

VIAC – Questionnaire for Arbitrators

1. **Name:** Thomas D. Halket
2. **Citizenship:** USA
3. **Contact information:**
Address: Halket Weitz LLP, 1214 West Boston Post Road, N277, Mamaroneck, NY 10543, USA
Telephone: 914 -833-2681
Fax:914-833-2681
E-Mail:Thalket@HalketWeitz.com
Website:HalketWeitz.com
LinkedIn: Thomas Halket
4. **Current position:** Partner at Halket Weitz and Professor at Fordham Law School
5. **Education:** Columbia University School of Law (Harlan Fiske Stone Scholar; Writing and Research Editor, THE COLUMBIA JOURNAL OF ENVIRONMENTAL LAW); Massachusetts Institute of Technology (S.B. and S.M. (Physics), Sigma Xi); Research Fellowship, Harvard University Observatory.
6. **Practiced experience in arbitration**
 - How many arbitrations have you participated in (domestic/international); under which Rules?
Over 100, approximately 2/3 domestic 1/3 international.
AAA, ICDR, ICC, CIARB, CPR, UNICTRAL, WIPO
 - How often have you acted as Chairman? Over 30
 - How often have you acted as Sole Arbitrator? Over 50
 - How often have you acted as Co-Arbitrator? Over 30
 - How often have you acted as Counsel? 5
 - How often have you acted in a different function (e.g. Administrative Secretary)?
7. **Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):**
Please see attached CV
8. **Membership in arbitral institutions / functions in arbitral institutions/organizations:**
Please see attached CV

9. Languages

Mother tongue: English

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language): English

10. In which legal system have you trained?

USA

11. What is your main jurisdiction of practice?

USA (New York and Massachusetts).

12. Special expertise or specializations (please list a maximum of three):

Information and other technology areas

Intellectual property

General corporate and commercial transactions

13. Date of birth:

July 20, 1948

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons and may be put on VIAC's website.

Date and signature

August, 18, 2017

Thomas D. Halket, FCIArb, C Arb
Attorney
Arbitrator and Mediator
Law Professor



ADR experience – Over 30 years’ experience as neutral or counsel in international and domestic complex commercial arbitrations and mediations. Extensive experience arbitrating (as chair, sole, or panel member) or mediating disputes involving a wide variety of international and domestic matters including licensing and intellectual property, banking and securities, corporate matters and commercial transactions. Industries involved include computers and e-commerce, telecommunications, pharmaceuticals and biotech, medical equipment and health care, defense, aviation and transportation, finance and banking, heavy equipment, home products, fashion and consumer electronics. Amounts in controversy have exceeded \$1,000,000,000.

Representative matters have included disputes (listed alphabetically by subject) involving:

Corporate, mergers and acquisitions, securities and finance in banking, securities and finance businesses, biotech, electronics and commercial and military aviation (international and domestic –chair, sole member, member or counsel);

Intellectual property (of all types) in chemical and chemical equipment (international and domestic - sole member or mediator), computer software, hardware and internet (international and domestic –chair, sole member, party appointed member, member, mediator or counsel), consumer electronics (international and domestic – sole member or mediator), fashion or home products (international and domestic – chair, sole member or counsel), financial business methods (domestic - chair), industrial equipment (international – sole member), pharmaceuticals, biotech and medical devices (international and domestic – chair, sole member, party appointed member and counsel) and telecommunications (international and domestic – chair, sole member or counsel); and

Products liability, supply train and other commercial transactions in a wide variety of industries (international and domestic – chair, sole member, member, mediator or counsel).

Panels and other service

Service has included membership on the panels of arbitrators and mediators of the American Arbitration Association (including the commercial, large complex, large complex technology and IP and international panels), the Chartered Institute of Arbitrators (Fellow and Chartered Arbitrator) (London), the World Intellectual Property Organization (including arbitration and domain name panels) (Geneva), the International Arbitral Centre of the Austrian Federal Economic Chamber, the Kuala Lumpur Regional Centre for Arbitration, the CPR Institute for Dispute Resolution, the Singapore International Arbitration Centre and the Hong Kong International Arbitration Centre (domain name panel). Service as an Arbitrator for the

International Chamber of Commerce. Member of Arbitral Appointments Committee of the Scottish Arbitration Centre (Edinburgh).

Fellow of the College of Commercial Arbitrators. Member of the International Arbitration Club of New York. Liveryman of the Worshipful Company of Arbitrators (London). Member of the London Court of International Arbitration. Member of the USCIB Arbitration Committee. Past member of the Tech List of Silicon Valley Arbitration & Mediation Center.

Legal experience – Over 40 years’ domestic and international general corporate and commercial experience specializing in technology and intellectual property (IP) matters and the representation of high technology companies.

Corporate experience - includes corporate, securities and business counseling, joint ventures, mergers and acquisitions, public and private (early and late stage) debt and equity financings and domestic and international commercial transactions (approximately 35% of practice).

Commercial technology practice - includes software licensing, equipment and hardware transactions, internet and e-commerce transactions, biotech and medical device matters, design and development contracts, outsourcing, government contracts, supply chain and other commercial matters (35% of practice).

IP practice - includes IP licensing and other contracting, IP counseling and the management of IP litigation in patents and trade secrets (principally technology and business method), copyrights (principally information technology and design and other visual arts) and trademarks (for various industries) (30% of practice).

International experience - includes transactions in many European countries, South Africa, Israel, South America, Australia, New Zealand, India, Japan, Korea and other countries in the Far East.

Significant clients- have included small and large technology companies (including computers (buy and sell sides), internet, electronics, telecommunications, medical equipment and biotechnology), financial institutions (including private equity, venture capital, commercial and investment banks and accounting firms) and various consumer product and basic industrial companies (including fashion, cosmetics, consumer electronics, defense and aviation, chemicals and materials sciences).

Selected Background Information

Partner at Halket Weitz LLP and Adjunct Professor of Law at the Fordham University School of Law (Subjects taught include International Arbitration, Intellectual Property Licensing, Transactional Intellectual Property and Entrepreneurship Law).

Previously, Associate Member of Chambers, Tanfield Chambers (London) (for arbitration matters only). Prior to forming Halket Weitz, Partner in charge of the Commercial Technology Practice in the New York Office and Member of the Commercial Technology, Life Sciences, Private Equity and General Corporate Groups of Bingham McCutchen LLP. Prior to that, Partner and Co-Chair of the Technology and the Emerging Company Group and Member of the General Corporate Group of Hughes, Hubbard & Reed LLP.

States admitted –New York and Massachusetts.

Education - Columbia University School of Law (Harlan Fiske Stone Scholar; Writing and Research Editor, THE COLUMBIA JOURNAL OF ENVIRONMENTAL LAW); Massachusetts Institute of Technology (S.B. and S.M. (Physics), Sigma Xi); Research Fellowship, Harvard University Observatory.

Selected professional activities

Past Chair of the Technology Advisory Committee of the American Arbitration Association.

Vice President, member of the Board of Management, Chair of the New York Branch, Chair of the Panels Management Group, past Deputy Chairman of the Board of Management, past Chairman of the Practice and Standards Committee, past Chairman of the New York Chapter, past Chairman of the Technology Subcommittee of the Chartered Institute of Arbitrators. CIArb representative to UNCITRAL Working Group sessions.

Arbitrator Judge at Willem C. Vis International Commercial Arbitration Moot Competition.

Consultant to the Task Force on New York Law in International Matters (of the New York State Bar Association).

Member of Task Force on IT in Arbitration of the ICC Commission on Arbitration.

Past Chairman of the Section of Science and Technology of the American Bar Association, of the ABA's Division on Ventures and Enterprise and of the ABA's Aerospace Law Division.

Member of the International Commercial Disputes Committee, past member of the International Legal Practice Committee and past Chairman of the Subcommittee on Software and the Uniform Commercial Code of the Association of the Bar of the City of New York.

Selected civic activities

Past Chairman of Board and past President of the M.I.T. Club of New York; Past Member of the Board of Directors of the M.I.T. Alumni Association; Past member of the Board of Directors of the M.I.T. Enterprise Forum of NYC; M.I.T. Venture Mentor.

Past President and past Chairman of the Board of the Saint Andrew's Society of the State of New York. Past Member of the Board of Directors of the Saint George's Society of the State of New York.

Selected publications

State Crowdfunding and the Intrastate Exemption Under Federal Securities Laws—Less Than Meets The Eye?, 34 REV. BANKING & FIN. L. 521 (2015) (joint author).

Using Information Technology in Arbitration, vol. 32, no. 1 GPSOLO 44 (2015).

Arbitration, Antitrust and Intellectual Property: A Perfect Storm?, in CONTEMPORARY ISSUES IN INTERNATIONAL ARBITRATION AND MEDIATION (Arthur W. Rovine ed., Brill Nijhoff, 2013).

ARBITRATION OF INTERNATIONAL INTELLECTUAL PROPERTY DISPUTES (Thomas D. Halket ed., Juris Publishing, 2012) (also author with others).

How to Use an e-brief, Feb. THE RESOLVER 13 (2011).

US Law Report: Arthur Andersen LLP v. Wayne Carlisle, Nov. THE RESOLVER 4 (2009).

Choice of Law in International Intellectual Property Arbitrations: A Three-Dimensional Chess Game?, in Contemporary Issues in International Arbitration and Mediation (Arthur W. Rovine ed., Martinus Nijhoff, 2009)

Improving Arbitration through Technology: a Quest for Basic Principles, 62 DISPUTE RESOLUTION JOURNAL no. 3, 54 (2007)

The Use of Technology in Arbitration: Ensuring the Future is Available to Both Parties, 81 ST. JOHN'S L. REV. 269 (2007)

Arbitration Offers Advantages in Resolving Technology Disputes, N.Y.L.J. TECHTRENDS, vol. 8, no. 2, March 22, 2004 at T3

Using Technology to Resolve Business Disputes, A special supplement of the ICC Court of Arbitration Bulletin, ICC Publication No. 667 (2004)(with others)

Outsourcing the Web Site Design Project, N.Y.L.J.E-COMMERCE, June 9, 2003 at S5

To Do: Determine the Value of My Failed Startup's IP, VENTURE CAPITAL JOURNAL, October 2002, at 43

The Benefits of Arbitration for Technology-Based Disputes: More than meets the Eye?, THE METROPOLITAN CORPORATE COUNSEL, Vol. 8, No. 9, September 2000

ADR and On-Line Dispute Resolution, in ARBITRATION NOW 69 (Paul H. Haagen ed., ABA Press, 1999) (joint author)

The Role and Responsibility of the Association and the Bar in a Changing Technological Environment, 49 REC.A.B.C.N.Y. 470 (1994) (with others).

Selected speeches, etc.

Columbia Law School – Chartered Institute of Arbitrators Course on International Arbitration (New York City, NY) (2015) (Course Director).

What's Different about International Arbitration? Practical Tips for Lawyers and Arbitrators (New York International Arbitration Center – New York City, NY) (2014) (Speaker on Ethical Cross-Currents in International Practice)

Third Annual Damages in International Arbitration Conference (Juris – New York City, NY) (2014) (Speaker on Damages in International Intellectual Property Arbitrations)

Eighth Law & Information Society Symposium (Fordham Law School/Princeton University – New York City, NY) (2014) (Speaker on “How Do Corporate and Financial Regulations Affect Start-ups and Capital Investment for the Internet of Things?”)

Bridge the Gap CLE Program (Fordham Law School – New York City, NY) (2014) (Speaker on “Introduction to Financing Entrepreneurial Companies”)

Eighth Annual Conference on International Arbitration and Mediation (Fordham Law School – New York City, NY) (2013) (Speaker on “When Laws Collide: Can an IP Arbitration Award Violate the Antitrust Laws?”)

Licensing Executives Society Program (New York City, NY) (2012) (Speaker on using arbitration for the resolution of IP disputes)

E-Tricks, E-Traps and E-Disputes: Using IT for Arbitrations and Using Arbitration for IT disputes (London, England) (2010) (Speaker on the use of information technology in arbitration)

International Conference 2010 – The Global Growth of ADR (Dublin, Ireland) (Speaker on United States ADR developments)

Forum on the Arbitration of IP Disputes (Dublin, Ireland) (2010) (Speaker on choice of law in international IP arbitrations)

Advanced CI Arb – CPR International Arbitrator Training Course (New York City, NY) (2010) (Tutor)

Eleventh Annual American Bar Association Section of Dispute Resolution Spring Conference (New York City, NY) (2009) (Speaker on e-discovery in arbitration)

Third Annual Conference on International Arbitration and Mediation (Fordham Law School – New York City, NY) (2008) (Moderator of panel on technology and adr; speaker on choice of law in international IP arbitrations)

The Future of Commercial Dispute Resolution (Law Society of Scotland and CI Arb - Edinburgh, Scotland) (2008) (Speaker on the use of technology in arbitration)

Second Law and Information Society Symposium (Fordham Law School – New York City, NY) (2008) (Moderator of panel on enforcement of rights against a corporate data warehouse)

Advanced Arbitrator Training Program (CPR and CI Arb - New York City, NY) (2007) (Speaker on e-discovery)

Venture Mentor Lecture Series (MIT - Cambridge, MA) (2007) (Speaker on personnel issues arising in a start-up)

Best Practices in International Arbitration (CPR and CI Arb - New York City, NY) (2007) (Lecturer)

International ADR Reporting Program Series (ICDR – Philadelphia, PA) (2006) (Moderator of panel on intellectual property and international arbitration)

Symposium on Transatlantic Perspectives on Alternative Dispute Resolution (St. John's University School of Law and CI Arb - London, England) (2006) (Moderator of panel on technology issues and adr and speaker on the use of technology in arbitration)

IAP Seminar (MIT - Cambridge, MA) (2005 and 2004) (Lecturer)

CORE Entrepreneurship Lecture Series (Columbia University - New York, NY) (2004)(Speaker on start-up legal issues)

Contact information

Mailing Address: 1214 West Boston Post Road, N277, Mamaroneck, New York 10543
(914) 833-2681 (o); (914) 833-2682 (f); thalket@halketweitz.com