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## WIPO LIST OF NEUTRALS

### BIOGRAPHICAL DATA

Marcello DO NASCIMENTO  
David do Nascimento Advogados Associados  
Av. Paulista, 1294 – 16<sup>th</sup> floor  
01310-915 São Paulo - SP  
Brazil



Telephone: +55 11 3372 3766

Email: [Marcello@daviddonascimento.com.br](mailto:Marcello@daviddonascimento.com.br)

Date of Birth: September 17, 1966

Nationality: Brazilian

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### EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Graduated in Law school at “Pontifícia Universidade Católica de São Paulo” (1988);  
Master in Consumer Law at the Law school of “Pontifícia Universidade Católica de São Paulo” (1991);  
Nominated as a trademark law practitioner expert and a patent law practitioner expert in the Guide to the World’s leading Trademark Law Practitioners and World’s leading Patent Law Practitioners edited by Managing Intellectual Property;  
President of the anti counterfeiting committee at ASIPI– Inter – American Association of Intellectual Property since 2009;  
Brazilian Delegate at ASIPI – Inter – American Association of Intellectual Property as from 2006 until 2009;  
Trademark Coordinator of the course for formation of Industrial Property Agents, promoted by the “Brazilian Association of the IP Agents – ABAPI” since 2002;  
2<sup>o</sup> Vice-President at “Associação Paulista da Propriedade Intelectual – ASPI” since 2011; Currently ínterim President of the Association;  
Social Director at “Associação Paulista da Propriedade Intelectual – ASPI” as from 2009 until 2011;  
Editor Director at “Associação Paulista da Propriedade Intelectual – ASPI”, as from 2001 until 2009;  
Co- Coordinator of the Anti counterfeiting Committee of “ABPI - Brazilian Association of Intellectual Property” since 2012.

Vice-Coordinator of the Software Committee of “ABPI - Brazilian Association of Intellectual Property” as from 2002 until 2008.

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### LANGUAGES

March 12, 2013

Portuguese, English and Spanish.

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### **PRESENT POSITION**

Lawyer, partner at the law firm David do Nascimento Advogados Associados.

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### **PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION**

Engaged in the firm David do Nascimento Advogados Associados in 1985 remaining until today.

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### **MEMBERSHIP IN PROFESSIONAL BODIES**

Member of INTA, LES, ASIPI, FICPI, AIPPI and AIPLA (International) and ABPI, ABAPI, ASPI, ABRAL and ABF (National).

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### **AREAS OF SPECIALIZATION**

Intellectual Property, mainly trademarks, domain names, copyrights, patents and designs (not technical work), franchising and technology transfer agreements and enforcement.

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### **EXPERIENCE IN INTELLECTUAL PROPERTY**

Since 1985 - 28 years of experience in private practice covering prosecution, litigation matters and consultancy. Personally responsible for trademark and domain name portfolio of several major companies and coordinator of prosecution and enforcement teams.

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### **EXPERIENCE WITH RESPECT TO DOMAIN NAMES**

Responsible for administration of several domain name portfolios of National and International corporations. Responsible for several administrative procedures at NIC.Br for requesting preference in obtaining domain names under release proceeding.

Responsible for several extra-judicial attempts to recover domain names and successfully resolved several cases.

Responsible for several litigations in order to recover domain names and successfully obtained preliminary injunctions and final decisions against cybersquatters.

Responsible for a recent claim under WIPO`s resolution system involving a “.com” domain name, which is about to be filed (Wipo`s fees already paid).

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### **MAJOR PUBLICATIONS**

Co-author of the book “Trade-mark opposition and litigation in Bric and Nafta countries” – 2010 – Borden Ladner Gervais LLP.

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### **EXPERIENCE IN COURT LITIGATION**

Engaged in several litigations involving mainly trademark, copyright infringements, unfair competition and domain names disputes. Experience also in patent litigation.

Successfully obtained several preliminary injunctions, final decisions and damages ruling.

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**PROFESSIONAL TRAINING IN ARBITRATION**

Participation in the Workshop of Training in Proceedings of Expedite Arbitration for Cine and Communication means promoted by ASIPI – Inter – American Association of Intellectual Property and WIPO`s Arbitration and Mediation Center on Dec. 01, 2012 (8 hours);

Nominated arbitrator of the ASIPI – Inter – American Association of Intellectual Property at the Arbitration Center of Chamber of Commerce of Bogotá in 2004.

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**EXPERIENCE IN ARBITRATION**

Participation in training courses and Seminars.

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**PROFESSIONAL TRAINING IN MEDIATION**

Member of the Panel of Neutrals of “INTA – International Trademark Association”.

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**EXPERIENCE IN MEDIATION**

Member of the Domain Name dispute resolution chamber (CASD-ND) of the Mediation and Arbitration Center of the Brazilian Association of Intellectual Property (ABPI);

Panelist in the workshop “O recurso à mediação em materia de marcas: aspectos práticos” (“The mediation resource in trademark matters – practical aspects”) promoted by Brazilian National Institute of Industrial Property (INPI) and WIPO`s Arbitration and Mediation Center on Nov. 27 and 28, 2012;

Member of ADR Committee of INTA during 2002 and 2003 term;

Participation in training courses;

Mediating and counseling clients in mediations (none of them under an Official Mediation body).

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