

## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

Edward C. CHIASSON Q.C.  
Vancouver  
Canada



Nationality: Canadian

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### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

L.L.B., University of British Columbia, 1966;  
BA., Notre Dame College and University of British Columbia, 1963;

Bar Admissions:  
Yukon Territory, 1977;  
Alberta, 1977;  
British Columbia, 1967.

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### LANGUAGES

English

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## PRESENT POSITION

Partner, Borden Ladner Gervais LLP.

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## MEMBERSHIP IN PROFESSIONAL BODIES

Adjunct Professor, University of British Columbia Law School;  
Appointed as a UNIDROIT correspondent;  
Appointed as an Arbitrator, China International Economic and Trade Arbitration Commission (CIETAC);  
Appointed to The Canadian Foundation for Dispute Resolution's Advisory Board;  
Asia-Pacific Lawyers' Association;  
Canadian Co-Country Chair, Committee "O", Section on Business Law, International Bar Association (IBA);  
Chartered Arbitrator, Canadian Institute of Arbitrators;  
Fellow, American College of Trial Lawyers;  
Fellow, Arbitrators' Institute of Hong-Kong;  
Fellow, Chartered Institute of Arbitrators (London);  
Former Member, Advisory Group on Private International Law, Department of Justice, Ottawa;  
Founding Trustee, British Columbia, International Commercial Arbitration Centre;  
Professor of Arbitration and Dispute Resolution, City University, Kowloon, Hong Kong, July 1995 - June 1996;  
Former Member, Ad Hoc Committee to Advise the Attorney-General of Hong Kong on Amendments to the Arbitration Ordinance;  
Member, and Chairman of Panel Reviews, Dispute Resolution Panelists, the North American Free Trade Agreement (NAFTA);  
Member, Canadian Roster of Arbitrators, Commercial Arbitration and Mediation Centre for the Americas (CAMCA);  
Member, Canadian Section Inter-America Commercial Arbitration Commission;  
Member, CPR Panel of Arbitrators and Mediators, including its special panel for domain name disputes;  
Member, IBA;  
Member, International Chamber of Commerce Commission on Arbitration;  
Member, Panel of Arbitrators, American Arbitration Association;  
Member, Panel of Arbitrators, Chartered Institute of Arbitrators;  
Past Chairman, Commercial Arbitration Committee of The ICC Canadian National Committee;  
Member, British Columbia International Commercial Arbitration Task Force;  
Fellow of the American College of Trial Lawyers;  
Chairman, Canada, United States Free Trade Agreement review panel, (FTA);  
Hunter Professor of Arbitration, City University, Hong Kong, July 1995-1996.

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## AREAS OF SPECIALIZATION

Commercial litigation and arbitration, both domestic and international, including maritime (collision, construction and cargo), tax, combines (anti-trust), joint ventures, franchising, consortium and licensing disputes, high technology and computer issues;  
General litigation, with particular emphasis and experience in construction, engineering and other similar technical disputes;  
Advising on and acting as counsel with respect to environmental, waste management and native rights issues.

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## MAJOR PUBLICATIONS

"The Canadian Litigator's Experience with International Commercial Arbitration - One Man's Perspective", *International Commercial Arbitration*, Canadian Council of the International Chamber of Commerce, 1982;

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“Commercial Arbitration and International Trade”, 1982;  
“Practical Aspects of International Arbitration”, 1983;  
“The Canadian Common Law and the Concept of Amiable Composition”, *Arbitration*, Vol. 52, n° 3, 1986;  
“Canada - No Man’s Land No More”, *Journal of International Arbitration*, Vol. 3, n° 2, 1986;  
Co-author “Notes on Recent Canadian Legislation on Arbitration”, *Arbitration International*, Vol. 2, n° 4, 1986;  
“Sights, Centres and Practices” 1986;  
“To UNCITRAL or not to UNCITRAL”, 1986;  
“The Arbitrator’s Role in International Arbitration”, 1986;  
“History and Use of Commercial Arbitration”, 1986;  
“Alternative Dispute Resolution”, 1986;  
“The Better Way Within: The Reaction of Canadian Courts to Modern Needs”, 1987;  
Co-author “Responding to Environmental Investigations”, 1989;  
“Aboriginal Rights and Indian Self-Government”, 1990;  
“Defending Against Environmental Prosecutions”, 1990;  
Co-author, “From the Desert to the Mountains: and Now to Avoid the Precipice”, *The Advocate*, Vol. 49, Part 1, 1991;  
“Legal Green”, *C.G.A. Journal*, 1991;  
Co-author “Environmental Investigations and Spill Response”, *Environmental Law and Business in Canada*, 1993;  
“U.S. Commercial Law Crosses Northern Border: Good Faith and Fair Dealing”; *The National Law Journal*, 1995;  
“A Precipice Avoided: Judicial Stays and Party Autonomy in International Arbitration”, *The Advocate*, Vol. 54 Part 1, p.63, 1996;  
“The UNIDROIT Principles of International Commercial Contracts and the Growth of International Commercial Law in the Asia-Pacific Region”, 1996;  
“Alternative Dispute Resolution in Non-Union Human Resource Conflicts in the Context of the North American Free Trade Agreement”, *Canada - United States Law Journal*, Vol. 22 p.295, 1996;  
“Sources of Law in International Arbitration”, *G.M. Beresford Hartwell, The Commercial Way to Justice*, p.29, 1997;  
“Evidentiary Issues in International Arbitration”, 1996;  
“The Commercial Arbitration and Mediation Centre for the Americas: NAFTA’s Mandate for the Private Sector”, *Arbitration International*, Vol. 13, n° 1, p.93, 1997;  
“International Arbitration in Canada”, *International Schiedsgerichtsbarkeit*, ed. Prof Dr. Peter Gottwald, GeisekingVerlag, Bielefeld, p.639, 1997;  
“A Comparison of International Commercial Arbitration Rules: The Practical Implications”, January 1999;  
“Weighing the Pros and Cons of a Fairness Arbitration”, *Corporate Legal Times*, Vol. 9, Number 93, page 32, August 1999, with Ian Marshall;  
“Harmonization and Growth of International Commercial Law in the Asia-Pacific Region”, *Comparative Law Yearbook of International Business*, Vol. 21, 1999, page 389;  
“A Comparison of International Arbitration Rules: A Practical Perspective” *Lawyering in the International Market*, editors, Dennis Campbell, Brian Birkeland, International Business Law Practice Series, Transnational Publishers, Inc. Ardsley, New York, 1999;  
“The Practitioners Handbook on International Arbitration and Mediation – Canadian Chapter”, Juris Publishing, 2002;  
“The ADR Institute of Canada’s Response to a Uniquely Canadian Problem: National Arbitration Rules”, *National Journal* with Gerry Ghikas.

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### EXPERIENCE IN COURT LITIGATION

Appeared as counsel in all of the courts of British Columbia, Alberta, the Supreme Court of the Yukon Territory, all divisions of the Federal Court of Canada and the Supreme Court of Canada.

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### PROFESSIONAL TRAINING IN MEDIATION

Completed mediation training in a program sponsored by Center for Public Resources (CPR) – over four days, including extensive role-playing (20 hours CLE credit).

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### EXPERIENCE IN ARBITRATION AND MEDIATION

Appeared as counsel and acted as arbitrator in international arbitrations in Canada, France, England, the U.S.A., Hong Kong and Singapore involving parties from Eastern and Western Europe, North America, the Pacific Rim and India. These arbitrations have been both ad hoc and institutional, including proceedings under the AAA, the International Chamber of Commerce, the British Columbia International Commercial Arbitration Centre, the International Centre for Settlement of Investment Disputes (ICSID) and pursuant to Chapter II (investors, state) of NAFTA.

#### List of ADR Assignments

Has been involved either as counsel or as a tribunal member - usually as a sole arbitrator or mediator or Chairman of the tribunal, with the following is a list of arbitrations and mediations. Not all cases were taken through to an award or negotiation, but all reached a stage of development sufficient to contribute to my overall experience. The list is representative, not exhaustive.

Location: British Columbia  
 Parties: Canadian  
 Type of Dispute: Underground sewer construction  
 Acting Capacity: Counsel  
 Administration: ad hoc

Location: Alberta  
 Parties: Canadian  
 Type of Dispute: Concrete Building Construction  
 Acting Capacity: Counsel  
 Administration: ad hoc

Location: New York  
 Parties: German and U.S.  
 Type of Dispute: Construction of Industrial Plant  
 Acting Capacity: Arbitrator  
 Administration: ICC

Location: New York  
 Parties: Dutch and U.S.  
 Type of Dispute: Construction of Industrial Plant (pressure vessels)  
 Acting Capacity: Arbitrator  
 Administration: AAA

Location: New York  
 Parties: Turkish and U.S.  
 Type of Dispute: Distribution Agreement (Food)  
 Acting Capacity: Arbitrator

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Administration:	ICC
Location:	Chicago
Parties:	German and U.S.
Type of Dispute:	Construction of Industrial Plant
Acting Capacity:	Arbitrator
Administration:	AAA
Location:	Boston
Parties:	Singaporean (French), U.S.
Type of Dispute:	Franchise and Distributorship Agreement
Acting Capacity:	Arbitrator
Administration:	AAA
Location:	Florida
Parties:	German and U.S.
Type of Dispute:	Construction of Industrial Plant (turbo machinery)
Acting Capacity:	Arbitrator
Administration:	AAA
Location:	Seattle
Parties:	Italian and U.S.
Type of Dispute:	Distributorship Agreement (Clothing)
Acting Capacity:	Arbitrator
Administration:	<u>ad hoc</u>
Location:	British Columbia
Parties:	Canadian and U.S.
Type of Dispute:	Construction of a Sailing Yacht
Acting Capacity:	Arbitrator
Administration:	<u>ad hoc</u>
Location:	British Columbia
Parties:	Canadian
Type of Dispute:	Stock Option Agreement
Acting Capacity:	Arbitrator
Administration:	<u>ad hoc</u>

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Location: British Columbia  
Parties: Canadian and U.S.  
Type of Dispute: Distributorship Agreement (high tech products)  
Acting Capacity: Arbitrator  
Administration: ad hoc

Location: British Columbia  
Parties: Chinese and U.S.  
Type of Dispute: Warranties and Distributorship Agreement  
Acting Capacity: Arbitrator  
Administration: B.C.I.C.A.C.

Location: British Columbia  
Parties: Canadian and U.S.  
Type of Dispute: Distributorship Agreement (Food)  
Acting Capacity: Arbitrator  
Administration: B.C.I.C.A.C.

Location: British Columbia  
Parties: Japanese and U.S.  
Type of Dispute: Land Development Joint Venture  
Acting Capacity: Arbitrator  
Administration: ICC

Location: Seattle (Paris)  
Parties: French and U.S.  
Type of Dispute: Shareholders Agreement  
Acting Capacity: Arbitrator  
Administration: ICC

Location: British Columbia  
Parties: Korean and Canadian  
Type of Dispute: Ship Construction  
Acting Capacity: Counsel  
Administration: B.C.I.C.A.C.

Location: British Columbia  
Parties: Japanese and German  
Type of Dispute: Supply of Machinery Components  
Acting Capacity: Counsel  
Administration: ICC

Location: Paris

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Parties:	Canadian and Yugoslavian
Type of Dispute:	Construction of Industrial Plant (Chemical)
Acting Capacity:	Counsel
Administration:	ICC
Location:	London
Parties:	Canadian (Russian) and English
Type of Dispute:	Commodity Supply Contract
Acting Capacity:	Counsel
Administration:	London Cocoa Association
Location:	British Columbia
Parties:	Australian and U.S.
Type of Dispute:	Franchise Agreement (Musical Instruments)
Acting Capacity:	Arbitrator
Administration:	ICC
Location:	California
Parties:	English and U.S.
Type of Dispute:	Railway Rolling Stock
Acting Capacity:	Arbitrator
Administration:	<u>ad hoc</u> (AAA)
Location:	Washington, D.C.
Parties:	British Virgin Islands and Bangladesh
Type of Dispute:	Resource Development
Acting Capacity:	Arbitrator
Administration:	ICSID
Location:	British Columbia
Parties:	Hongkong and English
Type of Dispute:	Banking
Acting Capacity:	Counsel
Administration:	B.C.I.C.A.C.
Location:	Alberta
Parties:	Canadian
Type of Dispute:	Commodity Freight Rate
Acting Capacity:	Counsel
Administration:	<u>ad hoc</u>
Location:	British Columbia

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Parties: Canadian and U.S.  
Type of Dispute: Franchise Agreement (Computerized Financial Transactions)  
Acting Capacity: Arbitrator  
Administration: ad hoc

Location: California  
Parties: Malaysian, Hong Kong, Australian and U.S.  
Type of Dispute: Franchise Agreement (Food)  
Acting Capacity: Arbitrator  
Administration: AAA

Location: California  
Parties: Australian and U.S.  
Type of Dispute: Contract (Real Estate Finders Fee)  
Acting Capacity: Arbitrator  
Administration: AAA

Location: Hong Kong  
Parties: Canadian and Hong Kong Chinese  
Type of Dispute: Food Supply  
Acting Capacity: Counsel and consultant  
Administration: Ad Hoc and Hong Kong International Arbitration Centre

Location: Texas  
Parties: Argentinian, Turkmenistanian & British Virgin Islands  
Type of Dispute: Petroleum Resource Development  
Acting Capacity: Arbitrator  
Administration: ICC

Location: Minnesota  
Parties: U.S. and New Zealand  
Type of Dispute: Intellectual Property Transfer  
Acting Capacity: Arbitrator  
Administration: ICC

Location: Vancouver  
Parties: Canadian  
Type of Dispute: Business Dislocation  
Acting Capacity: Counsel  
Administration: ad hoc

Location: Vancouver



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Parties: Canadian  
Type of Dispute: Construction  
Acting Capacity: Arbitrator  
Administration: B.C.I.C.A.C.

Location: Singapore  
Parties: Japan and Australia  
Type of Dispute: Construction (petroleum plant)  
Acting Capacity: Arbitrator  
Administration: I.C.C.

Location: Seattle  
Parties: Switzerland and U.S.  
Type of Dispute: Ship construction  
Acting capacity: Arbitrator  
Administration: I.C.C.

Location: California  
Parties: U.S. and Taiwan  
Type of Dispute: Telecommunications and Intellectual Property  
Acting capacity: Arbitrator  
Administration: AAA

Location: Texas  
Parties: Japan and U.S.  
Type of Dispute: Agency Agreement  
Acting capacity: Arbitrator  
Administration: AAA

Location: Calgary  
Parties: Canada and Philippines  
Type of Dispute: Oil and Gas Consortium  
Acting capacity: Arbitrator  
Administration: ICC

Location: California  
Parties: U.S. and Belgium  
Type of Dispute: Licencing Agreement: Intellectual Property, Medical & Pharmaceutical Research  
Acting capacity: Arbitrator  
Administration: AAA

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Location: Vancouver  
Parties: U. S. and Canada  
Type of Dispute: Gas Supply Contract  
Acting Capacity: Counsel  
Administration: BCICAC

Location: London  
Parties: U.S. and England  
Type of Dispute: Dissolution of Partnership  
Acting Capacity: Consultant  
Administration: Ad Hoc

Location: Vancouver  
Parties: U.S. and Canada  
Type of Dispute: Licensing Agreement - Fuel  
Acting Capacity: Arbitrator  
Administration: BCICAC

Location: West Virginia  
Parties: U.S. and Canada  
Type of Dispute: Railway Car Hire – Final Offer  
Acting Capacity: Counsel  
Administration: AAA

Location: Toronto  
Parties: Canada and the U.S.  
Type of Dispute: NAFTA Chapter 11 – investor state  
Acting Capacity: Co-arbitrator  
Administration: UNCITRAL Rules

Location: Chicago  
Parties: U.S. and Canada  
Type of Dispute: Software design contract  
Acting Capacity: Counsel  
Administration: AAA

Location: Vancouver  
Parties: Canadian  
Type of Dispute: Poultry Price – Final Offer  
Acting Capacity: Presiding Arbitrator  
Administration: BCICAC

Location: Vancouver  
Parties: Canada and China  
Type of Dispute: Joint Venture  
Acting Capacity: Counsel  
Administration: Ad Hoc

Location: Vancouver  
 Parties: Canadian  
 Type of Dispute: Construction  
 Acting Capacity: Mediator  
 Administration: Ad Hoc

Location: Atlanta, Georgia  
 Parties: Canada and U.S.  
 Type of Dispute: Distribution of chemicals  
 Acting Capacity: Counsel  
 Administration: AAA

Location: New York  
 Parties: U.S. and Mexico  
 Type of Dispute: Financial Services  
 Acting Capacity: Mediator  
 Administration: CAMCA

Location: Vancouver  
 Parties: Canadian  
 Type of Dispute: Partnership  
 Acting Capacity: Mediator  
 Administration: Ad Hoc

Location: New York  
 Parties: Germany and U.S (Korea)  
 Type of Dispute: Ship construction (conversion)  
 Acting Capacity: Arbitrator  
 Administrator: AAA

Location: Vancouver  
 Parties: Canadian  
 Type of Dispute: Compensation for expropriation  
 Acting Capacity: Mediator  
 Administration: Ad Hoc

Location: New York  
 Parties: Germany and U.S  
 Type of Dispute: Computer technology  
 Acting Capacity: Arbitrator  
 Administrator: AAA

Location: New York  
 Parties: Italy and U.S.  
 Type of Dispute: Ship technology  
 Acting Capacity: Arbitrator  
 Administrator: AAA

Location: New York  
 Parties: Slovak Republic and U.S.  
 Type of Dispute: Construction

Acting Capacity: Arbitrator  
Administrator: AAA

Location: Miami  
Parties: Chile and U.S.  
Type of Dispute: Breach of confidentiality  
Acting Capacity: Arbitrator  
Administrator: AAA

Location: British Columbia  
Parties: Canadian  
Type of Dispute: Native land tenure  
Acting Capacity: Mediator  
Administration: Ad Hoc

Location: Vancouver  
Parties: Canadian and U.S.  
Type of dispute: Ship brokerage  
Acting capacity: Arbitrator  
Administration: Ad Hoc

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**ARBITRATION EXPERIENCE****SUMMARY TABLE**

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	AAA	9	1	8		
	ICC	12	2	8		2
	LCIA					
	Ad Hoc	10	1	5	1	3
	Others: (BCICAC, ICSID, London Cocoa Associatio n)	10	2	4	1	3
Number of cases: sub-total		41	6	25	2	8
Domestic Arbitrations	Ad Hoc	6		3		3
	Others	6		2		4
Number of cases: sub-total		12		5		7
<b>TOTAL</b>		<b>53</b>	<b>6</b>	<b>30</b>	<b>2</b>	<b>15</b>