
WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Mireille BUYDENS
Rhode-Saint-Genèse
Belgium



Nationality: Belgian

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Master, Law, University of Brussels (magna cum laude), 1981 – 1986;
Master, Law and Economics, University of Brussels (magna cum laude), 1985 – 1987;
Master, Philosophy, University of Brussels (summa cum laude), 1982 – 1988;
Ph.D., Law, University of Brussels, (summa cum laude), 1992;
Ph.D., Philosophy, University of Brussels, (summa cum laude), 1994;

LANGUAGES

French, Dutch, and English

PRESENT POSITION

Partner, Janson law firm, Brussels;
Professor, University of Brussels;
Professor, University of Liège;
President, Belgian Intellectual Property Council.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Partner, Liedekerke law firm, Brussels, IP Department, April 1, 2007 – August 31, 2013;
Lawyer, (Of-counsel), Jones Day, Brussels, IP department, August 1, 2002 – March 30, 2007;
Partner, Stibbe law firm, IP Department, June 1, 1998 – July 31, 2002;
Lawyer, Stibbe law firm, Brussels, October 1, 1992 – May 30, 1998;
In charge of the legal aspects of a Project conducted by the services of the Belgian Prime Minister: “Unicat: Towards a Belgian Virtual Union Catalogue” (contrat n° 12/AE/101), January 1, 2002 – December 31, 2002;

June 6, 2023

In charge of the Project “Copyright and the Internet” for the services of the Belgian Prime Minister, June 1998 – December 1998;

Professor, Catholic University of Louvain (UCL), IP law, May 31, 1995 – September 1, 2007;

Researcher, Belgian National Research Fund (FNRS), October 1, 1988 – September 30, 1992;

Researcher, Max-Planck-Institut für ausländisches und internationales Patent-, Urheber- und Wettbewerbsrecht on a project entitled “Harmonisierung des Urheberrechts in der E. G.” sous la direction du Dr. Dietz, December 12, 1990 – June 30, 1991;

Researcher, Max-Planck-Institut, April 1, 1989 – June 30, 1990.

MEMBERSHIP IN PROFESSIONAL BODIES

BCIP (Belgian Council for Intellectual Property);

CEPINA (Belgian Centre for Arbitration and Mediation);

APRAM (Association des Praticiens du Droit des Marques et des Modèles);

AIPPI (Association Internationale pour la Protection de la Propriété Intellectuelle);

EPLAW (European Patent Lawyers Association);

BMM (The Benelux Association for Trademark- and Design law).

AREAS OF SPECIALIZATION

Intellectual Property, in particular trademark law and patent law (mainly litigation, drafting contracts, advising). Has been litigating trademarks (and patents) for more than 30 years. Also, has been appointed as an arbitrator in IP litigation and has rendered some decisions as Third Party Decider in .be domain name disputes, (CEPANI).

EXPERIENCE IN INTELLECTUAL PROPERTY

Some 30 years of experience (IP lawyer since 1992):

Has worked as a lawyer in the IP department of various international law firms (Stibbe, Jones Day, Liedekerke and Janson). Has been involved in numerous trademark litigations (both national and cross-border). Has been, for nearly two decades, the BOIP’s outside counsel (when at Stibbe and later on at Liedekerke). Was, and for some currently Benelux outside counsel for trademarks of large companies (Kraft Foods, Danone, Mondelez, Fred Perry, Sabena...);

Litigation was main focus (both in front of national courts as in front of the EUIPO/BOIP).

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Representation of clients in front of Belgian courts in cases involving domain names and the ownership thereof;

Third-Party Decider at the Belgian Centre for Arbitration and Mediation, CEPANI;

Teaching domain name regulations to students.

MAJOR PUBLICATIONS

Books:

Droit des brevets, Bruxelles, Larcier, 2020;

L’application des droits de propriété intellectuelle, Recueil de jurisprudence (recueil de jurisprudence Marques, Droit d’auteur, Brevets), OMPI/WIPO, 2014;

La propriété intellectuelle – Évolution historique et philosophique, Bruylant, 2012;

La valorisation des actifs de propriété intellectuelle, Larcier 2010;

M. Buydens et S. Dusollier (editors), L’intérêt général et l’accès à l’information en propriété intellectuelle, Bruxelles, Bruylant, 2008;

Books (co-author)

“Les licences autoritaires et les licences FRAND en droit des brevets: des limites à la liberté contractuelle et de leur justification” in *Propriété intellectuelle et liberté contractuelle*, Presses Universitaires d’Aix-Marseille, novembre 2017;

“Le développement de l’idée de l’intangibilité de l’œuvre à partir de la querelle des arts libéraux”, in *Moral Rights in the 21st Century – The changing role of the moral rights in an area of information overload*, sous la coordination de Fabienne Brison, February 28, 2015;

“La réparation des atteintes aux droits de propriété intellectuelle”, in *Actualités en droits intellectuels – L’intérêt de la comparaison*, sous la coordination de B. Docquir, Bruylant, 2014;

“La réparation du dommage en droit de la propriété intellectuelle”, in *Droits intellectuels: le contentieux (compétence, procédures, sanctions) (CUP 132)*, Anthémis, 2012.

Articles:

“L’intelligence artificielle et le droit : vertiges en terre inconnue”, *Revue internationale des services financiers*, 2019/3-4;

“L’originalité des œuvres des arts appliqués en Europe : vers une harmonisation?”, *Revue Propriétés Intellectuelles*, avril 2017, n° 63;

“Arrêt Daimler c. EGYÜD” : imputabilité de l’atteinte à la marque”, avec Charles Bernard, *JTDE* 2016;

“gIElen, een bekend begrip”, avec Richard van Oerle, *Wolters Kluwer* 2015;

“La proposition de directive du 28 novembre 2013 du parlement européen et du conseil sur la protection des savoir-faire et des informations commerciales non divulgués (secrets d’affaires) contre l’obtention, l’utilisation et la divulgation illicites : un premier commentaire”, *Cahier du juriste* 2014/2, 2014;

“De regeling van scheppingen en uitvindingen van werknemers”, *Oriëntatie* 2013;

“L’épuisement du droit à la marque”, avec Charles Bernard, *JTDE* 2013;

“Les efforts européens en vue d’harmoniser les atteintes aux brevets : non nova sed nove”, in *Harmonisation of European IP Law – From European Rules to Belgian Law and Practice – Contributions in honour of Frank Gotzen*, Bruylant, mai 2012.

EXPERIENCE IN COURT LITIGATION

Acted as outside counsel in over 120 court cases, including 95 as lead counsel, in court of first instance and appellate courts in Belgium (and 22 cases in front of French courts) from 1992 to present. Also acted in cases before the Belgian Constitutional Court and in proceedings before the EUIPO and BOIP.

Subject matter of the court cases concerned trademark infringement and validity, patent infringement and validity, and general IP contract disputes.

PROFESSIONAL TRAINING IN ARBITRATION

WIPO Arbitration and Mediation Workshop, Paris, November 7, 2019;

WIPO Arbitration and Mediation Workshop, Munich, November 9 and 10, 2017.

EXPERIENCE IN ARBITRATION

Acted as counsel in 11 national and international arbitration proceedings and as arbitrator in three international and one national arbitration proceedings.

As a counsel, was involved in various national and international arbitration when working at Stibbe in the 90’s. Later on, was involved as co-counsel in an arbitration for a German research institution and in another arbitration for a German high tech company. Both arbitrations concerned R&D contracts.

As an arbitrator, was involved in three ICC international arbitrations (in a panel of three arbitrators). These arbitrations concerned patent and R&D agreements. As a national arbitrator, was involved in a copyright dispute (which was settled in the course of the arbitration).

EXPERIENCE IN MEDIATION

Has assisted clients in three national mediations.

ARBITRATION EXPERIENCE

SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-Arbitrator	Counsel
International Arbitrations	ICC	12			3	9
	Ad Hoc					
	Others					
Number of Cases :		12			3	9
Sub-Total						
Domestic Arbitrations	CEPANI	3			1	2
Number of Cases		3				
Sub-total						
TOTAL		15			4	11

MEDIATION EXPERIENCE
SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Mediations	Mediator		Counsel	
International Mediations						
	Ad Hoc	3				3
	Others					
Number of Cases :						3
Sub-Total						
Domestic Mediations						
	Court Annexed					
	Ad Hoc					
Number of Cases						
Sub-total						
TOTAL		3				3