



WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Paul E. MASON
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Mediator
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Date of Birth: September 25, 1945
Nationality: American

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

J.D., University of Maine School of Law, 1976;
M.A., Hons. (international relations/international economics/European studies),
Johns Hopkins University, Paul Nitze School of Advanced International Studies,
Washington, D.C. and Bologna, Italy, 1969;
B.A., (Russian studies), Yale University, 1967.

September 17, 2008

**WIPO ARBITRATION AND MEDIATION CENTER
P. E. MASON**

Admitted to Bar:

Massachusetts and Maine Bars.

“Affiliate member, Florida Bar International Law Section and Co-founder/former Vice-Chair, International Litigation and Arbitration Committee”.

LANGUAGES

English, Portuguese, Spanish, French and Russian.

PRESENT POSITION

International Counsel, Commercial Arbitrator and Mediator, Diaz Reus (formerly known as Diaz, Reus Rolff & Targ) since 2004;
Of Counsel, Bastos-Tigre, Coelho da Rocha e Lopes Advogados, Rio de Janeiro, São Paulo.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

International Commercial Lawyer, Arbitrator and Mediator, Miami, Florida, 2001-04;
Director, Legal & External Affairs, Latin America & Canada, 3COM/Palm Corporation, Santa Clara, California, 1999-01;
Legal Director-United States, Módulo Consultoria e Informática (leading Brazilian network security software company), Rio de Janeiro, Brazil & San Rafael, California, 1996-99;
President and member, Board of Directors, Commercial Dispute Resolution Center of the Americas, Miami, Florida, 1996-99;
Director, External and Legal Affairs, Latin America Division, Oracle Corporation, Redwood Shores, California, 1994-95;
Director, External and Legal Affairs, Latin America/Caribbean and Senior Attorney/Trade Advisor, Russia Project, Digital Equipment Corporation, Maynard, Massachusetts, 1988-94;
Attorney-Consultant, International Group, Law Department, Bank of Boston, Boston, Massachusetts, 1986-87;
International Attorney, International Law Collaborative, Cambridge, Massachusetts, 1985-88;
Legal Consultant, United Nations/Harvard Law School, Cambridge, Massachusetts, 1977-85;
Pro Bono Attorney, Environmental Protection Division, Massachusetts Department of the Attorney General, Boston, Massachusetts, 1981-82;
Program Associate, The Asia Society, New York, New York, 1972-73;
University Teacher, Pontificia Universidade Católica, Rio de Janeiro, Brazil, 1969-72.

MEMBERSHIP IN PROFESSIONAL BODIES

Member:
ICDR;

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AAA Panels of Commercial Arbitrators;
 AAA Panel of Mediators;
 Brazil Arbitration Committee;
 Commercial Arbitrator, ARBITAC, Curitiba;
 Commercial Arbitrator, CAMARB, Belo Horizonte;
 American Electronics Association;
 Computer Law Association International Committee;
 Brazil-U.S. Business Council;
 Brazil & Mexico *Ad Hoc* Groups on Intellectual Property Law;
 Council of the Americas;
 Venezuela-U.S. Business Council;
 The Forum (a U.S.-Russian/NIS professional exchange organization), Chair,
 Commissions on Technology & Trade for conferences in Moscow/St. Petersburg,
 Irkutsk, Kiev/Talinn, and New England.

AREAS OF SPECIALIZATION

Trademarks, commercial law, computer contracts, computer law, computer software, confidentiality, consulting service agreements, contract, distribution, distributorships, domain names, high technology, information technology, international commercial law, international trade, Internet, joint ventures, licensing, market access, software, software protection, strategic alliances, technology transfer, transfer of technology, wine and spirits, telecommunications, M. & A, energy, alternative energy and biofuels.

EXPERIENCE IN INTELLECTUAL PROPERTY

Extensive experience in negotiating and preparing software licensing, confidentiality and technology transfer agreements – U.S. and Latin America;
 Copyright and trademark litigation, dispute settlement negotiations – Argentina, Brazil, Venezuela.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Decided over 40 domain name cases for the WIPO Arbitration and Mediation Center since 2001, with parties from Brazil, Canada, Denmark, France, Germany, Malaysia, Russian Federation, Spain, Switzerland, U.K., U.S.A., and other countries;

Presentations on “Crossing Parallel Lines: The U.S. Federal Courts and the UDRP Process for Domain Name Dispute Resolution”, for the IBA Annual Meeting/Cancun/2001; ASIPI (Inter-American Association of Industrial Property) Annual Meeting/Mexico City/2003; and 1st Annual International Arbitration Congress/Rio de Janeiro/2004;

Expert witness for U.S. domain name litigation, 2002;

Investigated domain name issues in Latin America for 3COM, 1999 - 2001.

MAJOR PUBLICATIONS

Invited moderator for Panel on “Protection of Intellectual Property Assets in Latin America”, JURIS Conference on Legal Aspects of Risk Management in Latin America, Miami, October 2008.

“The New York Convention and the Enforcement of Foreign Arbitral Awards in Brazil”, Mealeys International Arbitration Report – Special Edition Commemorating the 50th Anniversary of the New York Convention” (co-authored with Fernando Eduardo Serec and Antonio M. Barbuto Neto, Tozzini Freire Advogados, Sao Paulo).

Speaker, “The Latest Legal Developments Related to Arbitration in Brazil”, 6th Annual ICDR Arbitration Conference, Miami, April 2008.

Expert Commentaries on International Arbitration for Lexis-Nexis Legal Publishers as from October 2007:

1. “Hall Street Associates v. Mattel” (on the U.S. Supreme Court’s last word to decide whether contractual arbitration clauses or agreements calling for expanded judicial review of arbitration awards are enforceable or not).
2. “Premium Nafta Products Limited” (on the decision by the United Kingdom’s highest court, the House of Lords, to widen the straits that had narrowed the role of arbitrators and independence of arbitration clauses).
3. “Société SNF – SAS v. Chambre de Commerce International” (French court decision on the question of which set of rules of the arbitral institution are applicable when the arbitration clause is silent on the matter).
4. “The Perils of Mixing: Whether Arbitration Rules Should be Applied Without Administration by the Issuing Arbitral Institution”.
5. “Reasoned Awards/Preliminary Decisions in International Arbitration”.
6. “Problems Arising from a ‘Dual System’ Arbitration Clause: Americatel El Salvador v. Cia. de Telecomunicaciones de El Salvador” (How the benefits of international arbitration can be diluted by multi-state litigation).
7. “Arbitration in International Tax Treaties” (co-author).
8. “Unclear Arbitration Clauses Leading to Unwanted Court Intervention”.
9. “Overview of Key Brazilian Arbitration Law Developments in 2007-2008”.

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10. “Availability of Foreign Arbitral Forums: A Tale of Two Countries with Opposite Views - Chile and Ukraine” (May 2008).
11. “Arbitration in Chains of Contracts – France and Switzerland” (May 2008).
- “New Keys to Arbitration in Latin America (with Mauricio Gomm-Santos), *Journal of International Arbitration* (The Hague), February 2008 issue”;
- “Visualizing a Settlement – Videoconferencing to Resolve International Commercial Disputes”, *Global Arbitration Review* (London), October 2006, and *Revista Brasileira de Arbitragem* (The Brazilian Journal of Arbitration, published by the Brazilian Arbitration Committee), No. 11/2006 (July-September 2006);
- “Telecommunications Arbitration in Latin America” (with Pedro Batista Martins), *Latin Lawyer* (London), April 2005;
- “Seven Keys to Arbitration in Latin America”, in *Mealey’s International Arbitration Report*, February 27, 2004 issue (published by Lexis-Nexis), with a Portuguese version to be published in *Revista Brasileira de Arbitragem* (the Brazilian Journal of Arbitration), No. 2/2004;
- “Resolution of Conflicts in E-Commerce”, for the Plenary session of the Inter-American Association of Industrial Property (ASIPI), Mexico City, November 2003;
- “Crossing Parallel Lines: The U.S. Federal Courts and the UDRP Process for Domain Name Dispute Resolution”, *International Bar Association’s Business Law International Conference*, Cybercourt 1 Session on Domain Name Litigation, Cancún, Mexico, October 2001;
- “Eight Trends in International Commercial Arbitration Affecting Latin America”, (co-authored with Prof. Welber Barral of the Federal University of Santa Catarina, Brazil), in the *Latin American Law & Business Report*, August 1998;
- “Arbitration in the United States: Background, the American Arbitration Association and a Comparison of AAA and other International Rules”, “chapter in *Arbitragem na Era de Globalização*” (Arbitration in the Era of Globalization), (co-author), J.M. Garcez, ed., Editora Forense, Rio de Janeiro, Brazil, September 1997;
- “The New Brazilian Arbitration Law: Help for Your Business”, *Brazilian-American Chamber of Commerce of Florida newsletter*, March 1997;
- “International Alternative Dispute Resolution for High Technology Companies”, *Computer Law Association, International Retreat Conference*, Monterey, California, October 1996;
- “Arbitration in Latin America: A Practitioner’s Perspective”, *Latin American Law & Business Report* (World Trade Executive, Inc.), Vol. 4, No. 6, May 1996;
- “International Commercial Arbitration: A Corporate Counsel’s View”, *ACCA Docket* (American Corporate Counsel Association), *summer 1995 Issue* and *Dispute Resolution Journal* (American Arbitration Association), summer 1994;
- “International Joint Ventures in the Latin American Computer Market: Business and Corporate Cultural Challenges”, *Latin American Law & Business Report*, January 1994;

“International Protection of Computer Software: The Japanese Experiment”, (co-author),
Boston Bar Journal, Vol. 29, 1985;
“U.N. Mediation: More Effective Options”, (co-author), *SAIS Review*, Vol.5, No. 2, 1985.

EXPERIENCE IN COURT LITIGATION

Expert witness for U.S. domain name litigation, 2002.
Managed court litigation for various cases in Latin America and Puerto Rico, including
intellectual property cases (software and trademark issues).

PROFESSIONAL TRAINING IN MEDIATION

“*Técnicas Alternativas de Resolução de Conflitos*” (“Techniques for Alternative Resolution
of Conflicts”), Catholic University of the State of Minas Gerais (PUC-MINAS), Brazil,
September 2002 and June 2001 (course given by Professor Maria de Nazareth Serpa, a
certified US Mediator/Brazilian Mediator and Law Professor with a Ph.D. in
mediation).
Advanced Mediation Skills Training, American Arbitration Association, Miami, Florida,
July 2002.

EXPERIENCE IN MEDIATION

Mediated large ICDR case with Brazilian mining Company and U.S. Energy Multinational,
Rio de Janeiro, January 2007;
Successfully mediated large dispute between Argentine and U.S. multinational reinsurance
companies from U.S. Federal Court, Miami, Florida, August 2005;
As party counsel, initiated and took part in one of the first successful international mediations
by videoconference between parties from Brazil and the U.S., September 2005;
Provided mediation training in English and Spanish for the Quito, Ecuador Chamber of
Commerce’s Center for Conciliation and Arbitration, October 1996;
“Benefits of Mediation and Arbitration for Latin American Oriented Business”, presentation
to the Economist Latin America Regional Managers Club, Coral Gables, Florida,
October 1998;
“Mediation Trends in Latin America”, (with Burton Landy, Esq.), Hispanic Bar Association
21st Annual Convention, Miami, October 1996;
Mediated numerous internal corporate disputes between U.S. parent company and Latin
subsidiaries for Digital Equipment, Oracle, and 3COM/PALM.

PROFESSIONAL TRAINING IN ARBITRATION

Award Writing - Safeguarding, Deciding and Writing Arbitration Awards (AAA, 2006);
AAA Panel Chair Program, Miami, September 2005;
ICDR International Case Management Program, New York, 2005;
AAA Arbitrator II (Advanced Case Management Techniques), Miami, January 2004;
American Arbitration Association Arbitrator I Training Program, Atlanta, Georgia, March 2003;
AAA International Arbitration Course, Coral Gables, Florida, 1993.

EXPERIENCE IN ARBITRATION

Appointed to Panel of Arbitrators of the International Centre for Dispute Resolution (ICDR) of the AAA, December 2004;

Completed first international arbitration for AAA in 1986 in U.S.-Spanish distribution case, Boston, Massachusetts;

Serving as Panel Chair of complex multi-million dollar AAA case on pharmaceuticals, and member of ICDR panel in an large aerospace sector arbitration (September 2008);

Arbitrated ICDR cases in 2005-2006 from Brazil (financial sector), Canada (patent assignment rights in medical laser technology), India (outsourcing of information technology services), Panama (steel industry) and the United States;

Counsel for Scandinavian party in large Brazilian oil & gas arbitration, and for Brazilian party in energy sector arbitration (2005 - 2006);

Arbitrator for two Brazilian Chambers, ARBITAC (Curitiba) and CAMARB (Belo Horizonte);

Arbitrator and mediator, Centre canadien d'arbitrage commercial (Canadian Commercial Arbitration Centre/CCAC), 2004;

Presentations on Arbitration and On-Line Dispute Resolution to Brazilian lawyers and judges, Rio de Janeiro and Belo Horizonte, Brazil, October 2002;

Represented State of Florida in Private Sector Workshop on Dispute Resolution as part of the Free Trade Area of the Americas Ministerial Meetings, San José, Costa Rica, 1998;

Provided arbitration training for Baker & McKenzie's Western Hemisphere Associates Meeting, Monterrey, Mexico, April 1997;

Helped design Alternative Dispute Resolution in the Americas Conference (World Research Group, New York), Miami, April 1997;

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Presentation on the new Brazilian Arbitration Law and the Commercial Dispute Resolution Center of the Americas, Joint ABA-Inter-American Bar Association Meeting, Miami, November 1997;

Presentation on International Commercial Arbitration and the Brazilian Arbitration Law for the I International Symposium on Arbitration, Salvador da Bahia, November 1997;

“International Alternative Dispute Resolution for High Technology Companies”, Computer Law Association, International Retreat Conference Monterey, California, October 1996, and Brazil Computer and Telecommunications Law Association, Sao Paulo, December 1996.

ARBITRATION EXPERIENCE

SUMMARY TABLE

| Type | Administering Institution | | Role | | | |
|----------------------------|------------------------------------|------------------------|----------------------|-----------------|---------------|----------|
| | Name | Number of Arbitrations | Presiding Arbitrator | Sole Arbitrator | Co-arbitrator | Counsel |
| International Arbitrations | WIPO | 40 | | 32 | 8 | |
| | AAA | 8 | 2 | 2 | 3 | 1 |
| | ICC | | | | | |
| | LCIA | 1 | | | | 1 |
| | Ad Hoc | | | | | |
| | Others: | 1 | | | | 1 |
| Number of cases: sub-total | | 50 | 2 | 34 | 12 | 2 |
| Domestic Arbitrations | AAA | 2 | | | 2 | |
| | AAA Domestic consumer arbitrations | 58 | | 58 | | |
| | | | | | | |
| Number of cases: sub-total | | 60 | | 58 | 2 | |
| TOTAL | | 110 | 2 | 92 | 14 | 2 |

MEDIATION EXPERIENCE

SUMMARY TABLE

| Type | Administering Institution | | Role | |
|------------------------------------|---------------------------|----------------------|-----------|----------|
| | Name | Number of Mediations | Mediator | Counsel |
| International Mediations | WIPO | | | |
| | AAA/ICDR | 2 | 1 | 1 |
| | Others (Federal Court) | 1 | 1 | |
| | Ad hoc | 20 | 20 | |
| Number of cases: sub-total | | 23 | 22 | 1 |
| Domestic Mediations (Estimates) | AAA | | | |
| | | | | |
| | | | | |
| | Court-annexed | | | |
| | Ad Hoc | | | |
| Number of cases: sub-total | | | | |
| TOTAL | | 23 | 22 | 1 |