

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Fernando TRIANA SOTO
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Bogotá D.C.
Colombia



Nationality: Colombian

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

A graduate of the School of Law of the Colegio Mayor de Nuestra Señora del Rosario (J.D. 1985), admitted to practice in the Republic of Colombia.

During last two years in Law School was appointed as General Coordinator of the Law Research Center. Fulbright Scholarship recipient, attended postgraduate studies in the U.S.A., beginning the same at the Georgetown University Law Center in Washington D.C. and obtaining a Master of Comparative Law (M.C.L.) from Indiana University, School of Law (Bloomington Campus). Back in Colombia, continued postgraduate studies on the Colegio Mayor de Nuestra Señora del Rosario, School of Law (Specialization in Civil Procedural Law).

LANGUAGES

Spanish and English

PRESENT POSITION

Partner, the head of the Litigation and Patent Department of the Law Firm TRIANA, URIBE & MICHELSEN, in Bogotá, Colombia.

January 17, 2020

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Professor, Intellectual Property Proceedings. Colegio Mayor de Nuestra Señora del Rosario, Law School, Bogotá D.C., since 2007.

Lecturer, Industrial Property Law, University Politecnico Grancolombiano, Bogotá D.C., 1995-2006.

Founder, Partner and Director, Litigation Department, Vernet Abogados, Bogotá D.C., 1993-95.

Partner and Director, Litigation Department, Cavalier Abogados, Bogotá D.C., 1991-92.

Associate, Litigation Department, Cavalier Abogados, Bogotá D.C., 1988-1990.

Associate, Industrial Property Department, Brigard and Castro, Bogotá D.C., 1985-88.

General Coordinator, Law Research Center, Colegio Mayor de Nuestra Señora del Rosario, Bogotá D.C., 1983-85.

MEMBERSHIP IN PROFESSIONAL BODIES

Member of the Panel of Arbitrators and Mediators of the World Intellectual Property Organization (WIPO).

Member of the Panel of Arbitrators of the National Arbitration Forum (NAF).

Member of the Panel of Arbitrators of the Inter-American Association of Intellectual Property (ASIPI).

Member of the Panel of Mediators of the International Trademark Association (INTA).

Member of the Panel of Arbitrators of the Chamber of Commerce of Bogotá.

Member of the Inter-American Association of Industrial Property (ASIPI) where he was President from 2009 until 2012 and currently a Justice in its Tribunal of Honor and Justice and member of its Education Committee.

Member of the International Trademark Association (INTA) where he is part of the INTA's Unreal Campaign Committee and the Panel of Trademark Mediators

Member of the Colombian Committee of the International Chamber Commerce (ICC), where he presides the Sub-Committee of E-Commerce.

Member of the American Intellectual Property Law Association (AIPLA).

Member of the American Bar Association (ABA) Section of Intellectual Property Law.

AREAS OF SPECIALIZATION

Civil law, commercial Law, industrial and intellectual property, unfair competition law and domain names.

EXPERIENCE IN INTELLECTUAL PROPERTY

Practiced in the field of industrial and intellectual property law for thirty (30) years. Runs the litigation department and has long played prominent roles in the country's most significant intellectual property disputes. Listed by Best Lawyers® for the year 2013 in the practice areas of Corporate and M&A, Intellectual Property and Litigation. Ranked in first place as individual for Colombia by the World Trademark Review 1000 Guide for the year 2013, 2014, 2015, 2016 and 2017, described as "a formidable opponent who always finds a way to get clients what they need" (2013), "prized as an organized and efficient advocate" (2014), "leads the way on litigation assignments. So much more than just agents, their brief writing is exceptional and they sustain brilliant legal arguments. They work hard and fast and never delay matters unnecessarily." (2015). "Sharp litigator" (2016) and "stands tall as one of the country's leading IP litigators" (2017). Nominated by Managing Intellectual Property as an **IP Star** in the year 2014, 2015, 2016 and 2017. Nominated by in-house counsel and local peers in the Expert Guide's: Best of the Best Latin America, as one of the top forty trade mark practitioners in Latin America. Top ranked as an Intellectual Property practitioner for Colombia by Chambers Latin America where is described as: "a sharp litigator who is honest and procedurally very solid" (2015). "Noting that he provides total security, as much in the hearings as in the preparation of them" (2016) and "is well known in the IP field and is noted particularly for his expertise in contentious cases." (2017). Listed as one of the leading patent professionals by IAM Patent 1000 as "diligent and committed" and stating: "sits at the top of the totem pole; he performs splendidly on all manner of patent-related prosecution." (2017). Also, nominated by his peers as one of the world's leading practitioner on Trademark Law and leading expert for Competition Law advice in Colombia, according to Who'sWhoLegal.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Active member of the Panel of Arbitrators and Mediators of the World Intellectual Property Organization (WIPO), of the Panel of Arbitrators of the National Arbitration Forum (NAF), of the Panel of Arbitrators of the Inter-American Association of Intellectual Property (ASIFI), of the Panel of Neutrals of the International Trademark Association (INTA), and of the Panel of Arbitrators of the Chamber of Commerce of Bogotá.

MAJOR PUBLICATIONS

"Centenario de la Constitución Política de Colombia" 1886-1986, Bogotá, D.C., 1985;

"Greenmail-The General Scope of the Corporate Directors Liability", Bloomington, Indiana, 1988;

"La Marca Notoria," ASIFI, Punta del Este, 1990;

"Colombia," IACC, Seattle, 1994;

"Características Principales de Protección Activa y Defensiva de los Sistemas Legales Actualmente Existentes a Nivel Nacional, Regional e Global Internacional en Materia de Patentes," ASIFI, Santiago, 1997;

"Trademarks and Free trade Initiatives in the Americas: The Andean Community," CIPIC Journal, Vol.83, Tokyo, 1998;

"Trademarks and Free Trade Initiatives in the Americas: The Andean Community," INTA, Boston, 1998;

"Marcas y Nombres de Dominio en Internet. Implicaciones en el Campo de la Propiedad Industrial e Intelectual," ASIFI, Madrid, 2000;

"Ponencia Medidas en Frontera", ASIFI, México, 2003;

“Comments to the issues presented in the case during the New York State Bar Association Intellectual Property Law Section Annual Meeting International Arbitration Tribunal”, ASIPI, New York, 2005;

“Parallel Imports in the Andean Community of Nations”, INTA/ASIPI, Argentina, 2004;

“Colombia: New Copyright Protection Law”, Marcasur.com, 2006;

“Aspectos polémicos sobre el Protocolo de Madrid” ASIPI, Sao Paulo, Brasil, 2006;

“Trademark implications in US Free Trade agreement signed or negotiated with Latin American countries” INTA – ASIPI Conference 2007;

“Curso de Arbitraje Internacional” -Jornadas de Trabajo y Consejo de Administración ASIPI, OMPI y Cámara de Comercio de Bogotá. Cartagena de Indias, 2007;

Medidas en frontera en la Región Andina, Seminario ASIPI-AIPPI-IPO México D.F. 2008;

Oposiciones a los registros marcarios como procedimiento judicial y no administrativo, INTA Round Tables, Berlin, 2008;

EXPERIENCE IN COURT LITIGATION

Thirty years as trial court attorney dealing primarily with trademark and patent related prosecution, intellectual property, domain name and unfair competition litigation. Counsel in major litigation and several of the most well-known cases in Colombia, regarding these fields.

Began practice as an Associate in the Industrial Property Department of the Law Firm of Brigard & Castro, and expanded expertise in the Law Firm of Cavelier Abogados as an Associate and then as a Partner and Head of its Litigation Department. Before founding the current Law Firm, participated also as Partner and Director of the Litigation Department of the Law Firm of Vernot Abogados.

PROFESSIONAL TRAINING IN ARBITRATION

“Course of Actualization for Arbitrators”. Arbitration and Mediation Center of the Chamber of Commerce of Bogotá. 2001;

“Introduction to the International Arbitration”. Arbitration and Mediation Center of the Chamber of Commerce of Bogotá, 2001;

“Curso de Arbitraje en Propiedad Intelectual. CCB/ASIPI, República Dominicana, 2004;

“Mediation Course”. INTA, Amsterdam, 2003;

“Arbitraje Internacional”. CCB/ASIPI, Punta del Este, Uruguay, 2005;

“Curso de Mediación”. INTA/ASIPI/CCB, Río de Janeiro, Brasil, 2006;

“Mediation Course”. INTA/ASIPI, Sao Paulo, Brasil, 2007;

“Taller de Arbitraje en Propiedad Intelectual”, ASIPI, Cartagena, 2007;

“Curso de Mediación” ASIPI / WIPO / INTA, Santiago de Chile, 2010;

“Curso de Arbitraje”, ASIPI, Asunción, 2015;

“Tertulia de Arbitraje y Abuso del Derecho”, Cámara de Comercio de Bogotá, Colombia, 2017;

“Congreso de Arbitraje Nacional e Internacional CAC”, Cámara de Comercio de Bogotá, Colombia, 2017.

EXPERIENCE IN ARBITRATION

Since 1992, involved in arbitrations as counsel and arbitrator in local and international cases.

PROFESSIONAL TRAINING IN MEDIATION

Courses held by the International Trademark Association (INTA) in Amsterdam, 2003, Sao Paulo, 2007;

Course held by ASIPI, Río de Janeiro, 2006.

Course held by ASIPI, WIPO and INTA, Santiago de Chile, 2010.

“Curso de Mediación”, ASIPI, Asunción, 2015.

“CONGRESO NACIONAL E INTERNACIONAL DE MECANISMOS ALTERNATIVOS DE SOLUCIÓN DE CONFLICTOS CONCILIACIÓN EN DERECHO”, Cámara de Comercio de Bogotá, Colombia, 2017.

EXPERIENCE IN MEDIATION

In 1991 Colombia’s civil procedural law was amended to include a conciliation (mediation) stage within almost every civil and commercial litigation and from that period has been involved as counsel to a party in at least 150 conciliation procedures.

ARBITRATION EXPERIENCE

SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-Arbitrator	Counsel
International Arbitrations	AAA	1				1
	Ad Hoc	28		8	5	15
	Others	35				
Number of Cases: Sub-Total		64		8	5	16
Domestic Arbitrations	Chamber of Commerce of Bogotá	6	2	2	1	1
	Ad hoc	22		5	7	10
Number of Cases Sub-total		28	2	7	8	11
TOTAL		92	1	15	13	27

MEDIATION EXPERIENCE

SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Mediations	Mediator		Counsel	
International Mediations						
	Ad Hoc					
	Others					
Number of Cases : Sub-Total						
Domestic Mediations	AAA	1			1	
	Court Annexed					
	Ad Hoc					
	Other	150			150	
Number of Cases Sub-total		151			151	
TOTAL		151			151	