WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Andrew D. S. LOTHIAN
Ignorantia Juris Partners
Whitsome
Scotland
United Kingdom



Nationality: British

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Solicitor, Law Society of Scotland for 30 years, October 1990 – October 2020;
Diploma in Legal Practice, (Dip.L.P.), University of Edinburgh, Scotland, 1989;
LL.B., (Bachelor of Laws), University of Edinburgh, Scotland, 1988.

LANGUAGES

English

PRESENT POSITION

ADR Partner, Ignorantia Juris Partners. Independent provider of expert determinations in domain name related alternative dispute resolution (ADR).

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Domain Consulting and ADR Director, Demys Limited (a Com Laude Group Company); advising clients on high-level domain name issues including specific advice on international domain name strategies, technical problem-solving, and mediation of, or unilateral advice on, domain name disputes. International speaker and trainer on various Internet topics including new top level domains, domain name disputes, brand protection and online fraud.

Chief Executive of Demys Limited from 1999 to 2018 when business acquired by Com Laude Group, leading corporate domain name registrar.
Executive Consultant to, and latterly Partner within top seven Scottish Law Firm, Henderson Boyd Jackson WS (now part of Addleshaw Goddard) advising on domain disputes and Information Technology/Intellectual Property Law:

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Six years additional experience of IP Law (contentious and non-contentious) including advising on trademark, copyright, patent and database rights together with various domain name related matters;

Associate, Dispute Resolution, Murray Beith Murray WS Solicitors, Edinburgh:

Nine years` experience of litigation and dispute resolution culminating in the creation of new eLaw area of practice: legal and business issues arising from electronic commerce, new media and high technology;
Conducted Scotland's first Internet domain name dispute in Commercial Court of Court of Session, Scotland;
Completed Dispute Resolution and Mediation course organised by UK's Centre for Dispute Resolution (CEDR);
Various international speaking assignments, notably plenary session speaker at various IBM conferences;
Solicitor in more than 500 cases covering wide practice area and resulting in a range of reported cases. Subject matter of caseload included commercial and contractual disputes (some 400+), intellectual property (5), domain names specifically (7) and general information technology disputes (10+).

MEMBERSHIP IN PROFESSIONAL BODIES

Formerly Solicitor (Scotland), October 1990 – October 2020;
Member, Law Society of Scotland (non-practising) 2020 – 2024.

AREAS OF SPECIALIZATION

Intellectual Property with principal focus on Internet domain names.

EXPERIENCE IN INTELLECTUAL PROPERTY

Advised on intellectual property disputes for more than 10 years as solicitor in private practice. Provided non-contentious advice relating to trade marks, copyright and design right for six years as solicitor in private practice. Provided advice in relation to domain name disputes for nine years as solicitor in private practice. Provided specialist advice in relation to domain names including problem solving and dispute resolution as Chief Executive of Demys Limited and latterly as Domain Consulting and ADR Director, Com Laude Group, for more than 20 years.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Extensive and comprehensive knowledge of Internet DNS from both technical and legal perspective including history, structure and operation and the various dispute resolution policies including the UDRP, Nominet DRS and ADReu. More than 25 years` experience of domain name matters following upon conducting first Scottish domain name related litigation in 1996.

Conducted litigation in multiple domain name disputes. Appointed through Demys and Com Laude Group as independent adviser to a range of companies and private individuals on Internet identity issues. Conducted world's then sixth largest domain name acquisition by value (if.com) in 2000. Continuing engagements as special adviser on domain names to a range of larger corporates. Consulted in connection with a range of new gTLD applications.

MAJOR PUBLICATIONS

"Scotching Spam", *Computers & Law Magazine,* April/May 2007;
"I'll see your domain name in (US) Court!" The Register, September 2002;
"Don't let patriotism steamroller the practicalities of the Internet", *The Scotsman*, April 2002;
"Debugging Legacy Legislation", *Journal of the Law Society of Scotland,* (44 JLS No.10,26);
"The Name of the Game is what matters online", *The Scotsman,* December 2001; "Speaking Out on .biz, *The Drum,* November 2001.

EXPERIENCE IN COURT LITIGATION

Acted in more than 500 cases as solicitor over a nine-year period.

Cases in which acted as solicitor took place in Scotland, predominantly before the Court of Session (equivalent to High Court of Justice in England and Wales), both at first instance and appellate levels, together with occasional Sheriff Court cases (local courts with territorial jurisdiction) and a Lyon Court matter. (Peerage and Title cases).

EXPERIENCE IN ARBITRATION

Advised both complainants and respondents in numerous domain name dispute resolution cases.

Appointed to the WIPO Domain Name Panel (2002); Appointed as Nominet Expert to provide formal written decisions under the Nominet DRS procedure (2001).

Appointed to the euADR Panel of the Czech Arbitration Court to provide formal written decisions in respect of .eu domain name disputes in line with the Public Policy Rules of the European Commission for the .eu Top Level Domain (Commission Regulation (EC) No. 874/2004) (2006).

Provided decisions in multiple domain name disputes since 2001 (over 350 cases). Served as presiding panelist in various three member panel decisions.

Provided legal and procedural assistance as member of Arbiter's Clerk's Staff, Scotland.

PROFESSIONAL TRAINING IN ARBITRATION

Completed Centre for Dispute Resolution (CEDR) training course in 1996 covering Mediation and Arbitration.

EXPERIENCE IN MEDIATION

Wide experience of conducting mediation / settlement of disputes as part of litigation responsibilities. Experience includes negotiation of mediated settlements, drafting of structured settlement proposals and advice on informal resolution of disputes.

PROFESSIONAL TRAINING IN MEDIATION

Completed Centre for Dispute Resolution (CEDR) training course in 1996 covering Mediation and Arbitration.