The CCH Journal of Asian Pacific Taxation*, Vol. 4, Issue 5, July/August 1992;

Speaker/Panelist, "Market Liberalization and GATT: Implications for Korea and the United States", organized by the Asia Society and the Korea Economic Institute of America, Washington, D.C., June 9, 1992;

Speaker/Panelist, "Liberalization and Unification in the Korean Peninsula: Political and Security Context for United States - Korea Business", organized by the Korea Economic Institute of America and the New England Korea Business Alliance, Boston, Massachusetts, June 5, 1992;

Co-author, "Tax Conference - In Print (Research and Development)", (Korea Section), *The CCH Journal of Asian Pacific Taxation*, Vol. 4, Issue 2, March/April 1992;

Co-author, "Tax Conference - In Print (Fringe Benefits)", (Korea Section), *The CCH Journal of Asian Pacific Taxation*, Vol. 3, Issue 6, November/December 1991;

Korea's Travel Market: Establishing a Business Presence", presented at the 1991 Korea Visit USA Travel Trade Show/Seminar, Seoul, Korea, 8 October 1991 and published in the *Journal of the American Chamber of Commerce in Korea*, Vol. 26, No. October 10, 1991;

Co-author, "Tax Conference - In Print (Software Sales)", (Korea Section), *The CCH Journal of Asian Pacific Taxation*, Vol. 3, Issue 4, July/August 1991;

"Micronesia's Caroline Islands: Jewels in the Vast Pacific", published in Korean in *Better Homes and Gardens*, Korean Edition, Vol. 5, No. 46, June 1991;

Co-author, "1991 Revisions to the Tax Laws of the Republic of Korea", *The CCH Journal of Asian Pacific Taxation*, Vol. 3, Issue 3, May/June 1991;

Contributor, *International Agency and Distribution Agreements*, published by the Butterworth Group of London, (1991);

Co-author, "Recent Developments in International Law" (Korea Section), *Newsletter of the International Law Section of the State Bar of Texas*, Vol. 6, No. 4, July 1990;

Co-author, "Legal Aspects of Establishing a Business Presence in Korea", *Journal of the American Chamber of Commerce in Korea*, published in parts, Vol. XXIV, No. 3-6, March-June 1990;

Monthly Contributor, *Asia Law and Practice*, November 1989 - December 1990;

"Countertrade: Trading the Nordpolitik Way", *Korea Business World*, October 1989, Vol. 5, No. 10 (republished in the *Journal of the American Chamber of Commerce in Korea*, Vol. XXIV, No. 7), July 1990;

"The Emergence of Law Firms in the American Legal Profession", 9 *University of Arkansas at Little Rock Law Journal* 593, (1986-87);

Contributor, *Let's Go U.S.A.*, published by Harvard Student Agencies, 1980;

---

### EXPERIENCE IN COURT LITIGATION

Expertise; international conflict corporate matters.

---

**EXPERIENCE IN MEDIATION**

Representing clients in mediation.

---

**EXPERIENCE IN ARBITRATION**

Panelist – Korean Commercial Arbitration Board:

Korean Commercial Arbitration Board appointed Arbitrator – Presiding Arbitrator in 3-member panel, regarding a major dispute between a very large well-known German group and a major Korean group, >US\$30 million, decision rendered after 18 months.

Representing international clients in international arbitration matters including developing and overseeing the implementation of strategy.

Represented British Client – a large British group who feature in the top 50 UK quoted companies, - dispute against Incheon International Airport (Korea), obtained 85% of the damages requested on behalf of client.

Arbitration dispute, on behalf of US defense contractor v. Korean Airforce and the Korean Defense Procurement Agency, a protracted arbitration, decision rendered after two years, awarded 60% of the damages requested, significant - set a precedent against Korean Government.

---



**ARBITRATION EXPERIENCE  
SUMMARY TABLE**

Type	Administering Institution		Role				
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-Arbitrator	Counsel	Special Counsel
International Arbitrations	Korean Commercial Arbitration Board (Seoul)	15	5			10	
	World Intellectual Property Organization (Geneva)	65	4	61			
	Hong Kong Int'l Arbitration Centre (Hong Kong)						
	Kuala Lumpur Regional Centre for Arbitration						
	International Chamber of Commerce (ICC)	1					1
<b>Total</b>		<b>81</b>	<b>9</b>	<b>61</b>		<b>10</b>	<b>1</b>