

*CURRICULUM VITAE*



*THE HONOURABLE NEIL ANTHONY BROWN*  
*QC, FCI Arb*

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## CONTACTS

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## INTRODUCTION

The Hon Neil Brown, QC, - Arbitrator, Mediator and Conciliator.

- \* Long and distinguished career in Government and the law. Minister, Member of Parliament and a delegate to the General Assembly of the United Nations and other international organisations.
- \* Minister in four portfolios in the Federal Government of Australia, including the Attorney-General's, Business and Consumer Affairs and Communications portfolios and a Member of the Australian Parliament.
- \* Admitted to the Bar in 1964, appointed Queen's Counsel in 1980 and has practised in virtually every area of the law, mainly in commercial, construction, governmental, intellectual property, administrative law, alternative dispute resolution (ADR), tax, town planning, employment and industrial relations law.

### Now:

- \* Qualified and experienced as an arbitrator, mediator and conciliator.
- \* Leading domain name arbitrator and advisor.
- \* Has occupied the positions of State President, Institute of Mediators and Arbitrators, President and Fellow of the Australian Institute for Commercial Arbitration Inc, Fellow of the Chartered Institute of Arbitrators and Chartered Arbitrator.
- \* Adjunct Professor at Murdoch University, Western Australia.
- \* Founder of the website [www.domaintimes.info](http://www.domaintimes.info), an authoritative commentary on all domain name issues.

Appointed by WIPO, the ADNDRC, the AAA/IDRC, The Canadian International Internet Dispute Resolution Centre, the NAF (FORUM), the Czech Arbitration Court and many other international institutions to a series of panels to adjudicate on disputes arising under the new generic Top Level Domains as well as panels to arbitrate on domestic and international domain name disputes.

### PERSONAL AND EDUCATION

- Born 22 February 1940 in Melbourne, Australia.
- Educated at Moonee Ponds Central School, and the University of Melbourne – Graduated as Bachelor of Laws – 1963.
- Resident Tutor in law at International House and Ormond College, University of Melbourne – 1963 – 1968.

### PROFESSIONAL QUALIFICATIONS

- 1964 Barrister and Solicitor of the Supreme Court of Victoria
- 1980 Appointed as Queen's Counsel.

### SUMMARY OF PROFESSIONAL CAREER

1964 – present      Barrister and Solicitor in Australia

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1980 – present	Queen’s Counsel
1969 – 1972	Member of Federal Parliament
1975 – 1983	Member of Federal Parliament
1984 – 1991	Member of Federal Parliament
1981 – 1982	Minister for Employment and Youth Affairs
1982	Minister for Business and Consumer Affairs
1982 – 1983	Minister for Communications, and Minister Assisting the Attorney-General
1985 – 1987	Deputy Leader of the Opposition Shadow Minister for Employment and Industrial Relations Shadow Minister for Foreign Affairs
1988 – 1990	Shadow Attorney-General Shadow Minister for Justice
1990 – 1991	Shadow Minister for Communications
2003	Appointed by Australia to the Panel of Conciliators at the International Centre for the Settlement of Investment Disputes (ICSID) in Washington, USA.
2003	Awarded the Centenary Medal by the Commonwealth of Australia
2004	Appointed as a member of the World Intellectual Property Organisation (WIPO) Arbitration and Mediation Center’s List of Neutrals and the Center’s Domain Name Panel.
2006	Appointed to the Czech Arbitration Court panel for the resolution of domain name disputes.
2001-2021	Appointed to many other arbitration, mediation and domain name tribunals.

#### LEGAL CAREER

1963	Articled Clerk
1964	Admitted to practice as a Barrister and Solicitor of the Supreme Court of Victoria.
1964 – 2005	Practised as a Barrister and a Queen’s Counsel in the fields of: <ul style="list-style-type: none"> <li>• Commercial and Company Law</li> <li>• Town Planning and Local Government Law</li> <li>• Building and Construction Law</li> <li>• Administrative Law and Alternative Dispute Resolution (ADR)</li> <li>• Industrial Relations and Employment Law</li> <li>• Criminal Law</li> <li>• Intellectual Property</li> </ul> <p>Involvement in professional organisations in planning, arbitration and Industrial Relations.</p> <p>Extensive experience in Alternative Dispute Resolution, including mediation and arbitration.</p> <p>European (.eu) domain name disputes.</p>

#### *INVOLVEMENT IN ALTERNATIVE DISPUTE RESOLUTION*

Mr Brown has had a long-term involvement in all forms of ADR, particularly mediation and arbitration.

Mr. Brown has held the positions of:

- Fellow of The Chartered Institute of Arbitrators and a Chartered Arbitrator;

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- Graded arbitrator and a mediator accredited by The Institute of Arbitrators and Mediators Australia;
  - Accredited Mediator with the Victorian Bar Dispute Resolution Scheme;
  - Fellow of the Australian Centre for International Commercial Arbitration, Inc.;
  - Fellow and Councillor of the Australian Institute for Commercial Arbitration, Inc.;
  - Holds the Practitioner's Certificate in Mediation and Conciliation of the Institute of Arbitrators and Mediators Australia; and
  - Has taken part in virtually every type of ADR.
  - Government Inquiries.

Mr. Brown has conducted three significant inquiries for the Australian Government:

- An inquiry into the longstanding claims of a 'whistleblower' against a bank.
- Chairman of the Consultative Group on Constitutional Change which assessed public opinion on certain proposals to reform the Australian Constitution.
- Inquiry into the crash of a military aircraft.

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For availability for arbitration, mediation, consulting, expert appraisal of cases, inquiries and investigations, contact Mr. Brown or his Clerk.

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### ***CURRENT APPOINTMENTS IN ARBITRATION AND MEDIATION***

<b>ICSID</b>	Member of the Panel of Conciliators at the International Centre for the Settlement of Investment Disputes (ICSID) in Washington, USA.
<b>WIPO</b>	Member of the World Intellectual Property Organisation (WIPO) Arbitration and Mediation Center's List of Neutrals and the Center's Domain Name Panel.
<b>NAF</b>	Member of the Panel of Arbitrators and Mediators, National Arbitration Forum (USA).
<b>CIETAC</b>	Member of Panel of Arbitrators for International (Foreign – related) Disputes of the China International Economic and Trade Arbitration Commission (CIETAC).
<b>ADNDRC</b>	Member of Domain Name Dispute Resolution Panel for the Asian Domain Name Dispute Resolution Centre.
<b>IAMA</b>	Member of Domain Name Dispute Panel for the Institute of Arbitrator and Mediators, Australia
<b>AIRC</b>	Member of Panel of Mediators, the Australian Industrial Relations Commission.
<b>C. INST. ARB.</b>	Member of Panels of Arbitrators and Mediators with the Chartered Institute of Arbitrators (Australia).
<b>PANELIST</b>	Panels for the Resolution of Domain Name Disputes at the ADNDRC, the Regional Centre for Arbitration, Kuala Lumpur, Malaysia, the Czech Arbitration Court, Prague, the British Columbia International Commercial Arbitration Centre and The Chartered Institute of Arbitrators (Australia).
<b>KLRCA</b>	Panels for Arbitration, Mediation, DNDR and SNDPR.

### ***EXPERIENCE IN ARBITRATION AND MEDIATION***

Mr. Brown now works in arbitration, mediation, and the conduct of inquiries in many fields, notably -

- building and construction.
- intellectual property, communications, domain names and IT;
- commercial, contracts, trade and governmental matters.

### ***SPECIAL INTERESTS AND EXPERTISE***

- Arbitration, mediation and conciliation, both domestic and international in intellectual property, all commercial matters, construction and communications.
- The procedures, protocols and structures of Government, encompassing the development and review of legislation and the operation of statutory bodies.
- Factors guiding Government decision-making and issues relating to public and commercial representation and advocacy.
- Legal and political factors attendant to democratisation and free and fair elections.
- Employment and labour relations issues, including Federal and State systems of individual contracting, bargaining, conciliation and arbitration.

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- The principles of law and general conduct of public inquiries, including administrative and constitutional factors relating to appointments and composition, procedural fairness and judicial review.
  - Legal, regulatory and commercial factors relating to the telecommunications industry.

#### *SOME TYPICAL CASES HANDLED AS AN ARBITRATOR OR MEDIATOR*

- Mediation of a dispute between principal engineers and consulting electrical engineers on scope of work, terms of contract and over-run of work.
- International arbitrations on the sale of goods.
- International arbitration on contract to make equipment, involving choice of law issues, emergency arbitration, discovery, witness hearing, application for sanctions due to breach of tribunal order, damages, and assessment of costs.
- Arbitration of a dispute between administrator of superannuation funds and an employer.
- Mediation of a building dispute in Sydney between builder-developer and owner, the dispute being over the scope of work, quality of work and variations.
- Has a lengthy interest in the building industry, stemming from appearances in a government inquiry into permanency of employment in the industry and several industrial relations cases in the building and mining industries.
- Town planning cases involving interpretation and application of plans.
- Proceedings on commercial, trade and business disputes.
- Arbitration on liability for GST (VAT) under a long term contract in the energy industry between electricity producer and purchaser.
- Mediation of a separate case in the same field.
- Proceedings on domain name disputes for WIPO, the National Arbitration Forum (USA) the Asian Domain Name Dispute Resolution, The Canadian International Internet Dispute Resolution Centre and other international panels; has a particular interest in intellectual property and IT. A long series of arbitrations, advice, lecturing and tutoring on domain names.
- Mediation of several commercial and other disputes including: the administrative structure and funding of a municipal library, a dispute between landlord and tenant of vineyard and contracting parties as to their respective liabilities under agreement and investment and partnership contracts.
- Arbitration of a dispute on the international sale of goods between India and the United States.
- Arbitration of a dispute on the sale of Australian wine to the USA.
- Arbitration of a dispute between a NSW and overseas principal and Victorian agent.
- Mediation of a dispute on competing proposals for the development of a large tract of land in New South Wales.
- Mediation of dispute on the provision of fringe benefits under a group of remuneration contracts relating to Fringe Benefits Tax.
- Mediation on breach of service contract involving IP.
- Mediation of large construction dispute over steel fixing.
- Mediation of a dispute on restraint of trade on former employees and directors.
- Mediation of dispute between lender and shareholders and directors of company.
- Dispute on the terms of a consultancy agreement.
- Numerous mediations on quality of work, claims for extras and delays in works.
- Mediation of several disputes between a private health insurer and groups of private hospitals on the degree of reimbursement to be paid by the insurer to the hospitals.



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- Mediation of several disputes between universities/research institutions and investors on the commercialization of inventions.

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*SPEAKING ENGAGEMENTS, WRITING AND TEACHING*

Speaker at LAWASIA conference and Australian Law Convention, 2005, on 'Arbitration: A viable alternative to judicial resolution?'

Speaker at function of The Institute of Arbitrators and Mediators, Victorian Chapter, 2005 on 'Recent Arbitration Cases.'

Speaker at Commercial Litigation Masterclass, 2005, on Expert Evidence.

Chair and Speaker at Workshop on Mediation, 2005.

Author of articles and case notes on arbitration and mediation, including recent articles on anti-suit injunctions and orders for interest on arbitration awards and the article *The Arbitration of Celebrity Domain Name Disputes* in the International Trade and Business Law Review, Vol X111, 2010.

Certificates of training-WIPO Arbitration Workshop and WIPO Advanced Workshop on Domain Name Dispute Resolution: Update on Practices and Precedents.

Seminar for barristers and solicitors on mediation. Sponsored by Michael Green Barristers' Clerk.

Speech at Cairns Conference of IAMA on domain names.

Tutoring and lecturing at UNSW arbitration and mediation course.

Peer review interviews for Chartered Institute of Arbitrators.

Conducted discussion session on internet copyright.

Teaching Domain name law and practice in Melbourne.

Addressed Domain name conferences throughout Europe, Asia, the USA and Australia. Seoul.

Conducted accreditation interviews for mediators through The Institute of Arbitrators and Mediators Australia (IAMA).

Conducted mock mediations for IAMA and LEADR.

Addressed IAMA training course on mediation for IAMA IN 2007.

Assisted various Universities in moot court preparations and discussion sessions.

Lecturer and Tutor in International Commercial Arbitration course for The Chartered Institute of Arbitrators.

- British Passport
- Chambers also in London
- Able to sit on arbitrations and mediations in Europe, USA, Asia, Latin America and Australasia.

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### *COMPANY DIRECTOR AND BOARD MEMBER*

At various times, Mr. Brown has held the following positions:

- Director - Meridian Communications Pty Ltd.
- Member of the Advisory Board of the Commonwealth Rehabilitation Service (CRS).
- Director of Life Insurance Complaints Service Limited.
- Chairman of selection panels to recommend appointments to Federal agencies including the Australian Broadcasting Corporation and the Special Broadcasting Service.
- Appointed by the Federal Government as Leader of the Australian National Observer Group, an election observing group for Zimbabwe.

Detailed information can be provided on these appointments.

### *INTERNATIONAL EXPERIENCE*

- Australian Institute of International Affairs Study and Travel Grant for a study of the Indian Ocean region.
- Represented Australia as a Minister at a meeting of Labor Ministers at the Organisation for Economic Co-operation and Development (OECD) – Paris.
- South Pacific Labor Ministers' Conference – Kiribati.
- Represented Australia as Minister at International Labor Organisation – Geneva.
- Delegate to the General Assembly of the United Nations, New York.
- Leader of the Australian National Observer Group observing independence elections in Zimbabwe.
- Member of the Australian delegation to independence celebrations – Zimbabwe.
- Inter-Parliamentary Union Conference – Guatemala.
- International Conference on issues in the Asian Region - South Korea.
- Bilderberg Group Meeting - Belgium.
- Numerous parliamentary delegations and private study visits to Europe, Asia, Africa and the Americas.

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