

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Tobias ZUBERBÜHLER
Lustenberger Attorneys at Law
Zurich



Nationality: Swiss

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Admission to the Zurich and Swiss Bars, 1999;
LL.M. (International Legal Studies), Golden Gate University, San Francisco, 1996;
lic. iur., University of Zurich Law School, 1994.

LANGUAGES

German, English, French

PRESENT POSITION

Partner, Lustenberger Attorneys at Law, Zurich, since 2005.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Junior Associate, Wyler & Lustenberger Attorneys, Zurich, 1995-97;
Associate, Meyer Müller Eckert Partners, Zurich/Zug, 1999-2005;
Anti-Corruption Officer Switzerland, Credit Suisse AG, Zurich, 2011-2012.

January 15, 2020

AREAS OF SPECIALIZATION

Arbitration, Litigation, Internet Law, White Collar Crime, Licensing & Distribution, Joint Ventures, Finance Law.

MEMBERSHIP IN PROFESSIONAL BODIES

Swiss Chambers' Arbitration Institution (SCAI) Court of Arbitration;
Swiss Bar Association (SAV);
Zurich Bar Association (ZAV);
Swiss Arbitration Association (ASA);
American Bar Association / Section for International Law (ABA SIL);
International Association of Young Lawyers (AIJA; Past President International Arbitration Commission);
German Institution of Arbitration (DIS).

EXPERIENCE IN INTELLECTUAL PROPERTY

Counsel in the negotiation of numerous patent license agreements and registrations of trademarks; involvement as counsel in litigations and as secretary to the tribunal in complex arbitrations involving patent license agreements.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Panelist in over 200 UDRP proceedings and counsel in numerous cases administered by WIPO.
Speaker at various seminars about domain name arbitration.

MAJOR PUBLICATIONS

Commentary on Art. 38-41 and Appendix B Swiss Rules, in: Manuel Arroyo (ed.), *Arbitration in Switzerland – The Practitioner's Guide*, 2nd ed., Kluwer 2018, p. 808-841;
Zuberbühler/Schregenberger, *Corruption in Arbitration - The Arbitrator's Duty to Investigate*, in: *New Developments in International Commercial Arbitration 2016* (eds. Christoph Müller/Sébastien Besson/Antonio Rigozzi), Schulthess 2016, p. 1-38;
Commentary on Art. 38-41 and Appendix B Swiss Rules, in: Manuel Arroyo (ed.), *Arbitration in Switzerland – The Practitioner's Guide*, Kluwer 2013, p. 602-629;
Zuberbühler/Müller/Habegger (eds.), *Swiss Rules of International Arbitration, Commentary*, 2nd ed., Zurich 2013;
Zuberbühler/Hofmann/Oetiker/Rohner, *IBA Rules of Evidence*, Zurich 2012;
World Intellectual Property Organisation (WIPO), in: *Gola/Götz Staehelin/Graf (eds.), Institutional Arbitration, Tasks and Powers of Different Arbitration Institutions*, Zurich/Basel/Geneva 2009, 293-310;
Signatory or Not? Groups, Affiliates and MBOs, Case Note on Swiss Supreme Court Decision of 22 January 2008, 4A_244/2007, *ASA Bulletin* 3/2008, 559-564;
Non-Signatories and the Consensus to Arbitrate, *ASA Bulletin* 1/2008, 18-34;
Zuberbühler/Oetiker (eds.), *Practical Aspects of Arbitrating EC Competition Law*, Zurich 2007;
Zuberbühler/Müller/Habegger (eds.), *Swiss Rules of International Arbitration, Commentary*, 1st ed., Zurich 2005;

Presentations

"International Arbitration and Insolvency Proceedings" (DRI – Hot Topics in International Dispute Resolution, Panelist, London, 15 June 2018);
"Arbitrating Future Damage - New ideas on how to best avoid costly expert battles?" (SCIA Innovation Conference – Arbitrating the Future, Panel Moderator, Zurich, 1 February 2018);
"Corruption in Arbitration - The Arbitrator's Duty to Investigate" (CEMAJ Conference, "New Developments in International Commercial Arbitration", University of Neuchâtel, 11 November 2016);

"Arbitration in the Pharmaceutical Industry" (Ljubljana Arbitration Days, 27 October 2016);
"Settlement Facilitation by Arbitrators" (AIJA Annual Arbitration Conference, New York City, 7 October 2016);
"Corruption in Arbitration: Arbitrators' Duty to Investigate" (Belgrade Arbitration Conference, 11 March 2016);
"Arbitral Proceedings under the Swiss Rules of International Arbitration" (PAS Parnični arbitražni sud, Zagreb, 20 March 2015);
"Korruption in Schiedsverfahren" (ASA Local Group Zurich, 19 May 2014).

EXPERIENCE IN COURT LITIGATION

Counsel in various commercial litigations in Switzerland at all court levels, mainly in the field of international licensing and distribution, banking, share transfers, insurance, unfair competition and white-collar crime.

EXPERIENCE IN ARBITRATION

Joined SCAI Court of Arbitration in 2020.

Arbitrator, Counsel and Secretary to the Tribunal in various arbitration proceedings (International Chamber of Commerce [ICC], Zurich Chamber of Commerce [ZCC], ad hoc arbitration under UNCITRAL Rules) in Switzerland and France involving international organizations and parties from Switzerland, the U.S.A., France, Germany, Korea, Taiwan, Austria, the United Kingdom, Sweden, Ireland, Poland, Croatia, Bulgaria, Curaçao and the BVI. Has 20 years of experience in dispute resolution and has acted as arbitrator and counsel in more than 50 international and domestic arbitration proceedings under both hoc and institutional rules (ICC, Swiss Rules, DIS). Has also rendered over 200 UDRP decisions as WIPO Domain Name Panelist.

Initiator and co-editor of the Commentary on the Swiss Rules of International Arbitration (2nd ed. 2013) and is recommended by Who's Who Legal as one of the world's foremost practitioners in international arbitration (Thought Leaders – Arbitration 2018).

ARBITRATION EXPERIENCE**SUMMARY TABLE**

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	Swiss Rules	17	2	4	3	8
	ICC	28	2	6	2	18
Domestic Arbitrations	Swiss Rules	4	1	1	1	1
TOTAL		49	5	11	6	27