

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Derek Michael MINUS
Mediation & Arbitration Chambers
Gordon, NSW
Australia



Nationality: Australian

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Chartered Arbitrator, Fellow of The Chartered Institute of Arbitrators, 2002;
Accredited as Qualified Mediator under the Australian National Mediator Standards, 2011;
LL.M., (with Distinction) Major in Dispute Resolution, University of Technology, Sydney, 1998;
Bachelor of Laws, University of Sydney, 1989;
Securities Industry Diploma, Securities Institute of Australia, 1987;
Bachelor of Science, University of Sydney, Sydney, Australia, 1974.

Admitted:

Supreme Court of New South Wales, 1991;
High Court of Australia, 1992;
Federal Court of Australia, 1992.

LANGUAGES

English

August 18, 2021

PRESENT FUNCTIONS

Barrister-at-law, mediator and arbitrator, negotiation and dispute management consultant.

- Barrister in Australian courts and tribunals for 30 years practice in commercial disputes generally, intellectual property and personal injury matters generally;
- Arbitrator for Local Courts in New South Wales, District Court and Member of government Administrative tribunals resolving public disputes;
- Mediator and conciliator for both government appointed panels and privately;
- Dispute resolution systems management and mediator appointment service;
- Lecturer in Commercial Dispute Resolution, University of Sydney Law School, 2015 – 2017. Conducted numerous courses on negotiation, mediation and dispute resolution techniques.

PROFESSIONAL EXPERIENCE BEFORE PRESENT FUNCTIONS

Former Mediation Adviser appointed by the Australian Government responsible for arranging the dispute resolution processes under the Franchising Code, the Horticulture Code and the Oil Code, which are prescribed codes under the *Competition and Consumer Act 2010* and appointing mediators Australia-wide to assist with the resolution of disputes in these industries.

Business Executive with sixteen years' experience in information technology and computer industry. Responsible for general management, marketing, strategic planning and financial management of Australian and U.S. multinational companies:

- Millicom (Australia), Managing Director 1990 – 1991;
- Computalk Pty Ltd, Managing Director 1989 – 1990;
- TNT Communications, National Manager 1985 – 1988;
- Rank Xerox (Australia), 1976 – 1985.

MEMBERSHIP OF PROFESSIONAL BODIES

Barrister licensed by New South Wales Bar Association;
Former President, The Chartered Institute of Arbitrators (Australian Branch) and Committee Member; Graded Chartered Arbitrator (2002), The Chartered Institute of Arbitrators (UK);
Former Fellow (Arbitration) and former Fellow (Mediation);
Numerous mediation panels, including Farm Debt Mediation, Australian Small Business and Family Enterprise Ombudsman (ASBFEO), Franchising Code of Conduct, Australian Dispute Resolver; Law Council of Australia SME Committee;
Former Advanced panel mediator, Law Society of New South Wales, NSW Bar, Victorian Bar.
Former member LEADR (1991 – 93).

AREAS OF SPECIALIZATION

Commercial law, trade practices, information technology, intellectual property, personal injury.

EXPERIENCE IN INTELLECTUAL PROPERTY

Twenty years' experience as legal counsel in intellectual property law generally;
Advise in relation to enforcement or defence of intellectual property rights;
Special expertise in trademark law and the Internet.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Member of WIPO Arbitration and Mediation Center for the conduct of Internet name disputes since 1998. Conducted over 30 WIPO and auDA arbitrations.

Appointed by The Chartered Institute of Arbitrators as an adjudicator for auDA (Australian Domain Administration group) dispute resolution scheme.

Involved with computer industry since 1976. Wrote Masters thesis on Internet domain names and trade mark law, 1998.

MAJOR PUBLICATIONS

Masters thesis, "International Commercial Arbitration and the selection of the Proper Law," July 1997;
Masters thesis, "Trademark Law and the Internet with reference to Domain names," January 1998;
"The Promise of Mediation and the Commercial Reality", The Commercial Law Quarterly, December 1998.

EXPERIENCE IN COURT LITIGATION

Over 30 years' experience as counsel and court room advocate in both state and federal jurisdictions, responsible for the conduct of litigation of numerous matters in a general commercial law practice.

Arbitrator in District and all (140) Local courts in State of New South Wales conducting the hearing of disputes according to law.

Arbitration Member of the Workers Compensation Commission and Administrative Tribunal of New South Wales (over 13 years).

PROFESSIONAL TRAINING IN MEDIATION

LLM, University of Technology, Sydney, Major in Dispute Resolution, 1998;
Macquarie University, Centre for Conflict Resolution Conflict Resolution Workshop, 1992;
Transformative Mediation Conference, University of Santa Barbara, USA 2008;
Accredited under the National Mediator Accreditation Scheme, July 2008;
Appointed a Fellow of the CI Arb by Mediation May 2008;
ICC Amicable Dispute Resolution (ADR) Paris, April 14 – 16, 2008;
Relationships Australia, Mediator training course in family disputes, 1995;
Advanced Mediator training, NSW Law Society, 1993;
Lawyers Engaged in Alternative Dispute Resolution (LEADR) Mediator training and accreditation programme, 1992;
Conflict Resolution Workshop Macquarie University, 1992;
Conflict Resolution Network, Professional Skills Course, 1991.

EXPERIENCE IN MEDIATION

Conducted over 4,000 mediations and conciliations for different agencies involving contractual and financial disputes, workers compensation, franchising, de facto relationship disputes (particularly those involving complex property arrangements).

Member of numerous mediation panels, since 1992, including:

- inaugural New South Wales Law Society Settlement Week panels in 1992;
- Chartered Institute of Arbitrators international panel;

- Chartered Institute of Arbitrators Australian mediation panel;
 - FDRP Panel under the Family Law, since 2011;
 - NSW Bar Association mediation panel;
 - LEADR Advanced Panel, since 1994;
 - Supreme Court of NSW, since 1995;
 - Land & Environment Court, since 1995;
 - Relationships Australia, since 1994;
 - NSW Rural Assistance Authority, since 1995;
 - Building Services Corporation, since 1995;
 - Franchising Advisor Panel since 1998;
 - Health Conciliation Registry, since 1997.
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PROFESSIONAL TRAINING IN ARBITRATION

University of Technology, Sydney - International Commercial Arbitration;
The Chartered Institute of Arbitrators (UK) completed full programme and Fellowship programme,
appointed as Chartered Arbitrator and member of the arbitration panel;
Appointed a Fellow of the CI Arb by Arbitration December 2002;
Associate of The Chartered Institute of Arbitrators February 1998;
Ritsumeikan University, Japanese Law Course Tokyo, February 14 – 22, 2008.

EXPERIENCE IN ARBITRATION

Arbitrator for New South Wales District and all (140) Local Courts since 2000;
Arbitrator for NSW Government land access disputes under Mining and Petroleum prospecting Acts;
Member, New South Wales Workers Compensation Tribunal (personal injury jurisdiction);
Family Law arbitrator under the Family Law Rules, since 2017;
Previously a part-time Member of the New South Wales Consumer Trader and Tenancy Tribunal
(responsible for consumer, property and fair trading legislation);
Acted as an arbitrator for the Australian Telephone Information Services Standards Council to
determine responsibility under a private code of practice between consumers and suppliers of
telecommunication services;
Former Adjudicator for New South Wales Security of Payments for construction industry disputes.

ARBITRATION EXPERIENCE
SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	WIPO	30		30		
	AAA					
	ICC					
	LCIA					
	Ad Hoc					
Number of cases: sub-total		30		30		
Domestic Arbitrations	CIArb	1		1		
	Govt Tribunals Compensation Commission	460		460		
	NSW District, Local Court	75		75		
Number of cases: sub-total		536		536		
TOTAL		566		566		

MEDIATION EXPERIENCE**SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations				
	Ad Hoc	2	2	
	Others:			
Number of cases: sub-total		2	2	
Domestic Mediations	NSW Law Society / HCCC	59	59	
	WCC	3,300	3,300	
	Family Law	139	136	3
	Franchising/ Horticulture/ Dairy Industry Code of Conduct	120	120	
Number of cases: sub-total		3,615	3,615	3
TOTAL		3,617	3,617	3