
WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Louis-Bernard BUCHMAN
Lexforce
Paris
France



Nationality: French

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Admitted to the Bar in Paris, 1974 (Emeritus since 2023) and New York, 1989;
Board Member of the Paris Bar Training School, 1998 – 04;
Chartered Institute of Arbitrators, Fellow, 1996;
Specialist in European Law and International Relations - Bar Training School Certification, 1994;
Specialist in Arbitration Law, French National Bar Council, 2012;
Institute for Advanced Studies of National Defense, Fellow, 1992;
Diploma of Advanced Studies in European Law, Paris University, 1976;
Bachelor in English Literature and Masters Degree in Law, Paris University, 1971;
French Institute of International Legal Experts (IFEJI), Expert, 2006.

LANGUAGES

French, English, Italian and Polish

PRESENT POSITION

Owner, Lexforce since 2019

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Partner, Fieldfisher LLP, Paris, 2008 – 2018.
Partner, Dubarry Le Douarin Veil, Paris, 2007
Managing Partner, Hirsch & Partners, Paris, 2005 – 2006;
Managing Partner, Caubet Chouchana Meyer, Paris, 1979 – 2004;
Partner, Goldsmith, Delvové & Associés, Paris, 1977 – 1978.

March 15, 2024

AREAS OF SPECIALIZATION

European Law;
International Trade and Competition;
Arbitration; Mediation;
Intellectual Property – Copyright;
International Contracts.

MEMBERSHIP IN PROFESSIONAL BODIES

European Lawyers Foundation, Supervisory Council Member, 2020 – 2022
Council of the Bars of Europe (CCBE), Chair, International Legal Services Committee, 2013 – 2018 and
Chair, Finance Committee, 2006 – 2012;
French National Bar Council (CNB), Chair, European and International Affairs Committee 2018 – 2020;
Paris Bar Council Member, 2013 – 2015;
International League of Competition Law (LIDC), Vice-President, 2003 – 2006;
International Association of Entertainment Lawyers, President 1989 – 1991;
French Business Lawyers Association (ACE), Vice-President, 1996 – 2018;
Chartered Institute of Arbitrators, Vice-Chairman, European Branch 2001 – 2003;
International Association of Lawyers (UIA), Governing Board Member 1997 – 2004.

EXPERIENCE IN INTELLECTUAL PROPERTY

Has acted regularly since 1974 as counsel in the drafting and/or negotiating of licensing contracts for patents, trademarks, plant varieties, copyright, software, technical assistance contracts and industrial cooperation, transfer of know-how and confidentiality agreements, etc., and as an agent for prosecuting trademark applications.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Appointed by World Intellectual Property Organization (WIPO) as neutral in UDRP disputes in over 240 cases.

MAJOR PUBLICATIONS

Some Aspects of French Law”, co-authored with André Schmidt, in *Limitation of Free Bargaining and Sanctity of Contracts with Performing Artists and Composers* (Maklu, The Netherlands 1987);
“Mortgages and Secured Lending in an East-West Context”, in *Eastern Bloc joint Ventures* (Butterworths, 1990);
“Freezing of Assets in France” (Comparative Law Yearbook of International Business, Graham and Trotman, 1991);
Chapters on France, respectively in *Enforcement of Copyright and Related Rights Affecting the Music Industry* (Maklu, 1993), in *Handbook on Provisional Remedies in International Commercial Arbitration* (Walter De Gruyter & Co., 1994), and in *Lawyers and Professional Liability* (Lloyd’s of London Press, 1995);
“New Dispute Resolution System Introduced For Intellectual Property Disputes” in *IPBA Legal Update* (January 1996);
“Mediation” in *International Contracts and Arbitration* (Center for International Legal Studies, 1998);
“La médiation, mode alternatif de résolution des litiges internationaux” and “Die Mediation, alternative Arten der Beilegung internationaler Prozesse aus französischer Sicht” in *Anwalts Revue 4/2000* (Helbing & Lichtenhahn, 2000);
“How To Select An Arbitrator” in *The Arbitration Process* (Kluwer, 2002);
“Effective International Mediation Advocacy : Expectations of a European Client” in *IDR – Journal of International Dispute Resolution* (1/2004);

“Mediation and the Law: Case Law and other Aspects of French Law” in *IBA Mediation Newsletter* (Vol. 1 N°2 2005);

“Corporate Governance Reform” in *The American and French Legal Systems: Contrasting Approaches to Global Business*, Lamy, 2005;

“Les Rapports Doing Business : le point de vue du praticien” in *Revue du Droit des Affaires* (Paris University Panthéon-Assas N°3/October 2005);

“Gouvernance d’entreprise en France” in *Juriste international* (N°2006-2);

“Urgence d’un nouveau paradigme pour la profession d’Avocat” in *Gazette du Palais* (25-26 January 2008);

“Préférez l’arbitrage!” co-authored with Eric Loquin in *Gazette du Palais* (14-16 September 2008);

“Trois bonnes raisons” co-authored with Eric Loquin in *MOCI* (30 October and 27 November 2008);

“L’arrêt West Tankers vu de France” co-authored with Eric Loquin in *Księga Pamiątkowa*, SAKIG, 2010);

“Reforma francuskiego prawa arbitrazowego” in *Biuletyn Arbitrazowy Nr 4-16* (SAKIG, 2011);

“Frankreich: Berufsrecht und Anwaltsethik gemeinsam geregelt” in *BRÄK Mitteilungen* 03/11 of June 2011;

“French Arbitration Law Reform” in *Yearbook of International Arbitration*, Vol. II (NWV, Vienna 2012);

“The CESL’s Contribution in Terms of Damages and Interest” in *The Proposed Common European Sales Law – The Lawyers’ View* (Sellier, 2012);

“La profession d’avocat, largement ouverte à la concurrence” (with Pierre-Olivier Sur), in “*A quoi sert la concurrence ?*” (*Revue Concurrences*, 2014);

“Traité de libre-échange transatlantique : Quel impact pour les entreprises et les avocats français ?” in *LJA* May-June 2015;

“Le Traité Transatlantique, menace ou opportunité pour les avocats européens?” (with David Levy), in *L’Observateur de Bruxelles* N°103, DBF/Larcier, January 2016;

“Faut-il avoir peur des start-ups juridiques ?” in *Dalloz Avocats*, February 2016;

“La déontologie est-elle vraiment un frein pour les avocats ?” in *Village de la Justice*, 13 May 2016;

“La face cachée du droit européen : Les failles de son application par les juridictions nationales” in *Conseils & Entreprises* n°141 (*Revue de l’ACE*), September 2017;

“Le management des structures moyennes et grandes” in *Mutations dans l’univers des avocats*, Prat Editions, October 2017;

“Como Seleccionar Un Arbitro?” in *Revista JustoMedio* n°125 (Lima, August 2018);

“Two Mediation Stories”, in *Corporate Mediation Journal* (No.1-2, 2019);

“Avocat : Aide-toi, le ciel t’aidera”, in *Village de la Justice* (21 April 2020);

“Le secret professionnel des avocats n’est pas absolu. Devons-nous en maintenir le mythe?”, in *Droit & Patrimoine Dalloz* (6 May 2020);

“The French Law on Duty of Vigilance”, in *IWRZ*, Nomos Verlag (April 2021);

“The Legal Profession in France in 2021: An Overview”, SSRN (August 2021);

“La jurimétrie, réponse aux nouvelles attentes des clients”, *Case Law Analytics* (September 2021);

“Les modes alternatifs de résolution des conflits” in *Dictionnaire du Monde Judiciaire*, Bouquins (2022);

“First Demand Bank Guarantees Under French Law” in *Die Bankgarantie im internationalen Handelsverkehr* (R&W Fachmedien, 2023) and

“L’Avocat et les modes alternatifs de résolution des conflits” in *L’Avocat.e*, Dalloz, 2023.

EXPERIENCE IN COURT LITIGATION

Lawyer in France since 1974, has acted as counsel in numerous proceedings in the field of copyright and industrial property, particularly concerning patent and/or trademark licensing, and in arbitration-related litigation, in cases involving the impeachment of arbitrators and the setting aside or nullity of arbitral awards.

PROFESSIONAL TRAINING IN MEDIATION

CPR 3rd Annual European Congress on Business Dispute Management, Paris, May 2007, Moderator;

International Bar Association, Legal Practice Division, Dispute Resolution Section, Mediation Committee, Prague September 2005, Panelist;

Advanced Workshop for Mediators in IP Disputes, WIPO Arbitration and Mediation Center, Geneva, June 2005;

Workshop on Domain Name Dispute Resolution, WIPO Arbitration and Mediation Center, Geneva, November 2001;

Mediation Conference of the Regional Centre for International Commercial Arbitration, Cairo, October 2001, Panelist;

Advanced Mediation Workshop, WIPO Arbitration and Mediation Center, Geneva, May 1997;

Mediation Training Program, WIPO Arbitration and Mediation Center, Geneva, May 1996;

American Bar Association (ABA), Section of International Law and Practice, (State of the Art ADR), Washington, April 1994;

International Association of Young Lawyers (AIJA), ADR, Munich, September 1988;

International Bar Association (IBA), Section on Business Law, Committee D, ADR Workshop, London, September, 1987;

International Bar Association (IBA), Section on Business Law, Committee D, ADR Workshop, New York, September, 1986.

PROFESSIONAL TRAINING IN ARBITRATION

International Federation of Commercial Arbitration Institutions, 10th conference, Tunis, May 2009, Panelist;

ICDR Advanced Symposium on Case Management Issues, Paris, November 2007;

American Bar Association Section of Dispute Resolution Conference in Washington, DC, September 2003, Panelist;

Hamline University School of Law, Paris Program July 2002, Member of Faculty, lectured on “Essentials of Arbitration”;

“Arbitrating International Disputes in the New Millenium” Conference organized by the Center for International Legal Studies in Salzburg, Austria, June 2000, Panelist;

American Arbitration Association (AAA), ICC and WIPO: “Silicon Valley 2000 ADR”, Building the Global Infrastructure for Resolving Technology and Business Disputes, San Francisco, September 1997;

International Association of Young Lawyers (AIJA), Seminar on *Lex mercatoria* and usages in international trade, Amsterdam, August 1992;

New York State Bar Association, co-moderator of the program on dispute resolution in the New Europe, «East-West Post 1992», Paris, October 1990;

International Association of Young Lawyers (AIJA), Recognition and Enforcement of Arbitral Awards, London, September 1991;

American Bar Association (ABA), Section of International Law and Practice: How to Conduct a LCIA Arbitration, New York, September 1986;

International Association of Young Lawyers (AIJA), seminar on procedures and means of proof in international commercial arbitration, Antwerp, October 1985;

International Bar Association (IBA), Section on Business Law, Committee D panelist on Jurisdiction and Arbitration Clauses in Bills of Lading and Charterparties, Singapore, October 1985;

International Chamber of Commerce (ICC), introductory seminar on international commercial arbitration, Paris, May 1984;

Participated as guest in several colloquia of arbitrators held in Paris by the Institute of International Business Law and Practice of the ICC and in Tylney Hall (England) by the London Court of International Arbitration.

EXPERIENCE IN ARBITRATION

Has participated since 1980 as counsel or arbitrator in nine French domestic arbitrations and thirty-eight international arbitrations held in Paris, London, Zürich, Geneva, Warsaw, Düsseldorf, Lausanne, Hannover, Milan and New York. Some of these, particularly the domestic arbitrations, were ad hoc proceedings. Seventeen international arbitrations were held under ICC Rules, the rest under the Rules of the London Court of International Arbitration, the UNCITRAL, the French Cocoa Trade Association, the Paris Maritime Arbitration Chamber, the Geneva Chamber of Commerce (New Swiss Rules), the Polish National Chamber of Commerce, the Milan Arbitration Chamber, the International Seed Federation and the ICDR-AAA.

Disputes concerned matters of banking law, labor law, unfair competition, environmental cleanup, patent licensing, software, agency termination, Warranties and Representations when selling a business, company law, International Sales of Goods, or contract interpretation generally.

Finally, has participated since 1993 as lecturer at several ICC arbitration training seminars organized in the form of practical cases by the Institute of International Business Law and Practice for nationals of developing countries and economies in transition and in a WIPO training seminar.

EXPERIENCE IN MEDIATION

Suggested in 1994 to go to mediation when acting as counsel for one of the parties and proposed ad hoc rules. The mediation took place in New York in December 1994, the mediator being Irish and the litigants being French and American. The dispute was of a commercial nature and was concluded by a settlement agreement along the lines proposed by the mediator.

Suggested in 2008 to go to ICDR-AAA mediation in New York, which resulted in the settlement of two proceedings pending in France and in Miami, FL.

Over fifteen appointments as ad hoc mediator in French disputes. Certified Mediator at the National Center of Mediation by Lawyers (CNMA, 2017).

Also acted as Counsel in a WIPO mediation, which resulted in a settlement agreement.
