
WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

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Date of Birth: December 11, 1955
Nationality: American

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

J.D., University of California, Hastings College of the Law, 1980;
B.A. (Economics), Trinity College, Hartford, Connecticut, 1977.

Admitted to Bar, California Supreme Court, 1980;
Admitted to Bar, U.S. Supreme Court;
Admitted to Bar, U.S. Court of Appeals, Third, Ninth and Federal Circuits;
Admitted to Bar, U.S. District Courts of California, U.S. Tax Court;
Admitted to Bar, Court of International Trade.

LANGUAGES

English.

May 24, 2016

PRESENT POSITION

Partner, Farella Braun & Martel LLP.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Partner, Pillsbury Madison & Sutro.

AREAS OF SPECIALIZATION

Antitrust, E-Discovery, Intellectual Property and Trademarks.

MEMBERSHIP IN PROFESSIONAL BODIES

American Intellectual Property Law Association (AIPLA);
Co-Chair, Alternative Dispute Resolution Committee (1996-1997);
Licensing Executives Society (LES);
American Bar Association:
Antitrust and Intellectual Property Sections;
California State Bar:
Litigation Section Executive Committee (1996-1998);
Alternative Dispute Resolution Committee (1998-2000).

EXPERIENCE IN INTELLECTUAL PROPERTY

For more than 15 years, practice has focused on Intellectual Property Litigation, with the majority of time expended in various patent cases. Has been involved substantially in more than 25 patent cases as either a neutral or an advocate. Has handled multi-week trials of patent cases to conclusion in both roles. Also has substantial experience in litigation over copyrights, trademarks, trade secret and related business torts as both advocate and neutral.

In the trademark area, has tackled domain name disputes for internet companies, trademark litigation for clients in the apparel, sugar, wine, hotel and telecommunications industries.

MAJOR PUBLICATIONS

Frequent speaker and author on intellectual property, antitrust and efficient dispute resolution. His expert commentary is frequently quoted by media outlets.

Supreme Court Ruling Opens Door for Setting Minimum Resale Prices. February 2007;
Alternative Dispute Resolution: Arbitration from an Arbitrator's Perspective, February 2006;
Run for The Border: The Federal Circuit's Decision in *NTP v. Research in Motion* May Provide a Way for Off-Shore Companies to Avoid Infringing U.S. Patents, November 2005;
"The Licensing Exception to the On-Sale Bar: A Wrong Turn on the Path to Predictability," *45 IDEA The Journal of Law and Technology* 35 (2004); "Run for the Border," (with S. Raghunathan) *8-K The Legal Magazine For Business Executives* (Winter 2005 at 34).

Regular columnist on "Alternative Dispute Resolution" and frequent contributor to *IP Litigator*, including "Fighting Personal Jurisdiction in Intellectual Property Cases: Some Practical Lessons" (2001); "Obtaining 'Appellate' Review of an Arbitral Award" (2003), "Section 102(b) Bar—Four Years After *Pfaff v. Wells Electronics*" (2003).

EXPERIENCE IN COURT LITIGATION

Has more than twenty five years of experience in high-stakes civil litigation and trials. Practice emphasizes complex commercial litigation, including intellectual property and antitrust cases.

Achieved a complete victory by obtaining a final judgment on all five patents allegedly covering prepaid cards based on a favorable claims construction ruling on the first morning of a scheduled two-day Markman hearing. Trials have included disputes over patents covering cardiovascular stents, patents on wet processing methods and apparatus for manufacturing semiconductor chips, intermittent windshield wiper patents, valuation of a well-known international trademark, appropriate royalties owed under a software licensing agreement and the amount of commissions owed a terminated distributor.

Recent clients have included Visa Inc., Sabre, Inc, The Clorox Corporation, Sears Roebuck & Company, Travelocity.com., and Walmart.com. Has successfully defended clients against charges of attempted monopolization of the GDS (computerized reservation services) market and alleged patent infringement by contactless payments cards and replacement refrigerator water filters. Has represented an inventor of a software security patent, a maker of chip sets for Global Positioning Systems (GPS) receivers, a Japanese semiconductor equipment manufacturer, an Internet Service Provider, a CAD/CAM software company, a non-profit research institution and a biotech startup. Has litigated copyright disputes over software used on telephone call center switches, voice-messaging software, firefighter figurines from 9/11, gray market knickknacks imported from Asia, the rights to the Beach Boys catalog of songs, and the copyright on day-timers.

PROFESSIONAL TRAINING IN MEDIATION

American Arbitration Association (AAA) mediation training, San Francisco Region, 1987;
United States District Court For Northern District of California Mediation training (1993) and Early Neutral Evaluation Training (1994 and 2001 (faculty));
American Intellectual Property Law Association (AIPLA) mediation training (faculty) (1994);
Licensing Executives Society (LES) mediation training (faculty) (1995).

EXPERIENCE IN MEDIATION AND ARBITRATION

Serves as an arbitrator and mediator in technology-related controversies and as Judge Pro Tem.

Panel of Mediators, American Arbitration Association, since 1987; Mediator and Early Neutral Evaluator for the U.S. District Court for the Northern District of California since 1993 and 1994, respectively.

Recipient of the Distinguished Service Award as "Mediator of the Year" from the San Francisco Office of the American Arbitration Association, November 1989;

Recipient of Recognition for Service as a Neutral, United States District Court, Northern District of California, April 1999;

Experience In Arbitration:

Panel of Arbitrators, American Arbitration Association, since 1987;

Technology Panel, CPR International Institute for Conflict Prevention and Resolution, since 1994; member CPR Patent Commission 2004-2006.

PROFESSIONAL TRAINING IN ARBITRATION

American Arbitration Association: Commercial Arbitration training (1988); Advanced Commercial/Construction Arbitrator Training (1993); Commercial Arbitration Training Workshop (April 1999), Arbitrator Update 2001, Commercial Arbitrator II Training Workshop (July 2002); Arbitration Awards: Safeguarding, Deciding & Writing Awards (November 2004); and Chairing an Arbitration Panel: Managing Procedures, Process & Dynamics (December, 2005).

ARBITRATION EXPERIENCE**SUMMARY TABLE**

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	AAA	2		1		1
	ICC					
	LCIA					
	Ad Hoc					
	JAMS	1				1
Number of cases: sub-total		3		1		2
Domestic Arbitrations	AAA	7	1	3	1	2
	CPR (Ad Hoc)	2			2	
Number of cases: sub-total		9	1	3	3	2
TOTAL		12	1	4	3	4

MEDIATION EXPERIENCE**SUMMARY TABLE**

Type	Role			
	Name	Number of Mediations	Mediator	Counsel
International Mediations				
	Ad Hoc	3		3
	Others:	1		1
Number of cases: sub-total		4		4
Domestic Mediations	AAA	60 (approx)	40 (approx)	20 (approx)
	U.S.D.C.	35 (approx)	25 (approx)	10 (approx)
	Others	29 (approx)	4	25 (approx)
Number of cases: sub-total		124	69	55
TOTAL		128	69	59