

## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

Neil J. WILKOF  
Dr. Eyal Bressler Ltd.  
Lazrom House, 11 Tuval Street  
Ramat Gan 52522  
Israel

Telephone: +972 3 5765555

Fax: +972 3 5765566

E-mail: [wilkof@bressler.co.il](mailto:wilkof@bressler.co.il)

Date of Birth: April 2, 1948

Nationality: US/Israel

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### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Ph.D. Degree, University of Illinois at Urbana-Champaign, College of Education, Urbana, IL 1982;  
J.D. Degree, University of Chicago, Chicago, 1980;  
M.A. Degree, Philosophy of Education with high honors, University of Chicago, Chicago, 1973;  
B.A. Degree, Magna Cum Laude with exceptional distinction in History, Yale University, New Haven, CT. 1971;  
Rotary Foundation Fellow to Israel, 1969-70.

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### LANGUAGES

English, Hebrew

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March 16, 2012

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### PRESENT POSITION

Dr. Eyal Bressler Ltd.

Adjunct Lecturer of Intellectual Property Law, Haifa University, Haifa, Israel, Faculty of Law, 2002-present.

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### PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Head, Intellectual Property and Information Technology Department, Herzog Fox & Neeman, Tel Aviv; 2001-2012;

Guest Lecturer at University of London and Charles University in Prague; 1991;

Visiting Lecturer of Intellectual Property Law and International Business Law, ITT Chicago-Kent College of Law, Chicago, summer 1991;

Adjunct Lecturer of Intellectual Property Law and Computer Law at Bar-Ilan University Faculty of Law; Ramat-Gan, Israel, 1990-01;

Examiner, Israel Patent and Trademark Agents Examination: 1998-99;

Adjunct Lecturer of Law, Cleveland-Marshall College of Law, Cleveland, 1981-84;

External Examiner—University of Bradford, England (Law Papers for M.B.A. students);

Frequent Lecturer to professional bodies in Europe, the United States of America and Israel.

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### MEMBERSHIP IN PROFESSIONAL BODIES

Board of Directors, Israel Chapter of A.L.A.I. (Association Litteraire et Artistique Internationale);

Member, International Trademark Association (Issues and Policy Committee);

American Bar Association, Israel Chapter of A.I.P.P.I.; Computer Law Association;

Israel Chapter of Licensing Executives Society, American Intellectual Property Association;

Named in *Guide to the World's Leading Experts in Trade Mark Law, Israel*;

Named in *International Who's Who, Trademark Attorneys*;

Named in *Euromoney*, Leading Law Offices in Israel in Copyright and Trademark Area;

Member of Bar of Israel; State of Ohio (inactive).

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### AREAS OF SPECIALIZATION

Practice specializing in intellectual property, technology transfer and computer law.

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### EXPERIENCE IN INTELLECTUAL PROPERTY

Special counsel, Israel Ministry of Justice Copyright Law Revision Committee;

Special Counsel to Israel delegation, WIPO Diplomatic Conference on Certain Copyright and

Neighboring Rights Questions, Geneva, Switzerland, December 1996;

Member of the Israel Trademark Revision Committee.

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### EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Arbiter, ISOC-Israel Chapter; chairman of two advisory panels.

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## MAJOR PUBLICATIONS

### BOOKS:

*Intellectual Property in the Global Marketplace*, Melvin Simensky, Lanning Bryer and Neil Wilkof, Co-Editors, John Wiley & Sons, April 2000;

*Trade Mark Licensing*, Sweet & Maxwell, London, 1995;

*Joseph J. Schwab: Science, Curriculum, and Liberal Education*, Ian Westbury and Neil J. Wilkof, with an introductory essay by the editors, University of Chicago Press, Chicago, 1978 (hardback), 1981 (cloth).

### ARTICLES:

"Copyright, Moral Rights and the Choice of Law: Where Did the Dead Sea Scrolls Court Go Wrong?", *Houston Law Review*, Vol. 38, No. 2, 2001;

"Israel: Introduction to National Customs Jurisdiction," in *Border Control of Intellectual Property Rights*, Sweet & Maxwell, London, 2001;

Trade Marks and the Public Domain: Generic Marks and Generic Domain Names," *European Intellectual Property Review*," 579, 2000;

"Wake-Up Call for U.K. Law on Trademark Licensing," *European Intellectual Property Review*, 386, 1998;

"The Decline of Likelihood of Confusion: of Broomheads and March Madness" *Entertainment Law Review*," 34, 1998;

"The Outer Limits of Third-Party Use of Trademarks: Distributors and Contract "Manufacturers," *Selected Legal Papers, AIPLA*, Vol. XVI, No. 1, 1997;

"Can Architects Obtain Injunctive Relief for Infringement of Moral Rights," *Entertainment Law Review*, 245, 1996;

"Israel Attempts to Legislate Computer-Related Issues: The Computer Law, 1995," *Computer and Telecommunications Law Review*, 150, 1996;

"Same Old Tricks or Something New: A View of Trade Mark Licensing and Quality Control," *European Intellectual Property Review*, 261, 1996;

"Trade Mark Merchandising and the Entertainment Industry: Is Quality Control Still Necessary?," *Entertainment Law Review*, 211, 1995;

"Developments on Security Interests in Intangible Assets (Israel)," in "Simensky and Bryer, *The New Role of Intellectual Property in Commercial Transactions*," John Wiley & Sons, New York, 1994, with Aaron Lewin, 1996 Supplement;

"Bankruptcy and Creditor's Rights under U.S. Law: An IP Perspective," *Managing Intellectual Property*, No. 26, 1993;

"Whose Copyright Is It Anyway: A.B.C. News v. Mekor Israel and David Bedein," *Entertainment Law Review*, 23, 1993;

Reflections on the Influence of the Legal Protection of Software under U.S. Law on Software Protection in Developing Countries," *Computer Law and Practice*, Vol. 8, No. 1, 1992;

"Note on Shrink-Wrap Licenses under Israel Law", *Managing Intellectual Property*, with Barry Levenfeld, October 1992;

"Continuity and Discontinuity in the Law of Copyright Exceptions to the Author as First Owner," *European Intellectual Property Review*, 288, 1991;

"Who Owns the Copyright—Recent Developments and Practice Suggestions under US and UK Law," *Managing Intellectual Property*, No. 4, January 1991;

"Software Protection in Israel," *Les Nouvelles*, Vol. XXIV, No. 2, June 1989, reprinted in *Licensing for the Nineties*, Clark Boardman, 1991;

Contributor to various periodicals, including *The Wall Street Journal*, *Cleveland Plain Dealer* and *Jerusalem Post*.

### SPEECHES AND PAPERS:

"Trademark Infringement by Non-Trademark Use: Does It Make Any Sense?," Tenth Annual Conference on Intellectual Property Law and Policy, Fordham University School of Law, New York, March 2002;

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- “Copyright and the Dead Sea Scrolls,” Faculty Symposium, University of Amsterdam, Amsterdam, June 2001;
- “Recent Developments in International Trademark Practice,” Spring Meeting of American Intellectual Property Association, San Francisco, May 2001;
- “The Dead Sea Scrolls and Choice of Law,” Ninth Annual Conference on Intellectual Property Law and Policy, Fordham University School of Law, New York, April 2001;
- “The Israel Computer Law: Five Years Later,” Israel Ministry of Justice, March 2001;
- “Aspects of International Trademark Licensing,” Annual Meeting of the International Trademark Association, Denver, May 2000;
- “Generic Domain Names and the Public Domain,” Eighth Annual Conference on Intellectual Property Law and Policy, Fordham University School of Law, New York, April 2000;
- “Principles of Trademark Licensing,” Seminar Organized by Baker & McKenzie, Barcelona, November 1999;
- Moderator, “Databases and the Free Flow of Information,” The Commodification of Information: Political, Social and Cultural Ramifications, Haifa University, Haifa, Israel, and May 1999;
- “Developments in Trademark Law in Africa and the Middle East: “The TRIPS Dimension,” Annual Meeting of the International Trademark Association, Seattle, May 1999;
- “Licensing of Trademarks and the Licensing/Distribution Dichotomy,” Seventh Annual Conference on Intellectual Property Law and Policy, Fordham University School of Law, New York, April 9, 1999;
- “Issues in Trademark Licensing Law,” University College London, February 11, 1999;
- “The Israel Computer Law: Five Years Later,” Symposium on Developments in Computer Law, organized by Ha’aretz, Tel-Aviv, February 1999;
- “The Intellectual Property-Competition Law Interface,” continuing legal education course on Competition Law, Commercial Law Center, Faculty of Law, Bar-Ilan University, Ramat-Gan, December 1998;
- “Issues in Licensing,” Coordinator and Moderator of 14-day electronic symposium, organized by Counsel Connect, November 1998;
- “Developments in Parallel Import Law under E.U. Jurisprudence,” Israel Chapter of AIPPI, September 1998;
- “The International View of Emerging U.S. Trade Dress Registration Practice,” Symposium on Trade Dress: Common Constructs or Complete Confusion, organized by the United States Patent and Trademark Office, Crystal City, Virginia, February 12, 1998;
- “Third Party Use of Trademarks: Distributors and Contract Manufacturers,” Spring Meeting of American Intellectual Property Association, San Antonio, Texas, April 26, 1997;
- “The Foundations for Trademark Law: The Conflict between Deception and Property Right Approaches,” Fifth Annual Conference on International Intellectual Property Law and Policy, Fordham University School of Law, New York, April 4, 1997;
- “The Not-So-Slow Decline of Trademark Theory,” Queen Mary & Westfield College, University of London, London, January 1996;
- “Trademarks or Trading in Marks: Developments in the Concept of a Trademark under Current Law,” Judicial Conference of Israel, December 1995;
- “Moral Rights: The Case for Caution,” Israel Chapter of A.L.A.I., June 1995;
- “Trade Mark Licensing: Same Old Tricks or Something New,” Conference on Brands, Names and Money, organized by European Study Conferences, London, May 1995;
- “Intellectual Property Rights in the Marketplace,” Annual Conference on Developments in the Law organized by the Israel Ministry of Labor, February 1995;
- “Copyright Protection of Computer Software,” initial lecture of thirteen-part continuing legal education course on “Aspects of Computer Law” which I organized for the Commercial Law Center, Faculty of Law, Bar-Ilan University, Ramat-Gan, November 1994;
- “Donald Duck and His Friends: Fair Use under Israel and US Copyright Law,” Judicial Conference of Israel, June 1994;
- “A Tale of Software Protection in Six Countries,” seminar organized by Queen Mary & Westfield College, London, and Bird & Bird, Solicitors, May 1994;
- “Counterfeiting: Is There an Israel Perspective?,” Conference on Developments in Intellectual Property Law, organized by F.I.C.P.I., Tel-Aviv, April 1994;

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“Insolvency and Intellectual Property: The Problem of Licensing,” Conference on the Risks for Suppliers and Purchasers in Insolvency, organized by the Chartered Institute for Purchasing and Supply, London, May 1993;

“The Long Hot Summer of U.S. Computer Law: The Apple v. Microsoft, Computer Associates and Sega Cases: Where Does the Jurisprudence Go From Here?,” Centre for Commercial Law Studies, Queen Mary & Westfield College, University of London, London, February 1992;

“Legal Aspects of Translation: The Translator’s Perspective,” The Israel Translators Association, May 1991;

“How Influential is US Software Protection Law in Developing Countries?,” Conference on International Protection in Software, organized by Charles University, Prague, February, 1991;

“Copyright, Reprography and the Academic Library,” Annual Meeting of the Israel Library Association, Tel-Aviv, November 1990;

“The Problem of Copyright Ownership under UK and US Law,” Conference on Copyright Law and Strategy, organized by European Study Conferences, London, July 1990;

“Warranties and Products Liability Under U.S. and Israel Law,” Continuing Legal Education of the Israel Bar Association, Tel-Aviv, December 1989.

#### **Editorships and Related Activities:**

Editorial Advisory Board, *European Trade Mark Reports*;

Editorial Advisory Board, *European Copyright and Design Reports*;

Editorial Advisory Board, *BNA World Licensing Report*;

*Trade Marks, Trade Names and Unfair Competition*; *World Law and Practice*, FT Law and Tax (London), chapter on Israel law;

National Correspondent, *Entertainment Law Review*;

National Correspondent, *Computer and Telecommunications Law Review*;

National Correspondent, *Computer und Recht International*;

Assistant Editor, *Israel Yearbook on Human Rights*, Tel-Aviv University, 1985–87;

Assistant Editor, *Antitrust Law Journal*, published by the American Bar Association, 1982–84.

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#### **EXPERIENCE IN COURT LITIGATION**

Over 15 years of experience in various copyright and trademark cases, including representation of defendant in the well-known “Dead Sea Scrolls” copyright infringement case.

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#### **EXPERIENCE IN MEDIATION**

Court-appointed mediator in two intellectual property cases; counsel for plaintiff in one court-appointed mediation.

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**MEDIATION EXPERIENCE  
SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations				
	Ad Hoc			
	Others			
<b>Number of Cases : Sub-Total</b>				
Domestic Mediations	Magistrate's Court of Tel-Aviv-Jaffa	3	2	1
<b>Number of Cases Sub-total</b>		3		
<b>TOTAL</b>		<b>3</b>		