

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Fabrice BIRCKER
PLASSERAUD IP
Paris
France



Nationality: French

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

WIPO Advanced Workshop on Domain Name Dispute Resolution: Update on Precedent and Practice, 2011 and 2018;

French Industrial Property Attorney - trademarks & designs, registered with INPI (Institut National de la Propriété Industrielle), 2007;

European Trademark & Design Attorney, registered with EUIPO;

Postgraduate Industrial Property Law, CEIPI (Center for International Intellectual Property Studies), Strasbourg, 2002;

Master's Degree in Private Law, University Robert Schuman, Strasbourg, 2001.

LANGUAGES

French, English

PRESENT POSITION

IP Attorney, Head of Plasseraud IP Internet & Data, since June 2020;

Panelist before the WIPO Arbitration and Mediation Center for the resolution of domain name disputes (since 2016 for the PARL Expert procedure and since 2019 for the other procedures).

November 16, 2020

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

IP Attorney, Plasseraud IP, 2017-2020;
IP lawyer, then IP Attorney (Partner from 2014-2016) - Degret Patent and Trademark Attorneys,
2003-2016.

MEMBERSHIP IN PROFESSIONAL BODIES

French Patent & Trademark Attorneys Company (Compagnie Nationale des Conseils en Propriété Industrielle);

Member of the "Future Digital Profession" (Avenir Profession Numérique) Commission before the French Institute of Patent & Trademark Attorneys (CNCPI);

Expert before the WIPO Arbitration and Mediation Center;

MARQUES (European association representing the interests of brand owners) - member of the Cyberspace Team;

French Association of the Data Protection Officers (Association Française des Correspondants à la Protection des Données à caractère Personnel - AFCDP) ;

AREAS OF SPECIALIZATION

Intellectual property (in particular, trademarks, domain names and other distinctive signs, design, copyright);
Practice in Internet legal issues since 2003;
Fight against counterfeiting and trademark infringement, in particular on the Internet;
Data Protection;
Contracts.

EXPERIENCE IN INTELLECTUAL PROPERTY

More than 17 years of daily practice in intellectual and industrial property law, in particular in matters relating to protecting and defending all kinds of distinctive signs (trademarks, domain names, trade names, geographical indications, etc.)

Regularly awarded in professional rankings:

Advise and represent clients, worldwide, in all the fields of the intellectual and industrial property law, as well as in matters of unfair competition, contracts and data protection:

- **Advising:** legal opinions; legal audit; drafting agreements (assignments, licences, coexistence agreements, co-ownership agreements, amicable settlements); availability searches and clearance strategies; in use searches; monitoring of IP rights.

- **IP rights portfolios management:** filing strategies and prosecution, recordals, renewals, reconstituting portfolios; "optimization" of portfolios.

- **Disputes:** cease and desist letters and negotiations; opposition procedures, cancellations and non-use actions; drafting of pleadings with litigators; follow-up of Court actions; UDRP and other out-of-court disputes related with domain names (e.g. Syreli, PARL Expert, URS).

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Since 2003, daily practice in the following matters:

- domain names portfolios management (registrations, renewals, transfers);
 - purchasing and other non-contentious strategies for recovering domain names (negotiations, procedures for disclosing the identity of registrants and the accuracy of data);
 - IP rights monitoring on the Internet and fight against counterfeiting;
 - drafting agreements related with websites (assignment of websites, authorisation of use of contents of websites) and with domain names (assignment, licence);
 - Out-of-Court disputes related with domain names;
 - Court litigations in collaboration with litigators (infringement actions, recuperation of domain names, proceedings against resellers of domain names, proceedings related with Web indexing);
 - drafting articles and lectures for operational managers.
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EXPERIENCE IN COURT LITIGATION

As a Trademark Attorney, cooperation with litigators, in proceedings in France, abroad and before the European jurisdictions, in matters of:

- infringement (counterfeiting and infringement to the repute of well-known trademarks);
 - unfair competition;
 - cancellation of IP rights;
 - protection of designations of origin and geographical indications;
 - contractual liability in the IP field.
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PROFESSIONAL TRAINING IN ARBITRATION

Regular attendance to workshops and meetings in the field of domain names disputes (including the “WIPO Advanced Workshop on Domain Name Dispute Resolution: Update on Precedent and Practice” and other meetings organized by the WIPO and/or the AFNIC), since 2011.

EXPERIENCE IN ARBITRATION

As an Attorney, has represented or advised many clients in dozens domain names out-of-court proceedings, since 2003.
