

Peter L. Michaelson, Esq., F.C.I. Arb., C. Arb.

Attorney, Arbitrator & Mediator

Trustee (Americas Region), Chartered Institute of Arbitrators

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Legal Experience:

A. Principal ADR Experience (IP, IT, Telecommunications, Technology and Energy Disputes)

Arbitrated:

- (a) international and domestic intellectual property (IP) disputes, principally patent disputes involving a wide range of technologies from electronic to pharmaceutical to mechanical;
- (b) international and domestic information technology (IT) and technology-related disputes across various commercial areas including, e.g., telecommunications, infrastructure and energy (oil, gas, solar); and
- (c) bilateral investment treaty (BIT) disputes involving technology.

Mediated and also served as a **Court-appointed expert** in patent law in numerous patent litigations in the U.S. District Courts involving complex technology across various industries and Hatch-Waxman based pharmaceutical disputes. Also mediated trademark litigations in the U.S. District Courts. Collectively, arbitrated and mediated over 700 disputes with amounts in contention ranging from a few thousand dollars to between **US \$ 400-800 Million** dollars.

Substantial matters recently handled:

- **Arbitrating**, as a member of a three-person panel and under the International Centre for Dispute Resolution (ICDR), an international patent dispute involving several US patents and concerning compact fluorescent lamps with approximately **US \$ 67 million** in dispute.

- **Mediated**, on an ad hoc basis, a domestic patent dispute involving database technology with approximately **US \$ 16 Million** in dispute.
- **Arbitrating**, as sole arbitrator and under American Arbitration Association (AAA), a domestic patent licensing dispute involving magnetic resonance imaging (MRI) technology with approximately **US \$ 25 Million** in dispute;
- **Arbitrating**, as member of three-person panel and under the ICDR, a technology development contract and patent infringement dispute involving spinal fixation devices with approximately **US \$ 25 Million** in dispute;
- **Arbitrated**, as sole arbitrator and via a CPR referral, a domestic dispute, involving allegations of breach of confidentiality, and trademark infringement, concerning manufacture and distribution of a web-based, demand-side energy load management system with damages claimed of **US \$107 Million**.
- **Mediated**, via a WIPO referral, an international patent dispute involving automotive structural technology and with several US patents in dispute.
- **Arbitrated**, as sole arbitrator and under the AAA, a multi-million dollar US patent dispute concerning digital signal processors. Arbitration was handled on an expedited basis after transfer out of USDC-ED Texas (Marshall Division). Entire arbitration, including evidentiary hearing and rendition of reasoned award, consumed approximately **7 weeks**.
- **Arbitrated**, under the AAA, a domestic patent dispute involving air bag technology including, among other issues, inventorship of each of approximately **20 US patents**.
- **Arbitrated**, as panel chair and via a CPR referral, a domestic patent dispute, involving a genetically-engineered monoclonal-antibody based pharmaceutical drug with approximately \$100 Million claimed. Drug had cumulative sales through 2006 of approximately **US \$4.4 Billion** and annual sales then of approximately **US \$2.5 Billion** and expected additional sales throughout the remainder of the terms of the patents in dispute of approximately **US \$22 Billion**. Arbitration was handled on an expedited basis after conclusion of trial discovery and transfer out of USDC-ED Texas (Marshall Division). Entire arbitration, including a 2-week evidentiary hearing, consumed approximately **3 months**.
- **Arbitrated** a BIT dispute under the UNCITRAL rules and through the London Court of International Arbitration (LCIA), specifically an international contract dispute, between a US telecommunications company and a foreign government as respondent, involving alleged governmental expropriation of a national telecommunications network, with damages being claimed by the telecommunications company of approximately **US \$150 Million**.
- **Arbitrated**, under the AAA, a domestic patent dispute involving reverse geometry contact lenses, and, in conjunction therewith, conducted along with my co-arbitrators, a Markman (claim construction) hearing.
- **Arbitrated**, under the AAA, a contract dispute involving a very large semiconductor manufacturer and concerning development of specialized integrated circuits for DSL (digital subscriber line) equipment with liabilities being claimed amounting to **several tens of millions of US dollars**.
- **Mediated**, on a court-annexed basis for the United States District Court - Eastern District of New York, four separate Hatch-Waxman patent litigations involving a common prescription drug then having annual sales of approximately **US \$350-400 Million**. These litigations were consolidated, by the mediator and for purposes of mediation, and collectively involved three innovator

pharmaceutical companies and three generic pharmaceutical companies.

- **Arbitrated**, via a CPR referral, a domestic patent dispute involving arterial stents, with multiple US patents at issue, between two major multi-national competing medical device manufacturers with liability estimated to be between **US \$400-800 Million**, and in conjunction therewith conducted, along with my co-arbitrators, a Markman hearing.
- **Mediated**, via a WIPO referral, an international patent dispute involving both mechanical and electronic aeronautical technology, with multiple US patents at issue, with potential liability to the parties involved of approximately **US \$600 Million**. Through this mediation, the parties not only settled their existing disputes but also agreed on establishing a framework to avoid future patent disputes going forward.
- **Arbitrated**, under the AAA, an IT dispute resulting from an installation of enterprise (ERP) software and involving a large international accounting/IT consulting firm with liabilities claimed between **US \$25-40 Million**.
- **Mediated** an international patent dispute between two large US appliance manufacturers that successfully ended five years of foreign patent litigation with liabilities claimed of approximately **US \$30 Million**.
- **Mediated** a US patent dispute involving personal digital assistants (PDAs) which successfully ended US patent litigation and formed a framework for future business co-operation between the disputants.
- **Arbitrated**, via a CPR referral, a telecommunication dispute concerning payment of reciprocal compensation between a large incumbent local exchange carrier (ILEC) and a competitive local exchange carrier (CLEC) with a total amount of compensation impacted at the ILEC estimated at approximately **US \$50 Million**.

Arbitrated domain name disputes for ICANN accredited dispute resolution service providers (WIPO, AAA, CPR, eResolution).

**For all my web-published domain name arbitration decisions, see*

www.mandw.com/decisions.html (approximately 200 decisions thus far).

For a 4th Circuit decision acknowledging one of my decisions and specifically incorporating my holding with approval into its own, see [Newport News Holdings Corp. v. Virtual City Vision, Inc. 09-1947, 98 USPQ2d 1441 \(4th Cir. April 18, 2011\)](#) and my prior decision [Newport News Inc., v VCV Internet, eResolution Case No. AF-0238 \(July 18, 2000\)](#).

Served on single and three person arbitration panels, as chair of three person panels, and as mediator and co-mediator.

B. Other ADR Experience

Arbitrated securities and consumer credit disputes ([read news articles concerning those disputes](#))

Mediated, for the New Jersey Superior Court, disputes covering a wide range of substantive legal areas (including, e.g., contract, malpractice, real property, employment discrimination and general commercial matters). ([Read letters of commendation](#))

C. Non-ADR Experience

Serve as General Counsel (on a virtual basis) for Direct Grid Technologies, LLC handling wide variety of general corporate issues, including intellectual property.

Conducted intellectual property and unfair competition litigation in the U.S. Courts; and inter-parte and ex-parte proceedings in the U.S. Patent and Trademark Office involving patents and trademarks, including, e.g. patent appeals, patent interferences and trademark oppositions.

Specifically, acted as counsel in patent infringement cases involving, e.g., software-based systems, electronic handheld calculators, video equipment, electronic instruments, and electronic point-of-sale terminals and computer systems utilizing these terminals.

Also, prepared/prosecuted many patent applications, both U.S. and foreign ([click here for sample](#)), covering a wide range of electronic and mechanical technologies, e.g.; microprocessor and computer hardware and software including massively parallel processing systems; operating systems; cryptography; business methods; decision-theoretic processing; complex electronic systems (both computer and non-computer based) in the technical areas of, e.g., industrial process control and measurement, digital data transmission, communications including radio, digital transmission and ISDN, VoIP, asynchronous transfer mode (ATM) and general packet and circuit switching and cellular, networking, high definition television (HDTV), video and image processing including image compression and enhancement, video cameras, avionics, speech recognition and processing, radar and medical electronics; cryptography; semiconductors and semiconductor fabrication; fiber optics; photographic apparatus; displays, including liquid crystal displays (LCDs); electronic circuitry; and mechanical devices and metallurgy.

Prepared patent validity and infringement opinions involving complex electronic technology; prepared trademark validity and infringement opinions. Prosecuted U.S. and foreign trademark applications.

Experienced in patent and trademark licensing.

Counseled in intellectual property, antitrust, unfair competition, and privacy law.

Reported Decisions (as arbitrator):

[Hawaii Community Federal Credit Union v. Texas International Property Associates - NA NA, 88 USPQ2d 1761 \(Nat. Arb. Forum, September 3, 2008\) \(Sole Panelist\)](#)

[322 West 57th Owner LLC v. Administrator, Domain, C/O Mecca Hosting, 88 USPQ2d 1491 \(WIPO, August 6, 2008\) \(Sole Panelist\)](#)

[Marvel Manufacturing Co. v. Koba Internet Sales LP, 87 USPQ2d 1276 \(WIPO, May 5, 2008\) \(Sole Panelist\)](#)

[Paxar Americas Inc. v. eNom Inc., 84 USPQ2d 1730 \(Nat. Arb. Forum, June 22, 2007\) \(Sole Panelist\)](#)

[Shaw Industries Group Inc. v. Arcadia Publishing Inc., 84 USPQ2d 1574 \(WIPO, March 20, 2007\) \(Sole Panelist\)](#)

[SPX Corp. v. Hevun Diversified Corp., 81 USPQ2d 1621 \(Nat. Arb. Forum, November 13, 2006\) \(Sole Panelist\)](#)

[Beat the Bookstore, LLC v. May Enterprises, 79 USPQ2d 1360 \(Nat. Arb. Forum, December 19, 2005\) \(Sole Panelist\)](#)

[Estate of Marlon Brando v. Whois Guard, 77 USPQ2d 1229 \(Nat. Arb. Forum, August 29, 2005\) \(Sole Panelist\)](#)

[Sound Unseen Ltd. v. Vanderhorst, 77 USPQ2d 1585 \(WIPO, August 18, 2005\) \(Sole Panelist\)](#)

[Ringling Bros.-Barnum & Bailey Combined Shows Inc. v. Lima, 74 USPQ2d 1887 \(Amer. Arb. Assoc., May 13, 2005\) \(Sole Panelist\)](#)

[Lockheed Martin Corp. v. Skunkworx Custom Cycle, 74 USPQ2d 1486 \(WIPO, January 18, 2005\) \(Sole Panelist\)](#)

[Mess Enterprises v. Scott Enterprises Ltd., 74 USPQ2d 1289 \(WIPO, January 25, 2005\) \(Presiding Panelist\)](#)

[True Blue Productions Inc. v. Hoffman, 73 USPQ2d 1512 \(WIPO, December 22, 2004\) \(Sole Panelist\)](#)

[National Collegiate Athletic Association v. Brown, 72 USPQ2d 1319 \(WIPO, August 30, 2004\) \(Sole Panelist\)](#)

[Register.com Inc. v. Reile, 70 USPQ2d 1351 \(Nat. Arb. Forum, January 27, 2004\) \(Sole Panelist\)](#)

[Office of Personnel Management v. MS Technology Inc., 70 USPQ2d 1333 \(Nat. Arb. Forum, December 9, 2003\) \(Presiding Panelist\)](#)

[Cable News Network LP v. Khouri, 68 USPQ2d 1570 \(Nat. Arb. Forum, December 16, 2002\) \(Presiding Panelist\)](#)

[National Association of Professional Baseball Leagues, Inc. v. Zuccarini, 67 USPQ2d 1315 \(WIPO, January 21, 2003\) \(Co-Panelist\)](#)

[Kalaydjian v. Steinle, 64 USPQ2d 1576 \(Nat. Arb. Forum, August 27, 2002\) \(Sole Panelist\)](#)

[Princeton Linear Associates Inc. v. Copland, 61 USPQ2d 1895 \(Nat. Arb. Forum, February 8, 2002\) \(Sole Panelist\)](#)

ADR Panel Memberships (including accreditations):

Volunteer Arbitrator/Mediator -- New Jersey and New York rosters, Association of the Bar of the City of New York -- World Trade Center relief efforts - September 11 Pro Bono Initiatives (administered through the American Arbitration Association)

Trustee (Americas Region) of the Chartered Institute of Arbitrators

Fellow of the Chartered Institute of Arbitrators (F.C.I. Arb.)

Chartered Arbitrator and Member of the Panel of Chartered Arbitrators

Member -- Presidential Panel for Arbitration (panel certificate issued May 1, 2009)

Assessor (International Arbitration), Examiner (International Arbitration) and Tutor (Arbitration and Mediation)

The Chartered Institute of Arbitrators

London, England

(see www.ciarb.org;

for my appointment as Trustee, see <http://www.ciarb.org/about/whos-who/board-of-trustees/>)

Fellow

College of Commercial Arbitrators Austin, Texas

(see www.thecca.net)

Fellow
Member of Panel of Arbitrators
Member of Panel of Mediators
Australian Centre for International Commercial Arbitration (ACICA)
Sydney, Australia (see www.acica.org.au)

Member of Distinguished Panel of Neutrals -- Technology, Bio-tech and e-Discovery Panels
International Institute for Conflict Prevention & Resolution (formerly "CPR Institute for Dispute Resolution")
New York, New York
(see www.cpradr.org)

Arbitrator - International Centre for Dispute Resolution (ICDR)
(international division of American Arbitration Association)
New York, New York
(see www.icdr.org)

Arbitrator and Mediator -- Commercial Panel (patent, trademark and technology rosters; and IP specialty rosters, including pharma, biotech and others), Large Complex Case (LCC) Panel, Consumer Account Panel and Domain Name Dispute Panel
American Arbitration Association (AAA)
New York, New York
(see www.adr.org and [AAA Domain Name Dispute Panel of Neutrals](#))

Approved Mediator/Arbitrator in Intellectual Property Disputes
Approved Arbitrator -- ICANN Domain Name Disputes World Intellectual Property Organization (WIPO – a specialized member agency of the United Nations) WIPO Arbitration and Mediation Center
Geneva, Switzerland
(see [Roster of Panelists](#))

Accredited Mediator - Centre for Effective Dispute Resolution (CEDR)
London, England
(see www.cedr.co.uk)

Arbitrator -- International Chamber of Commerce (ICC)
International Court of Arbitration, United States Council for International Business
New York, New York
(see www.iccwbo.org)

Arbitrator -- London Court of International Arbitration (LCIA) - North American Council
London, England
(see www.lcia.org)

Arbitrator -- International Panel
British Columbia International Commercial Arbitration Centre
Vancouver, British Columbia, Canada
(see www.bcicac.com)

Arbitrator -- Asian Domain Name Dispute Resolution Centre
ICANN Uniform Domain Name Dispute Resolution Policy (UDRP) and Register Transfer Dispute Resolution Policy (RTDRP) Panels
Hong Kong International Arbitration Centre
Hong Kong
(see www.hkiac.org)

Arbitrator -- National Association of Securities Dealers (NASD) and New York Stock Exchange (NYSE), now FINRA (Financial Industry Regulatory Authority)
New York, New York
Arbitrator and Mediator

United States District Court - Eastern District of New York
(see: [Roster of Mediators](#) and [Roster of Arbitrators](#))

Mediator -- New Jersey Superior Court (see www.judiciary.state.nj.us/acms/medr/)

Arbitrator -- ICANN Uniform Domain Name Dispute Resolution Policy and Register Transfer Dispute Resolution Policy Panels; and Intellectual Property Consumer Credit Dispute Arbitration Panels

Mediator -- Intellectual Property Panel

National Arbitration Forum (NAF), Minneapolis, Minnesota (see [NAF IP Panel brochure](#))
(voluntarily resigned from all NAF panels as of July 20, 2009)

Legal Positions Held:

January 2011 - present - Principal; and Attorney, Arbitrator and Mediator
Michaelson ADR Chambers, LLC
New York, New York and Shrewsbury, New Jersey

1984 - present - Principal; and Attorney, Arbitrator & Mediator
Michaelson & Associates
Shrewsbury, New Jersey

October 2010 - present
General Counsel (virtual)
[Direct Grid Technologies LLC](#)
Edgewood, New York

1982 - 1984 - Associate Patent Attorney
Pennie & Edmonds
New York, New York

1979 - 1982 - Corporate Patent Attorney (Member of the Legal and Patent Staff)
Bell Telephone Laboratories
Holmdel, New Jersey

Education:

Legal -

Formal education:

New York University School of Law
New York, New York
June 1985 - LLM (Trade Regulation)

Duquesne University School of Law
Pittsburgh, Pennsylvania
June 1979 - Juris Doctor (JD)
Senior Staff Member - Duquesne Law Review

Mediation, Arbitration & Negotiation principal training -

ICDR International Symposia in Advanced Case Management Issues
International Centre for Dispute Resolution
Coronado, California
February 2009

Advanced Mediator Training
The Hague, Netherlands
CPR Institute of Dispute Resolution New York, New York
October 2004

Advanced Mediator Skills Training
Chipping Campden, Gloucestershire, England
Mediation and Training Alternatives (MATA) in association with Centre for Effective Dispute
Resolution (CEDR) London, England
May 2004

Arbitrator II Workshop - Advanced Case Management, Somerset, NJ, October 2002
Arbitrator I Workshop - Fundamentals of the Arbitration Process, New York, NY
American Arbitration Association
December 2001

6th Annual International Summer School Mediator Skills Training
Vevey, Switzerland
CEDR
London, England
August-September 2001

Advanced Mediation Techniques Training Course
Center for Dispute Settlement
Washington, DC
May 2000

Program of Instruction for Lawyers -- The Lawyer as Negotiator Workshop,
June 1999; and
Advanced Mediation Workshop, November 1997
Harvard Law School
Cambridge, Massachusetts

WIPO Workshop for Arbitrators
World Intellectual Property Organization WIPO Arbitration and Mediation Center
Geneva, Switzerland November 1996

Program of Instruction for Lawyers -- Mediation Workshop
Harvard Law School
Cambridge, Massachusetts
June 1996

Mediation of Intellectual Property Disputes Training Program
WIPO Arbitration and Mediation Center
Geneva, Switzerland
May 1995

Program on Negotiation - Negotiation Workshops
Harvard Law School
Cambridge, Massachusetts
June 1993

Technical -

Carnegie-Mellon University
Pittsburgh, Pennsylvania
May 1975 - M.S. - Electrical Engineering

Carnegie-Mellon University
Pittsburgh, Pennsylvania
May 1974 - B.S. - Electrical Engineering & Economics

Bar Memberships:

Alaska (2000)

New York (1986)

New Jersey (1980)

U.S. Patent and Trademark Office (1980) (Registered Patent Attorney 30,090)

Pennsylvania (1979)

Various Federal District Courts and Courts of Appeal, including U.S. Supreme Court (1986), U.S. Court of Appeals for the Federal Circuit (1983) and U.S. Court of Appeals for the Third Circuit (1981)

Technical Experience:

Designed and developed computer-based industrial process control and measurement systems, microprocessor and computer hardware and software, as well as, general electronic and specialized interface circuitry.

Technical Positions Held:

1977 - 1979 -- Electronics Development Engineer
Rockwell International Corporation
Municipal & Utility Division
Pittsburgh, Pennsylvania

1976 - 1977 -- Electronics Development Engineer
Aluminum Co. of America (Alcoa)
Alcoa Technical Center
Production Equipment Laboratories
Pittsburgh, Pennsylvania

1975 - 1976 -- Electronics Project Engineer
Control Systems Research, Inc.
Pittsburgh, Pennsylvania

Professional Memberships:

Alaska Bar Association

American Bar Association (Dispute Resolution section including International IP Committee, and Intellectual Property section)

Association of International Petroleum Negotiators (AIPN)

Chartered Institute of Arbitrators, Trustee - Americas Region and Member - New York Chapter

College of Commercial Arbitrators (Website committee)

International Arbitration Club of New York

International Institute for Conflict Prevention and Resolution (formerly "CPR Institute for Dispute Resolution") (technology, e-discovery, energy oil and gas, and arbitration committees; expedited arbitration (global accelerated rules) subcommittee, and others)

New Jersey State Bar Association (Dispute Resolution and Intellectual Property sections)

New York State Bar Association (Dispute Resolution Section including Arbitration committee)

Other Credits and Qualifications:

Master -- Justice Marie L. Garibaldi American Inn of Court (NJ) for Alternative Dispute Resolution

Member -- National Patent Advisory Council, American Arbitration Association

Member -- CPR International Commission on Patent Disputes; Technology Committee and Neutrals Selection Sub-committee; Arbitration Committee and Expedited Arbitration Sub-committee, e-Discovery Committee and Neutrals Selection Sub-committee; Energy, Oil and Gas Committee, 2009 Annual Meeting Advisory Committee ([click here for meeting brochure](#)), and 2008 Annual Meeting Advisory Committee

Member -- National Academy of Distinguished Neutrals
(see www.nadn.org/peter-michaelson)

Supporting Fellow and National Summit Participant of "The College of Commercial Arbitrators -- Protocols for Expeditious, Cost-Effective Commercial Arbitration", Oct. 2009 ([click here for protocols](#)).

Publications:

Contributed articles concerning various aspects of intellectual property law and alternative dispute resolution to professional, legal and technical publications; specifically:

Co-author, "Chapter 20 - Use of Arbitration in Resolving Disputes involving Intellectual Property", American Bar Association Handbook of Commercial Arbitration, 2nd Ed. (forthcoming)

"Enhanced Tribunals: Why It's Time to Use Personality Screening to Supplement Selection Criteria" (a two-part article), CPR Alternatives, November 2010 (part 1 -- [click here for full issue](#)), and "Can Conflicting Styles Be Detected? How Personality Screens Make Tribunal 'Matches' for More Effective Arbitration, CPR Alternatives, December 2010 (part 2 -- [click here for full issue](#))

"Enhancing Arbitrator Selection: Using Personality Screening to Supplement Conventional

Section Criteria for Tripartite Arbitration Tribunals", Arbitration - The International Journal of Arbitration, Mediation and Dispute Management, Vol. 76, February 2010, p. 98-112 ([click here to view re-printed version](#))

"In International Arbitration, Disclosure Rules at the Place of Enforcement Matter Too", Dispute Resolution Journal, Vol. 62, No. 4, November 2007-January 2008, pages 82-88 ([click here to view published version](#)) ([click here to view re-printed version](#)), re-published as Chapter 29, pages 351-360, American Arbitration Association Handbook on International Arbitration Practice, Juris Publishing September 2010 ([click here to view](#)) and as Chapter 11, pages 133-142, American Arbitration Association Handbook on International Arbitration and ADR, 2nd Ed., Juris Publishing, October 2010 ([click here to view](#))

"Vacatur Not Warranted for Undisclosed Trivial Past Association - But Guidance for Other Transactions is Lacking," Dispute Resolution Journal (ADR News Section, Ethics in Arbitration), Vol. 62, No. 1, February-April 2007, pages 4 and 21 ([click here to view](#))

"The 1984 Semiconductor Chip Protection Act - A Comprehensive View," Communications and the Law, Vol. 8, No. 5, October 1986, pp. 23-55 ([click here to view](#))

"Patent and Trade Secret Protection of Software: Patentability of Programs - Nature and Scope of Trade Secret Protection," Computer Software and Chips 1986, Practising Law Institute, 1986, pp. 403-429

"Legal Defenses Against Piracy," Electronics Week, Vol. 38, No. 9, March 4, 1985, pp. 53-56 ([click here to view](#))

"Software Protection in the United States - Facts, Fantasies, Methods and Results," Proceedings of EUREL - 6th European Conference on Electrotechnics, EUROCON 84, Computers in Communication and Control, Brighton, England, September 1984, pp. 54-57 ([click here to view](#)). Reprinted in Japanese in Business Communication Journal, published by the Kikaku Center Co., Ltd., Tokyo, Japan, pp. 59-63, December 1984 ([click here to view](#))

"A Brief Look at the Legality of Competitive Restrictions Imposed on Trade Secret Licensees by Trade Secret Licensors," Journal of the Patent Office Society, Vol. 63, No. 6, June 1981, pp. 320-334 ([click here to view](#))

Seminars and Presentations Given:

Conducted numerous legal seminars and presentations concerning intellectual property law, alternative dispute resolution and domain name arbitration for various professional and continuing legal education organizations and national, state and regional bar associations, the principal ones being:

"The ABA's Got Talent" specifically sub-session "How Niche Marketing has Helped Grow Your Practice" at 14th Annual Spring Conference of the American Bar Association Section of Dispute Resolution, Washington, DC, April 18-21, 2012 (upcoming) (panelist)

"Issues Raised for Arbitrators by Current and Anticipated Future Use of Social Media such as Facebook, Twitter, YouTube and Other Internet-based Programs", specifically the portion "Social Media - Challenges for Arbitrators -- An Explanation of Social Media", 2011 Annual Meeting of the College of Commercial Arbitrators, Denver, Colorado, October 22, 2011 (panelist) ([conference brochure](#)) ([presentation materials](#))

"Streamlining Arbitration -- It's What Your Client Wants: Protocols for Expedious, Cost-Effective Commercial Arbitration", 2011 Annual Meeting of the New Jersey State Bar Association, Atlantic City, New Jersey, May 19, 2011 (panelist) ([conference brochure](#))

"E-Discovery and ADR -- Yes It Matters", Justice Marie Garibaldi American Inn of Court for Alternative Dispute Resolution in conjunction with the New Jersey State Bar Association Dispute Resolution Section and the New Jersey Association of Professional Mediators, Basking Ridge, New Jersey, February 10, 2011 (panelist) ([program announcement](#)) ([presentation](#)) ([presentation materials](#))

"Mediating and Arbitrating Technology Cases", New Jersey State Bar Association, Dispute Resolution Section, New Jersey Law Center, New Brunswick, New Jersey, November 9, 2010 (panelist) ([program announcement](#))

"Different Options for Resolving International Disputes Involving Intellectual Property", Arbitration and Mediation for International Intellectual Property Disputes, presented by American Bar Association - Section of Intellectual Property Law, International Intellectual Property Society (IIPS), World Intellectual Property Organization (WIPO), New York City, March 25, 2010 (panelist) ([program announcement](#)) ([presentation](#))

"Anatomy of a Mediation - Effective Strategies for Maximizing Positive Outcomes", First Annual Fall Meeting of the Dispute Resolution Section of the New York State Bar Association, New York City, November 13, 2008 (panelist) ([program brochure](#))

"Special Focus on Evidentiary Issues", October 29, 2008, Fifth Annual Seminar on International Commercial Arbitration: How to Handle Intellectual Property and Telecommunication Cases, American University, Washington College of Law, Washington, D.C., sponsored by American University Washington College of Law, American Arbitration Association, International Centre for Settlement of Investment Disputes (ICSID) and International Chamber of Commerce (ICC), October 27-30, 2008 (panelist) ([program brochure](#)) ([seminar agenda](#)) ([presentation](#)) ([letter of appreciation](#))

"Registrars and the UDRP - registrars as registrants and other conundrums -- The GE (D2007-1834), Ricard (D2008-0789), Canwest (D2008-0687) and Eva Padberg (D2007-1886) cases"; Domain Name Panelists Meeting, WIPO Arbitration and Mediation Centre, Geneva, October 20, 2008 (co-presenter) ([presentation](#)) ([meeting program](#))

"Mediating IP Disputes - Overcoming the Skeptics: a panel discussion followed by an audience driven, freeze-frame mock mediation session", C.I.Arb. Mediation Symposium: The Big Issue and Challenges Facing Mediators, Chartered Institute of Arbitrators, London, UK, September 24, 2008 (panelist) ([program brochure](#))

"Arbitration and Mediation of Intellectual Property Disputes Today" jointly sponsored by ABA IP and Dispute Resolutions Sections at 2007 Annual Meeting of the American Bar Association, San Francisco, California, August 9-14, 2007 (speaker requested by WIPO) ([annual meeting brochure](#)) ([DR section program schedule](#)) ([IP section events & programs](#)) ([presentation graphics](#)) ([letter of appreciation](#))

"Resolving Domestic and International IP Disputes Through Arbitration and Mediation" Presentation by WIPO Arbitration and Mediation Center, sponsored by IP and International Law Sections of The D.C. Bar Association and the Federal Circuit Bar Association, Washington, D.C., May 22, 2007 (speaker requested by WIPO) ([program announcement](#)) ([presentation graphics](#))

"Advanced Strategy and Tactics for Intellectual Property Disputes", Session D5, April 27, 2007 at ADR in Bloom, Ninth Annual Spring Conference of the American Bar Association Section on Dispute Resolution, Washington, D.C., April 25-28, 2007 (panelist) ([conference brochure](#))

"WIPO: Domain Names Dispute Resolution" Annual Meeting of the International Law and Practice Section of the New York State Bar Association, New York City, January 24, 2007 (substitute speaker requested by Debevoise & Plimpton LLP for David Bernstein) ([meeting announcement](#)) ([presentation graphics](#))

"Confidentiality and Conflict of Interests in Intellectual Property Disputes", Intellectual Property Focus Area, an International Commercial Arbitration and Mediation Conference, The International Centre for Dispute Resolution (of the American Arbitration Association), Philadelphia, Pennsylvania, December 6, 2006 (panelist presenting on topic) ([conference brochure](#))

"Alternative Dispute Resolution in Intellectual Property Disputes", International Intellectual Property Society Meeting, New York City, September 14, 2006 (panelist) ([meeting announcement](#)) ([presentation graphics](#))

"Advanced Strategies and Tactics for Intellectual Property Disputes" and "Consideration in Selecting a Mediator - An In-house Perspective" at ADR on My Mind in Georgia, Eighth Annual Spring Conference of the American Bar Association Section of Dispute Resolution, Atlanta, Georgia, April 5-8, 2006 (panelist in both sessions) ([conference brochure](#))

"Confronting Realities and Ethical Traps in IP ADR", Session 2A, at Hot Topics in Entertainment and Intellectual Property, American Bar Association Section of Dispute Resolution, Las Vegas, Nevada, October 21, 2005 (panelist) ([flyer](#))

"Mediation in IP Cases: Practice Pointers from All Perspectives", New York Intellectual Property Law Association, New York City, January 14, 2005 (panelist) ([flyer](#))

"Resolution of Intellectual Property Disputes in the 21st Century" workshop in IP ADR at 50th Council Meeting of the Asian Patent Attorneys Association (APAA), Fukuoka, Japan, October 24-27, 2004 (panelist invited by APAA) ([conference brochure](#)) ([workshop agenda](#)) ([presentation graphics](#))

"Resolving Patent Disputes through Mediation and WIPO -- Less Risk, Less Cost and Better Results", BIO (Biotechnology Industry Organization) Intellectual Property Counsels' Meeting, Boston, Mass., October 4-5, 2004, (spoke in my own capacity and also represented WIPO Arbitration and Mediation Center) ([flyer](#)) ([presentation graphics](#))

Panelist for "ADR Practitioner Session", WIPO Mediation Interest Group Meeting, September 6, 2004, World Intellectual Property Organization, Geneva, Switzerland ([meeting agenda](#))

"Common Pitfalls and Some New Twists to IP ADR", Session E8, April 17, 2004 at Resolution and Resilience in New York, 6th Annual Spring Conference of the American Bar Association Section of Dispute Resolution, New York, New York, April 15-17, 2004 (panel member for roundtable discussion) ([conference brochure](#)) ([letter of appreciation](#))

"Patent ADR - A Better Way: Less Risk, Less Cost, Better Results", Part of Session C15 "ADR in a High Tech World", March 21, 2003, at Insight for Inspired Practice, 5th Annual Spring Conference of the American Bar Association Section of Dispute Resolution, San Antonio, Texas, March 20- 22, 2003 (panelist) ([conference brochure](#)) ([letter of appreciation](#))

"ADR and Internet Domain Names -- The New Top Level Domains and Their Dispute Resolution Processes", Advanced Seminar in Trademark Law, Practising Law Institute, New York City, June 5, 2002 ([cover book pages](#)) ([letter of appreciation](#))

"Tales of a Domain Name Arbitrator -- Revenge, Deceit and Extortion. Watch Out! You Just Might Be the Next Victim" and "Pete's Patent Law Primer - What You Need to Know", Recent Developments in Intellectual Property & E-Commerce on the Internet, Alaska Bar Association, Anchorage, Alaska, October 11, 2001 ([flyer](#))

Seminars and Programs Organized:

Co-organized/organized professional seminars and programs, including:

"The Judges' Program" (panel discussion with Hon. William Bassler, Hon. Judith Kaye and Hon. William Webster principally regarding their perspectives as ex-jurists when sitting as arbitrators), The New York Chapter of the Chartered Institute of Arbitrators and co-sponsored by The North American Branch of the Chartered Institute of Arbitrators, ICDR, ICC, CPR Institute, American Bar Association Section of International Law, New York State Bar Association, Skadden Arps Slate Meagher & Flom LLP, and Fordham University School of Law, at Fordham University Law School, New York, New York, October 6, 2011 ([flyer](#))

Other Professional Activities:

Engaged in other professional activities, including:

At the request of Carnegie-Mellon University (CMU), I provided a presentation and served as panel leader and moderator for a panel discussion, for CMU students and alumnus interested in pursuing a legal career, entitled "So you want to be a lawyer: a frank discussion of what really awaits you in the profession", Carnegie-Mellon University, Pittsburgh, Pennsylvania, September 15, 2010 ([e-mail program announcement](#))

Instructor for "Joint CI Arb-CPR Arbitrator Training (Fast Track to Fellowship in the Chartered Institute of Arbitrators)", New York, May 20-22, 2010 ([flyer](#))

Participant in "Intellectual Property Roundtable - Patent Practice: A Shifting Landscape", Regional General Counsel, September 2009, (supplement to New Jersey Law Journal, vol. 197, September 28, 2009), pages 24-31 ([full supplement](#)) ([roundtable portion](#))

WIPO Arbitrator for Mock International Licensing Dispute held at 2007 Annual Meeting of the Licensing Executives Society (LES), Vancouver, B.C., Canada, October 14-17, 2007, specifically sessions 5-L and 6- L "Resolving International Licensing Disputes through Arbitration", October 17, 2007 (requested by WIPO to represent the organization and to serve as arbitrator) ([annual meeting brochure](#)) ([session handout](#))

Volunteer arbitration judge for First Annual National Arbitration Competition sponsored by the American Bar Association and the National Arbitration Forum, William Mitchell College of Law, St. Paul, Minnesota, November 18-20, 2005

Ratings and Listings:

Ratings:

Martindale-Hubbell:

a) "AV" Rated (highest)

b) listed in 2011 Bar Register of Preeminent Lawyers, Peer Review Rating 5.0 out of 5 ("Preeminent")

([click here for Martindale-Hubbell entry](#))

AVVO (avvo.com) Attorney Rating "10.0" out of 10 - "superb"
([click here for Avvo entry](#))

Listings:

Who's Who in America
Who's Who in the East
Who's Who in American Law
Who's Who in American Finance and Industry
Who's Who in Finance and Business
Who's Who in the World
Who's Who in Emerging Leaders in America

Representative clients:

Direct Grid Technologies, LLC

Eastman Kodak Company

International Business Machines (IBM) Corp.

Koninklijke KPN NV (Royal KPN Telecom) (The Netherlands)

McGill University (Canada)

Micro Motion (subsidiary of Emerson Electric Corp.)

Microsoft Corporation

Nederlandse Organisatie voor Toegepastnatuurwetenschappelijk Onderzoek TNO (The Netherlands)

Sanyo Electric Co., Ltd. (Japan) 3Com Corporation

Telcordia Technologies (formerly Bell Communications Research - Bellcore)

Zentrum Mikroelektronik Dresden (ZMD) AG and ZMD America Inc.

Various small and mid-size organizations from established mature corporations to young start-up ventures

References:

ADR and client references will gladly be furnished upon request.

Most recent update: December 30, 2011