

ANNEX III

CURRICULUM VITAE OF MR. MICHAEL KEPLINGER

Work Experience:

- *United States Patent and Trademark Office*

1994 – present: Senior Level Attorney. Leading team of copyright attorneys (presently 6) responsible for analyzing and formulating recommendations for Administration copyright policies and implementation of those policies. Maintaining liaison with copyright industry companies and trade associations as well as other interest groups (civil society, consumer representatives, etc.) concerned with copyright policy development.

- Alternate Head of Delegation for the 1996 Diplomatic Conference on Certain Copyright and Neighboring Rights Questions, which led to the adoption of the WIPO Copyright Treaty and the WIPO Phonograms and Performances Treaty (the Internet Treaties). Led interagency group responsible for preparing and coordinating United States treaty proposals within the Government and industry.
- Led the interagency group responsible for developing the legislation to implement the Internet Treaties, which became the Digital Millennium Copyright Act (DMCA).
- Alternate Head of Delegation and Chief Negotiator for the 2000 Diplomatic Conference on the Protection of the Rights of Audiovisual Performers. Although this treaty was not adopted, the text represented an unprecedented compromise between U.S. motion picture studios and the performers' unions achieved largely due to my efforts.

1984 – 1994: Senior Counselor, Office of Legislation and International Affairs

- Principal copyright negotiator for the United States in the Uruguay Round on the agreement on the Trade Related Aspects of Intellectual Property (TRIPs). This involved extensive coordination of U.S. positions with a wide spectrum of private sector interest groups as well as with other Agencies.
- Alternate Head of Delegation for the 1989 Diplomatic Conference on the Protection of Intellectual Property in Respect of Integrated Circuits.
- Developed procedures and regulations for the implementation of the international provisions of the Semiconductor Chip Protection Act, which required the U.S. Patent and Trademark Office to determine when other countries were entitled to protection under the innovative interim protection measures of the Act. Organized the hearings, which resulted in extending this interim protection to some 19 countries.
- Coordinated Administration positions on U.S. adherence to the Berne Convention for the Protection of Literary and Artistic Works including preparing testimony for the Secretary of Commerce, serving as his attorney and responding to questions asked during his testimony before the House of Representatives.
- Led the interagency team that developed the legislation for U.S. adherence to and implementation of the Berne Convention.
- Prepared a major study as a consultant to WIPO on the legal protection of computer programs which provided the basis for establishing copyright protection for computer programs.

- *United States Copyright Office*

1983 – 1984: Policy Planning Advisor, Office of the Register of Copyrights. Conducted research on copyright policy topics and represented the Copyright Office on numerous U.S. delegations to WIPO and UNESCO.

1980 – 1983: Chief Information and Reference Division. Managed the division responsible for the Copyright Office's public information activities and provision of research and certification regarding copyright records to the public. This included managing the public information office and the extensive publications activities of the Copyright Office.

1978 – 1980: Special Legal Assistant to the Register of Copyrights. Was responsible for developing the legislation that recognized that computer software was protected by the U.S. copyright law.

- *National Commission on New Technological Uses of Copyrighted Works*

1976 – 1978: Assistant Executive Director and Senior Attorney. Responsible for the day-to-day administration of the Commission Staff; preparation of its budget and strategic planning for the work of the Commission; and liaison with the 14 Commissioners. Responsible for arranging hearings, securing witnesses, administering research contracts let by the Commission and conducting liaison with private sector representatives and academia.

- *National Bureau of Standards (now National Institute of Standards and Technology)*

1971 – 1976: Staff Assistant, Institute for Computer Sciences and Technology.

1967 – 1971: Computer Scientist, Institute for Computer Sciences and Technology.

- *Military Service - U.S. Army Ordnance Corps*

1963 – 1964: Ordnance Officers Basic Course; Supply Officers School.

1964 – 1966: Technical Supply Officer for a newly organized Pershing Missile unit, which involved establishing a supply unit from scratch and preparing it for deployment to Europe.

1966 – 1967: Ordnance Platoon Leader included provision of all technical logistical support for the Battalion including maintaining the units' missiles and nuclear warheads, was promoted to Captain.

1967 – end of service: Guided Missile and Nuclear Weapons Staff Officer (a Major's position) and acting S-4.

Awards:

Public Policy Award, for contributions to the law on the protection of computer software, Computer and Business Machines Association (CBEMA) 1987.

Award for contributions to the international development of law on computer programs, Second International Computer Law Conference, 1991.

Department of Commerce

Silver Medal Award, 1987

Gold Medal Award, 1994

Gold Medal Award, 1996

Gold Medal Award, 1997

Education:

B.S., Chemistry, minor Physics, West Virginia University, 1963.

J.D. Georgetown University Law Center, 1971, Admitted to the Maryland Bar.

Languages:

Good reading and limited speaking ability in Spanish.

Good reading and fair speaking ability in French.

Fair speaking and limited reading ability in German.

Memberships:

Computer Law Association, President 1983 - 1985, member of the Board of Directors 1972 - 1985, and member of the Advisory Board 1985 - present.

Publications:

Numerous publications and lectures on subjects relating to copyright and the legal issues associated with computers and information technology.

Personal Information:

Born: July 26, 1940, Martinsburg, WV.

Health: Excellent

Spouse: Helen Bunten Keplinger, Attorney with U.S. Environmental Protection Agency

Children: Michael Scott Keplinger, Jr., Chicago IL,
Gregory T. Keplinger, Towson MD.

[Annex IV follows]