
WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

D. Brian KING
New York University School of Law
New York, NY
United States of America



Gray's Inn
London
United Kingdom

Nationality: American

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

J.D., New York University School of Law, 1990:
-University Graduation Prize (class valedictorian);
-Order of the Coif;
-Root-Tilden-Snow Scholar;
-Senior Note and Comment Editor, New York University Law Review.
B.A., Princeton University, summa cum laude, 1985:
- Atwater Prize in Politics (thesis prize);
- Buchanan Prize in Politics (highest class standing);

Admitted to Bar: New York (1991) and Washington, D.C. (1991).

LANGUAGES

English, Dutch, Spanish (reading and French (reading))

PRESENT POSITION

Independent Arbitrator (New York and London).

November 20, 2019

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Partner, Freshfields Bruckhaus Deringer, 1999-2018;

Partner in International Arbitration Group based in New York, and until 2007 in Amsterdam. Acted as counsel or arbitrator in commercial and investment arbitrations under the ICC, ICSID, LCIA, AAA/ICDR, CPR, NAI and other sets of rules, as well as in *ad hoc* arbitration proceedings. Particular expertise in: energy sector; construction disputes; life sciences sector; m&a/joint venture disputes; and international investments.

Representative matters include:

serving as chair, co-arbitrator, sole arbitrator or emergency arbitrator in cases in the energy, construction, pharmaceutical, and financial services sectors;

representing ConocoPhillips in its precedent-setting ICSID arbitration arising out of expropriations in Venezuela;

acting for the Republic of Turkey in three major ICSID and ICSID Additional Facility arbitrations brought under the Energy Charter Treaty;

representing a major U.S. pharmaceutical company in ICC and LCIA arbitrations involving innovative drug therapies;

Consistently highly ranked in league table publications, including *Who's Who Legal*, *Chambers Global*, *Chambers USA* and *Legal 500*;

Senior Associate, Stibbe Simont Monahan Duhot;

Acted with Albert Jan van den Berg in a large number of general commercial and construction arbitrations, 1996-1999;

Legal Advisor, Iran-U.S. Claims Tribunal, 1994-1996;

Litigation Associate, Skadden, Arps, Slate, Meagher & Flom, 1992-1994;

Law Clerk to Judge Harry T. Edwards, U.S. Court of Appeals for the District of Columbia Circuit, 1991-1992;

Law Clerk to Judge Leonard B. Sand, U.S. District Court for the Southern District of New York, 1990-1991.

MEMBERSHIP IN PROFESSIONAL BODIES

American Arbitration Association (AAA);

Deutsche Institution für Schiedsgerichtsbarkeit (DIS);

Dubai Chamber of Commerce and Industry;

ICSID Panel of Arbitrators;

ICSID Panel of Conciliators;

International Centre for Dispute Resolution (ICDR);

International Chamber of Commerce (ICC) (U.S. national committee);

International Institute for Conflict Prevention & Resolution (CPR);

Korean Commercial Arbitration Board;

London Court of International Arbitration (LCIA);

Netherlands Arbitration Institute (NAI);

WIPO Panel of Neutrals.

AREAS OF SPECIALIZATION

International commercial arbitration, including trademark, patent and licensing issues.

EXPERIENCE IN INTELLECTUAL PROPERTY

Representation of clients in many arbitrations involving intellectual property issues; arbitrator in licensing and related disputes.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Service as chair, co-panelist and sole panelist in numerous domain name cases; advice to clients in domain name matters.

MAJOR PUBLICATIONS

Chapters entitled *Evidentiary Issues* and *Post-Award Access to Justice*, in Cambridge Compendium of International Commercial And Investment Arbitration (Cambridge University Press, forthcoming 2019).
 Chapters entitled *Nationality* and *National/Most Favored Nation Treatment*, in International Investment Law (Sellier Publishers, forthcoming 2019).
Construction Arbitration in East Africa, in Global Arbitration Review: The Middle Eastern And African Arbitration Review (2d ed. 2018).
Procedural Orders and Beyond: Tailoring the Arbitral Process to Maximize Efficiency, in 6 Korean Arb. Review 54 (2016).
Party Autonomy, the "Right" to Appoint, and the Rise of Strategic Challenges, in Limits To Party Autonomy In International Commercial Arbitration (Juris Publishers, 2016).
Enforcing Awards Involving Foreign Sovereigns, in International Commercial Arbitration In New York (2d ed. 2016).
International Arbitrators as Lawmakers, 46 N.Y.U. Journal of Int'l. Law and Pol. 875 (2014).
Enforcement after the Arbitration: Strategic Considerations and Forum Choice, in Forum Shopping In The International Commercial Arbitration Context (Sellier Publishers, 2013).
Application of Article V of the New York Convention in the Netherlands, 25 J. Int'l Arb. 6 (2008).
Consistency of Awards in Cases of Parallel Proceedings, in Towards A Uniform International Arbitration Law (Juris Publishers, 2005).
Obtaining Evidence Abroad (Chapter on The Netherlands) (ABA Publication, May 2005).
Arbitrage zonder (contractuele) grenzen: heden en toekomst van investeringsarbitrage, in Tijdschrift Voor Arbitrage (April 2005).
Consolidation of Arbitral Proceedings, in IBA Section on Business Law, Arbitration and ADR Committee Newsletter (May 2004).
Enforcing Foreign Arbitral Awards, 18 Mealey's Int'l Arb. Rep. (April 2003).
The United States Perspective on Impecuniousness and Arbitration Agreements, in DIS Papers (2003).
Enforcing Eurocontrol Awards, in PCA Papers (2002).
Rethinking Discovery in International Arbitration, 12 ICC Bull. 1 (2001).
Summary Arbitral Proceedings, 15 Mealey's Int'l Arb. Rep. (March 2000).
Enforcing Annulled Awards, 14 Mealey's Int'l Arb. Rep. (January 2000).
 Yearbook Of Commercial Arbitration (contributor), Vols. XX & XXI (1995-96).

EXPERIENCE IN COURT LITIGATION

Advise clients on Dutch court proceedings regarding enforcement of or challenges to arbitral awards, as well as on US litigation matters;
 Fours years' practice in United States court litigation, 1990-94.

PROFESSIONAL TRAINING IN ARBITRATION

Sat as an arbitrator in ICC, NAI and other institutional cases (please see attached experience list);
 Lecturer at WIPO Workshop, Geneva, November 2001 and November 2002;
 Secretary to Tribunals in ICC and other cases, 1994-98.

EXPERIENCE IN ARBITRATION

Acted as counsel to litigants in numerous international arbitrations, including:

- representing a leading U.S. software company in an ICC arbitration against a major European manufacturer regarding patent licensing rights;
- advising Total S.A. in a multi-billion Euro NAI arbitration arising out of a joint venture in the Spanish oil industry;
- representing Distrigas N.V. in two substantial ICC arbitrations involving the transportation of liquefied natural gas;
- acting for an Eastern European party in a US\$ 500 million arbitration involving media investments and in related enforcement proceedings;
- representing investors and four national Governments in separate ongoing ICSID arbitrations.

Acted as chair, co-arbitrator and sole arbitrator in a number of ICC and Netherlands Arbitration Institute (NAI) arbitrations, including:

- in a dispute between a Spanish and a Dutch company regarding licensing rights;
- in a dispute between two European companies involving distributorship and intellectual property rights;
- in various cases involving construction, shipping and financial matters.

Former Legal Adviser, Iran-United States Claims Tribunal;
Frequent lecturer on arbitration topics at conferences, seminars and in Dutch universities.

ARBITRATION EXPERIENCE
SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Cases	AAA	1				1
	ICC	> 25	1	3	1	> 20
	LCIA	3				3
	NAI	11		1		10
	ICSID	5				5
	Others (including domain name disputes)	> 20	2	12	2	± 6
TOTAL		> 65	3	16	3	± 45