

## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

Mark A. A. WARNER  
MAAW Law  
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Date of Birth: April 24, 1964

Nationality: Canadian

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### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

L.L.M., Georgetown University Law Center, 1993;  
J.D. Osgoode Hall Law School / York University, 1991;  
M.A., (Economics), University of Toronto, 1988;  
B.A., McGill University, 1986.

Admitted to Bar: Ontario, Canada, 1994;  
New York, 1995.

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### LANGUAGES

English / French

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### PRESENT POSITION

Principal, MAAW Law, Toronto, Ontario, 2012 - Present.

February 21, 2017

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## PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

### Legal Counsel

Legal Director, Ontario Ministries of Economic Development, International Trade & Investment and Research and Innovation, Toronto;  
Counsel, Fasken Martineau DuMoulin LLP., Toronto;  
Partner, Stanbrook & Hooper (now McDermott Will & Emery), Brussels;  
Counsel, Hughes Hubbard & Reed, LLP., New York & Washington, D.C.;  
Legal Counsel, O.E.C.D. Trade Directorate, Paris;  
Associate, Curtis, Mallet-Prevost, Colt & Mosle, Washington, D.C.;  
Articling Clerk, (Junior Associate), Davies, Ward & Beck, Toronto.

### Teaching / Research Positions

Visiting Scholar, Osgoode Hall Law School, York University, Toronto (2012-2013);  
Executive Fellow, Mowatt Centre, University of Toronto, Canada (2012-2013);  
Visiting Professor, Addis Ababa University Faculty of Business and Economics, Ethiopia (2009);  
Adjunct Professor, World Trade Institute, Berne (2003);  
Adjunct Professor, Int'l. Institute of Management in Telecoms, Fribourg (2003);  
Visiting Professor, International Law Institute-African Centre for Legal Excellence, Uganda (2000);  
Adjunct Professor, University of Leiden, Faculty of Law, Netherlands (1998 - 2001);  
Visiting Professor, University of the Western Cape, South Africa (1996);  
Assistant Professor and Assistant Director, University of Baltimore School of Law / Center for International & Comparative Law, Baltimore (1995 – 1996);  
Research Associate, Peterson Institute for International Economics, Washington, D.C. (1992-1993).

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## AREAS OF SPECIALIZATION

Antitrust/Competition Law, International Trade Law, Intellectual Property Law, International Investment Law.

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## MEMBERSHIP IN PROFESSIONAL BODIES / PROFESSIONAL RECOGNITION

Fellow, American Bar Foundation, since 2015  
Listed in 2006 Euromoney IFLR Guide to the World's Leading Competition and Antitrust Lawyers;  
Past Chair, ICC Competition Commission Working Party on E-Commerce and Competition Policy;  
Former Member, ICC Joint Working Party on Trade and Competition;  
Former, International Antitrust Sub-Committee, ABA Business Section, International Committee;  
Former Chair, International Committee, ABA Antitrust Section;  
Former Vice Chair, International Committee, ABA Antitrust Section;  
Former Member, ABA Antitrust Section, Standing Committee on Antitrust in the Global Economy;  
Former Member, ABA Antitrust Section Task Force on Competition Policy and NAFTA;  
Former Member, Property Institute Task Force on Information Exchange and Financial Privacy.

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## EXPERIENCE IN INTELLECTUAL PROPERTY

Advising a Government on Intellectual Property issues in the negotiation of the Canada-European Union (EU) Comprehensive Economic and Trade Agreement (CETA);  
Advising a Government on various grant and loan agreements to leading global pharmaceutical companies and creating a \$250 million co-investment venture capital fund (focused in part on Life sciences and advanced health technologies);  
Advising a leading multinational pharmaceutical firm on competition, IP and trade issues on HIV/AIDS drug distribution in Africa;  
Giving advice concerning application of EU Technology Transfer Block Exemption and U.S. Antitrust-Intellectual Property Guidelines in connection with multinational licensing agreements;  
Giving advice concerning patent pooling arrangement among universities on three continents;  
Advising a foreign state-owned energy conglomerate concerning patent litigation in the United States;

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As Chair, ICC Task Force on E-commerce and Competition, including review of domain name governance issues;  
Had responsibility for the OECD Joint Group on Trade and Competition work on trade, competition and intellectual property rights, including implications of TRIPs for a multilateral competition agreement; issues of exhaustion of intellectual property rights; and implications of GATS Basic Telecoms Agreement for trade and competition rule-making.

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### EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Has handled some domain name arbitration cases.

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### MAJOR PUBLICATIONS

“Trade and Competition: Options for Greater Coherence” (*OECD*), 2001;  
“Aids Drugs in the Developing World: The Role of Patents in the Access to Medicines” in 2001 Symposium, *Global Intellectual Property Rights: Boundaries of Access and Enforcement*, Fordham Intellectual Property, Media and Entertainment Law Journal, 2001;  
“After Seattle: Is there a future for Trade and Competition Policy Rule-making”, *6 International Trade Law and Regulation* 66, June 2000;  
“Trade and Competition Policies for Tomorrow”, (*OECD*), 1999;  
“Restrictive Trade Practices and The Extraterritorial Application of U.S. Antitrust and Trade Legislation”, *19 Northwestern J. International Bus.* 330, 1999;  
“International Aspects of Competition Policy – Possible Directions for the FTAA”, *22 World Competition* 1, 1999;  
Co-author with Hon. William C. Graham, Minister of Foreign Affairs, Canada, “The Canadian Law and Practice of International Trade”: Second Edition”; (Emond Montgomery Press, Toronto, 1997);  
“Efficiencies and Merger Review in Canada, the European Community and the United States: Implications for Convergence and Harmonization”, *26 Vanderbilt J. of Transnational L.* 1059, 1994;  
“Competitiveness: An Emerging Strategy of Discrimination in U.S. Antitrust and R&D Policy?”, *25 L. & Pol. International Bus.*, with Alan M. Rugman, 1994.

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### EXPERIENCE IN ARBITRATION

Involvement with several NAFTA Chapter 11 investor-state arbitrations.

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