

2013 World Standards Week
ANSI Legal Issues Forum: Arbitration of RAND Disputes
Speaker Biographies

<p>S. Joe Bhatia <i>Opening and Closing Remarks</i></p>	<p>Joe Bhatia is the president and CEO of the American National Standards Institute (ANSI). Prior to joining ANSI, he held the position of Executive Vice President and Chief Operating Officer of the International Group at Underwriters Laboratories Inc. (UL), where he worked for 35 years.</p> <p>Mr. Bhatia currently serves as president of the Pan American Standards Commission (COPANT). He also serves as vice chairman of the Industry Trade Advisory Committee on Standards and Technical Trade Barriers (ITAC 16), a joint program of the U.S. Department of Commerce (DOC) and Office of the U.S. Trade Representative (USTR). A member of the International Organization for Standardization (ISO) Council and its Standing Committee on Strategies, Mr. Bhatia also holds a seat on the Oakton Community College Education Foundation Board and recently retired as a member of the National Fire Protection Association (NFPA) Board of Directors.</p>
<p>Michael Carrier <i>Panelist</i></p>	<p>Michael A. Carrier is a leading authority in antitrust, copyright, patent, and innovation law. Professor Carrier is the author of <i>Innovation for the 21st Century: Harnessing the Power of Intellectual Property and Antitrust Law</i> (Oxford University Press 2009, paperback 2011) and the editor of <i>Critical Concepts in Intellectual Property Law: Competition</i> (Edward Elgar Publishing 2011). He has written more than 50 book chapters and law review articles in leading journals that include the <i>Stanford Law Review</i>, <i>University of Pennsylvania Law Review</i>, <i>Duke Law Journal</i>, and the <i>Vanderbilt Law Review</i> among others.</p> <p>Professor Carrier’s scholarship was cited in a 2010 U.S. Supreme Court opinion in a case addressing patentable subject matter, and his amicus brief was cited in a 2013 U.S. Supreme Court opinion in a case addressing pharmaceutical antitrust law. His scholarship has also been cited by federal appellate and district courts, and in congressional hearings, government officials’ speeches, and congressional and government agency reports.</p> <p>Professor Carrier is a member of the Board of Advisors of the American Antitrust Institute and is a past chair of the Executive Committee of the Antitrust and Economic Regulation section of the Association of American Law Schools (AALS).</p>

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<p>Jorge Contreras <i>Moderator</i></p>	<p>Jorge L. Contreras is an Associate Professor on the faculty of American University’s Washington College of Law, where he teaches in the areas of intellectual property licensing, cyberlaw, and property law. Previously, he served as a senior lecturer and acting director of the intellectual property program at Washington University in St. Louis. Prior to entering academia, Professor Contreras was a partner at the international law firm Wilmer Cutler Pickering Hale and Dorr LLP, where he spent seventeen years practicing in Boston, London, and Washington, DC.</p> <p>Professor Contreras writes and speaks frequently on topics including technical standards, patent litigation, and the regulation of science. He serves as co-chair of the National Conference of Lawyers and Scientists and the Technical Standardization Committee of the ABA’s Section of Science & Technology Law. He is a member of the National Academy of Science’s Committee on Intellectual Property Management in Standard-Setting Processes. He is the founding editor of SSRN’s eJournal <i>Law, Policy and Economics of Technical Standards</i>, and in 2011 was awarded First Place in the SES World Standards Day Paper Competition. He has served on the Boards of the New England Aquarium, the Latino Professional Network and the Massachusetts Association of Hispanic Attorneys.</p>
<p>David Djavaherian <i>Panelist</i></p>	<p>David Djavaherian is the associate general counsel for Broadcom Corporation in Irvine, California. Prior to joining Broadcom, he was a patent and business attorney at the Irell & Manella law firm, and taught IP law and strategy at the University of California, Irvine School of Business. Mr. Djavaherian recently served as president of the Federal Bar Association’s Orange County chapter. Mr. Djavaherian is active in worldwide efforts to improve and clarify standards setting organization (SSO) RAND policies. His legal and business background provides a unique perspective on RAND issues that seeks to fairly balance competing interests and concerns.</p>
<p>Carter Eltzroth <i>Panelist</i></p>	<p>Carter Eltzroth is legal director of the Digital Video Broadcasting (DVB) Project. DVB is the Geneva-based standards forum creating technical standards for digital television. In private practice, he specializes in legal issues related to standardization and standardized technologies, broadcast and telecommunications regulation, and intellectual property. Mr. Eltzroth has prepared studies on audiovisual copyright and related areas for the World Intellectual Property Organization (WIPO), the World Bank, and the European Commission. He has also been general counsel and served in other capacities as a lawyer for European and African broadcasters. Mr. Eltzroth has served as the chair of a task force within the Smart Grid Interoperability Panel (SGIP) examining its IPR policy. He is also adjunct professor of law at the Washington College of Law, American University, in Washington, an arbitrator for the WIPO, and a member of ANSI’s IPR Policy Committee.</p>

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<p>Renata Hesse <i>Panelist</i></p>	<p>Renata B. Hesse is deputy assistant attorney general for criminal and civil operations at the U.S. Department of Justice’s Antitrust Division. Prior to the confirmation of assistant attorney general Bill Baer, Ms. Hesse served as acting assistant attorney general for the Antitrust Division. Most recently she served as senior counsel to the chairman for transactions at the Federal Communications Commission (FCC), where she oversaw the FCC’s investigation of AT&T’s proposed acquisition of T-Mobile. Previously Ms. Hesse was a staff attorney in the Merger Task Force, the Transportation, Energy & Agriculture Section, and chief of the Networks & Technology Enforcement Section.</p> <p>Prior to joining the FCC, Ms. Hesse was a partner with Wilson Sonsini Goodrich & Rosati. Ms. Hesse has been recognized in Chambers USA: America’s Leading Business Lawyers, The International Who’s Who of Competition Lawyers & Economists, was named a 2010 Washington, DC “Super Lawyer” by Law & Politics magazine, and received the attorney general’s Distinguished Service Award in 2005.</p>
<p>John Kelly <i>Panelist</i></p>	<p>John J. Kelly is president of the JEDEC Solid State Technology Association (JEDEC). Previously, Mr. Kelly was executive vice president and general counsel of Electronic Industries Alliance (EIA). He served as a member of EIA’s governing boards and later as EIA’s Managing Director. Mr. Kelly is a voting member of ANSI’s Intellectual Property Rights Policy Committee and co-founded the Association General Counsel Forum, which includes the general counsels of the fifty largest trade and professional associations in America.</p> <p>Mr. Kelly has written and lectured extensively, is a former chairman and board member of the Legal Section of the American Society of Association Executives (ASAE), and a former member of the ASAE Board of Directors.</p>
<p>Robert Mahini <i>Panelist</i></p>	<p>Robert Mahini is currently policy counsel at Google, Inc. working on patent, competition, and consumer protection issues. Previously, he was an attorney at the Federal Trade Commission (FTC) where worked in the FTC’s Office of the General Counsel from 2005-2012 on regulatory, legislative, and litigation matters, including matters involving standard setting organizations. Since 2009, Professor Mahini has taught government law at The George Washington University Law School.</p> <p>Before joining the FTC, Professor Mahini clerked for chief judge Thomas F. Hogan of the United States District Court for the District of Columbia. He also worked as an associate at the law firms of Hogan & Hartson LLP and Dow, Lohnes & Albertson PLLC, focusing on communications law, government contracts, and other regulatory issues, as well as litigation matters.</p>

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<p>Sue Nusbaum <i>Panelist</i></p>	<p>Suzanne K. Nusbaum currently serves as a temporary settlement judge, arbitrator, mediator, and neutral evaluator for the California Superior Court in Santa Clara County, and as a mediator and early neutral evaluator for the U.S. District Court for the Northern District of California. Judge Nusbaum formerly served as an administrative law judge on the Massachusetts Industrial Accident Reviewing Board and as a commissioner on the Maine Worker’s Compensation Commission.</p> <p>Judge Nusbaum arbitrates and mediates IP cases for the American Arbitration Association’s National Roster and its international panel, ICDR, the World Intellectual Property Organization (WIPO) ADR panel, and many other ADR panels. She chairs the ABA IP Section’s ADR Committee, as well as the Intellectual Property Owners’ Arbitration and Mediation Committee, and the Northern California Chapter of the Chartered Institute of Arbitrators. She is also the U.S. liaison to the Australasian Forum for International Arbitration (AFIA).</p>
<p>J. Gregory Sidak <i>Panelist</i></p>	<p>J. Gregory Sidak is an expert on antitrust, intellectual property, damages, and complex commercial litigation, is chairman of Criterion Economics in Washington, DC, and is also the Ronald Coase Professor of Law and Economics at Tilburg University in The Netherlands.</p> <p>Mr. Sidak is the founding editor of the <i>Journal of Competition Law & Economics</i>, published quarterly by the Oxford University Press. He previously held academic positions at Yale, Georgetown, and the American Enterprise Institute for Public Policy Research. His books and articles have been cited by the Supreme Court of the United States, the Supreme Court of Canada, and the European Commission. Formerly he was a staff member of the President’s Council of Economic Advisers and deputy general counsel of the Federal Communications Commission.</p>

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<p>Oliver Smoot <i>Keynote Address</i></p>	<p>Oliver Smoot consults on standards and intellectual property issues for clients both within the information communications technologies and other sectors. He currently serves on the Executive Committee of the U.S. Policy Committee of the Association for Computing Machinery (ACM), where he has been a member since 1965. Previously, Mr. Smoot served as vice-president for external voluntary standards relations of the Information Technology Industry Council (ITI). Prior to that he was ITI's executive vice-president for 23 years where he managed all of ITI's internal activities for voluntary standards: the InterNational Committee for Information Technology Standards (INCITS) and the U.S. Technical Advisory Group (TAG) to ISO/IEC Joint Technical Committee 1 (JTC 1) on Information Technology Standards of the International Organization for Standardization (ISO) and the International Electrotechnical Commission (IEC).</p> <p>An active member of the American Bar Association for many years, Mr. Smoot served as chairman of the Section on Science and Technology Law and most recently as chairman of its Technical Standardization Law Committee. He has also served in numerous positions with the Computer Law Association (now the International Technology Law Association), culminating as president. Before serving as chairman of the ANSI Board, Mr. Smoot served in numerous ANSI leadership posts including chair of ANSI's Finance Committee, Organizational Member Forum, and Patent Group.</p>
<p>Nicholas Widnell <i>Panelist</i></p>	<p>Nicholas A. Widnell is deputy assistant director of the Anticompetitive Practices Division of the Federal Trade Commission. He manages antitrust investigations covering a wide variety of unilateral and coordinated conduct in diverse industries ranging from industrial inputs and services to consumer products. Mr. Widnell recently managed the investigation of <i>Motorola, Inc. and Google</i>, in which Google agreed that it would not seek injunctions on standard essential patents without first agreeing to either a court or arbitration proceeding to determine a reasonable and non-discriminatory license.</p> <p>Prior to joining the Commission, Mr. Widnell worked in the antitrust group at Collier Shannon Scott and clerked for the Honorable E. Grady Jolly of the United States Court of Appeals for the Fifth Circuit.</p>