

Thomas D. Halket, FCI Arb

Chartered Arbitrator

ADR experience – Over 20 years experience as neutral or counsel in international and domestic complex commercial arbitrations and mediations. Extensive experience (over 100 matters) arbitrating (as chair, sole, or panel member) or mediating disputes involving licensing, intellectual property, computer and other commercial technology matters, domain names and other internet disputes, securities, franchising, government contracting and various international and domestic commercial matters. Industries involved include computers and e-commerce, telecommunications, defense, aviation and transportation, medical equipment and health care, finance and banking, heavy equipment, home products, fashion and consumer electronics. Amounts in controversy have exceeded \$50,000,000.

Recent or significant matters have included disputes involving: patents and patent and trade secret licensing in the telecommunications (international – chair), software (international – chair), internet (international - chair), chemical equipment (international - sole member), industrial equipment (international – sole member) and financial business method (chair); trademark and copyright (design) licensing dispute in consumer products (three matters – counsel and sole member); software design and licensing (various international and domestic matters – either chair or sole member); securities and banking (various international and domestic matters – either chair or sole member); outsourcing of information processing services (domestic - party appointed member); acquisition of a medical equipment company (international - party appointed member); products liability pertaining to commercial aircraft (international - sole member) and transportation equipment (domestic - member); aircraft charter (international - sole member); telecommunications backbone services and equipment (international - chair); computer games (domestic - sole member) and movie distribution (domestic - member).

Panels and other service- Member of the panels of arbitrators and mediators of the American Arbitration Association (including the commercial, large complex technology and IP and international panels), the Chartered Institute of Arbitrators (Fellow and Chartered Arbitrator)(London), the CPR Institute for Dispute Resolution (including the CPR Panel of Distinguished Neutrals and the domain name disputes panel) and the World Intellectual Property Organization (including domain name and on-line panels) (Geneva). Member of the London Court of International Arbitration. Freeman of the Worshipful Company of Arbitrators (London). Service as an Arbitrator for the International Chamber of Commerce.

Legal experience – Over 30 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, 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, chemicals and materials sciences).

Selected Background Information – Partner at Halket Weitz LLP and Adjunct Associate Professor of Law at the Fordham University School of Law. 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. Also previously, Assistant General Counsel of Engelhard Corporation.

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 publications – Articles include *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 professional activities –Chairman of the New York Chapter and Chairman of the North American Rules Drafting Committee of the Chartered Institute of Arbitrators (London); Chairman of the Technology Advisory Committee of the American Arbitration Association; Former Member of Task Force on IT in Arbitration of the ICC Commission on Arbitration; Former 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;

Former Chairman of the Subcommittee on Software and the Uniform Commercial Code of the Association of the Bar of the City of New York. Speaker on various topics relating to technology and the law.

Selected civic activities –Chairman and former President of the M.I.T. Club of New York; Member of the Board of Directors of the M.I.T. Enterprise Forum of NYC; M.I.T. Venture Mentor.

Contact information- Halket Weitz LLP, [1214 West Boston Post Road, N277 Mamaroneck, New York 10543](#); (914) 833-2681 (o), (914) 833-2682 (f); thalket@halketweitz.com