



## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

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Date of Birth: September 4, 1943

Nationality: British

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### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Ph.D., Chemistry, University of London, 1966;

B.Sc., (Hons), Chemistry (First Class), University of London, 1964;

(Sir Owen Roberts Prize, Patterson Scholarship, Amy, Lady Tate Scholarship), Bedford College, University of London, 1964;

LLB., (Upper Second Class) University of London, 1973;

Bar Final Examination, Michaelmas (First Class) (Certificate of Honour), 1975;

(Council of Legal Lincoln's Inn, London, 1975; Buchanan Prize, Lincoln's Inn, London, 1975; Lincoln's Inn Prize, London, 1975);

Queen's Counsel, April 1997.

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### LANGUAGES

English

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October 1, 2009

### **PRESENT POSITION**

Queen's Counsel (Barrister), 8 New Square, Lincoln's Inn, London;  
Editor of Reports of Patent Cases;  
Editor of Fleet Street Reports (IP cases);  
CEDR- Accredited and Registered Mediator.

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### **PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION**

Patent Examiner, Chemical Patents, United Kingdom Patent Office, 1968 –73;  
Lecturer in Law, Polytechnic of North London, 1973-75;  
Lecturer in Law, Queen Mary College, University of London 1975-79;  
Lecturer in Law, London School of Economics, University of London (part-time) 1978-79.

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### **AREAS OF SPECIALIZATION**

Intellectual Property – patents, registered designs, unregistered designs, copyright and related rights (including sound recording, film and broadcasting rights), performers' rights, trade marks, passing off, confidential information, trade secrets; contracts relating to the above.

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### **MEMBERSHIP IN PROFESSIONAL BODIES**

Chancery Bar Association, England;  
Intellectual Property Bar Association, England;  
LCIA (London Court of International Arbitration);  
ACI (A Commercial Initiative for Dispute Resolution) Mediation and Arbitration Panel Member;  
CEDR Accredited and Registered Mediator;  
Founder Member of IP and Media Group.

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### **EXPERIENCE IN INTELLECTUAL PROPERTY**

As IP Counsel, over 25 years in practice as an independent barrister:

Wide ranging intellectual property practice mainly involving litigation but also advisory work in: Patents – cases involving chemicals, pharmaceuticals, agricultural machinery, roofing materials; mechanical devices; Copyright Designs and Performers' Rights: cases involving engineering drawings, architects plans, databases, literary works, maps, famous cartoon and animal characters, dress designs, broadcasting, music copyright, rights in performances; Trade Marks and Passing Off – cases involving trade mark infringement; oppositions; revocations and common law rights; Confidential information: cases involving business information; chemical formulae and formulations; Data Protection advice given to retail stores, utilities, credit reference agencies, local authorities; Contracts relating to IP matters.

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As Editor of Reports of Patent Cases and Fleet Street Reports – a wide knowledge of virtually all recent UK case law (Patent Office, Trade Marks Registry, High Court, Court of Appeal, House of Lords) and major European decisions.

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

Acted as counsel for claimant in a trade mark infringement action where the defendant had adopted a domain name using the claimant's trade mark. Appointed Sole Panelist in several domain name dispute cases under the ICANN Uniform Domain Name Dispute Resolution Policy.

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### **MAJOR PUBLICATIONS**

Co-author, "The Modern Law of Copyright and Designs", Butterworths, 2000, with Sir Hugh Laddie, Peter Prescott, QC, Adrian Speck and Lindsay Lane (now in its 3<sup>rd</sup> edition);  
Editorship of the Reports of Patent Cases and the Fleet Street Reports (both specialist IP reports);  
Editor and Contributor, "Patents Act 1977": QMC Patent Conference Papers, Sweet & Maxwell, 1978;  
Co-editor with Anthony Walton QC, "Russell on Arbitration" 20<sup>th</sup> Edition, Sweet & Maxwell, 1982;  
Co-contributor with T A Blanco White QC, "Patents' in Halsbury's Laws of England" 4<sup>th</sup> Edition, Butterworths, 1981;  
"Patents and Registered Designs' in Halsbury's Laws of England" 4<sup>th</sup> Edition re-issue, Butterworths, 1994;  
Editor, 1978-90, Chief Editor, 1990-99; "Encyclopaedia of United Kingdom and European Patent Law", Sweet & Maxwell;  
"Patents and Inventions", Atkins Court Forms, Butterworths 2006 (with Jonathan Hill);  
"Copyright", Atkins Court Forms, Butterworths, 1986; 1990 (with Daniel Alexander); 1996; 2001 (with Lindsay Lane); 2005;  
Co-editor, European Intellectual Property Review, Sweet and Maxwell, 1978-present;  
"Copyright and Design Right' in Halsbury Laws of England", 4<sup>th</sup> Edition, re-issue, Butterworths, 1997;  
Professional Negligence Law and Practice, LLP Ltd. 2000 – Chapter on Patent Agents and Trade Marks Agents (with Charlotte May).

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### **EXPERIENCE IN COURT LITIGATION**

Regularly appeared over the past 25 years as sole or lead counsel for claimants or for defendants in a wide range of intellectual property litigation including patent infringement, trade mark infringement, copyright infringement, passing off cases, patent entitlement disputes, contractual disputes. Appeared before the Patent Office, Trade Marks Registry, The Appointed Person, the High Court and the Court of Appeal.

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## PROFESSIONAL TRAINING IN MEDIATION

CEDR Accredited and Registered Mediator.

Undertaking continuous professional development by attendance at additional mediation courses and training days organized by CEDR.

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## EXPERIENCE IN MEDIATION

Privately appointed Mediator in the UK in the following:

trade mark infringement dispute, June 2003; international biotechnology patent licensing dispute, November 2003; design right and copyright infringement dispute involving medical equipment, January 2004; trade mark infringement and passing off dispute concerning the importation of alleged counterfeit clothing, January 2004; trade mark infringement and trade mark revocation dispute relating to business consultancies, January 2004; trade mark infringement dispute concerning the allowability of certain deductions in an account of profits, February 2004; design right infringement dispute concerning the amount payable under an inquiry as to damages and the appropriate principles for the assessment of damages, June 2004; trade mark and passing off dispute between two large companies concerning the adoption of a new trading style by the defendant, July 2004; passing off dispute between two companies each carrying on the business of management consultancy to the financial and banking sector, August 2004; professional negligence action involving a patent and with a £multi-million claim value, October 2004; copyright infringement dispute involving a small manufacturing company and a large chain store with a claim value of about £250k, March 2005; patent revocation dispute involving permissibility of amendments to the patent, November 2005; Copyright dispute concerning ownership of copyright in celebrity photographs and in the negatives, January 2006.

Assistant Mediator in the following CEDR-organised mediations in the UK:

copyright/design right infringement litigation, (garment and cutlery designs respectively) May and June 2003; infringement of registered design/breach of confidential information in July 2003; passing off and trade mark dispute between two charities, December 2003;

Privately appointed assistant mediator in an IT contract dispute between a financial institution and a software supplier, March 2004.

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## EXPERIENCE IN ARBITRATION

Acted as a member of an Arbitration tribunal in a multi-million dollar international trade mark licensing dispute, 2001-03;

Currently acting as a sole LCIA arbitrator in a patent and know-how licensing dispute;

Acted as counsel in 3 domestic ad hoc arbitrations held in the UK concerning telecom cable laying, a solicitors' partnership dispute and breach of contract/breach of confidential information dispute;

Carried out an expert determination on behalf of CEDR in a copyright and moral rights dispute. (September 2004).

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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					
	LCIA	3		1 (ongoing)	1	1
	Ad Hoc					
Number of cases: sub-total		3		1	1	1
Domestic Arbitrations	AAA					
	Ad Hoc	2				2
Number of cases: sub-total		2				
<b>TOTAL</b>		<b>5</b>		<b>1</b>	<b>1</b>	<b>3</b>

**MEDIATION EXPERIENCE**

**SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations				
	Ad hoc	5	Mediator - 4 Assistant mediator - 1	
Number of cases: sub-total		5	5	
Domestic Mediations (Estimates)	AAA			
	CEDR	5	Mediator - 1 Assistant Mediator – 4	1
	ACI	1	Assistant Mediator - 1	
	Court-annexed			
	Ad Hoc	8	8	
Number of cases: sub-total		14	14	
<b>TOTAL</b>		<b>19</b>	<b>19</b>	<b>1</b>