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**WIPO LIST OF NEUTRALS**

**BIOGRAPHICAL DATA**

Clive Duncan THORNE  
McCarthy Denning  
London  
United Kingdom



Nationality: British

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**EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS**

MA., (Honours Law), Trinity Hall, University of Cambridge, 1978;  
BA., (Honours Law), Trinity Hall, University of Cambridge, 1974;

Barrister and Solicitor, Law Institute of Victoria, Australia, 1985;  
Solicitor, Law Society of Hong Kong, 1984;  
Solicitor, Law Society of England and Wales, 1977;

Fellow, Chartered Institute of Arbitrators, 1993;  
Associate, Chartered Institute of Patent Agents, 1992;  
Associate, Chartered Institute of Trademark Agents, 1991.

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**LANGUAGES**

English

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**PRESENT POSITION**

Partner, McCarthy Denning, London.

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**PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION**

Special Counsel, Baker Botts LLP.  
Partner, Wedlake Bell, 2014-2016;  
Partner, Reynolds Porter Chamberlain LLP, (formerly known as Arnold & Porter), London 2004-2014;  
Partner, Denton Wilde Sapte (formerly Denton Hill), 1998-2004.

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### MEMBERSHIP IN PROFESSIONAL BODIES

Member:

Law Society of England and Wales;  
International Trademark Association (INTA);  
International Association for the Protection of Industrial Property (AIPPI);  
International Bar Association (Officer, Committee R, Computers and High Technology);  
Intellectual Property Lawyers Association (IPLA);

Director, The Intellectual Property Lawyers Organization.

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### AREAS OF SPECIALIZATION

Intellectual property litigation and arbitration generally, including:

- patents (other than chemical or pharmaceutical);
  - design protection; copyright (all aspects);
  - trademarks and marketing rights;
  - satellite and telecommunications rights; -trade secrets.
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### EXPERIENCE IN INTELLECTUAL PROPERTY

Practised as a solicitor, specializing in commercial litigation and arbitration since 1987;

Specialized in intellectual property disputes;

Practised as a solicitor in private practice in United Kingdom and South East Asia (between 1984 and 1987);

Has particular experience in the conduct of interlocutory applications and in trial preparation and conduct, together with appeals to the Court of Appeal, House of Lords and Privy Council.

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### MAJOR PUBLICATIONS

Co-Author, *Intellectual Property - The New Law*, A Guide to the Copyright Designs & Patents Act 1988, Butterworths, responsible, *inter alia*, for chapter on design remedies and procedures, (1988);

Numerous articles in intellectual property journals including, in particular, *European Intellectual Property Review*.

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### EXPERIENCE IN COURT LITIGATION

Has acted as solicitor for a party in numerous Court actions involving intellectual property rights;

Experience is confined primarily in the Courts of England and Hong Kong, but he has also been involved in the preparations for litigation in Australia and USA;

Has acted as Advocate in interlocutory applications in the High Court of Hong Kong;

Major reported cases include:

- Trademark - Sony Corporation v. Anand, No 1 and No 2;
- Passing off/competition - Sony Corporation v. Sarays Electronics;
- Alan Clark v. Evening Standard;
- Design - Interlego AG v. Tyco Industries Inc;
- Satellite - Hi Tec Extravision v. BBC Enterprises;
- Trademark - Dormeuil v. Nicolian;
- Database Infringement - Robin Ray v. Classic FM.

Case load involves all aspects of intellectual property law.

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### PROFESSIONAL TRAINING IN MEDIATION

Participated in a mediation training course conducted by The Chartered Institute of Arbitrators, Dublin, 1993;

Attended internal mediation training organized by Denton Hall;

Participated in a mediation programme organized by Committee R, International Bar Association.

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#### **PROFESSIONAL TRAINING IN ARBITRATION**

Fellowship course, Chartered Institute of Arbitrators, December 1992, and Fellowship revision course, Dublin, May 1993;  
Participated in Chartered Institute of Arbitrators course on intellectual property arbitration, London, 1993.

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#### **EXPERIENCE IN MEDIATION**

Acted as counsel in approximately 15 mediations for clients in England involving intellectual property rights;  
Has, on numerous instances, used mediation skills during settlement negotiations within English litigation.  
Appointed as mediator in 6 mediations.

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#### **EXPERIENCE IN ARBITRATION**

Counsel for a party in an arbitration involving licensed intellectual property rights in telephony.  
Counsel in a large-scale arbitration involving patent rights and damages in the aerospace industry.  
Appointed arbitrator in an ICC arbitration involving patent issues.

In the past 10 years has been involved in approximately 10 to 15 arbitrations including a number of major intellectual property arbitrations; Involved in preparations for the presentation of cases on behalf of parties in arbitrations; Involved in applications before arbitrators and the conduct of arbitrations, including the presentation of the case to the arbitrator in more than 6 cases; Member, Patents County Court panel of Arbitrators; Lectured on arbitration and intellectual property.

WIPO – Domain name dispute panelist - (numerous appointments).  
Nominet-Domain name dispute expert panelist - (numerous appointments).

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**ARBITRATION EXPERIENCE****SUMMARY TABLE**

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations □□□□	AAA					
	ICC	3			1	2
	LCIA	3				3
	Ad Hoc					
	Others:	2				2
Number of cases: sub-total		8				7
Domestic Arbitrations □□		10				10
Number of cases: sub-total		10				10
<b>TOTAL</b>		<b>18</b>			<b>1</b>	<b>17</b>

**MEDIATION EXPERIENCE****SUMMARY TABLE**

Type		Role		
	Name	Number of Mediations	Mediator	Counsel
International Mediations □□□□				
	Ad Hoc	15		15
	Others:			
Number of cases: sub-total		15		15
Domestic Mediations □□				
			6	
Number of cases: sub-total				
<b>TOTAL</b>		<b>15</b>	<b>6</b>	<b>15</b>