
WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

John C. MCELWAINE
Nelson Mullins Riley & Scarborough LLP
Charleston, SC
United States of America



Nationality: American

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

University of South Carolina School of Law, Juris Doctor, graduated May 1995;
University of South Carolina Honors College, Bachelor of Arts in Political Science and History, graduated *cum laude* May 1992;
2006 Graduate of the Dick Riley Institute Diversity Leadership Academy;
Board of Directors of ThinkTEC;
Admitted to practice in the District of Columbia; South Carolina; United States Circuit Court, Fourth Circuit;
United States District Court, District of South Carolina.

LANGUAGES

English

PRESENT POSITION

Partner at Nelson Mullins Riley & Scarborough LLP, Intellectual Property Practice Group, Internet and Domain Name Group Leader.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Von Oppenfeld, Hiser & Freeze, P.C. February 1997 to February 2000;
Law Office of Michael A. Mann. April 1995 to February 1997.

MEMBERSHIP IN PROFESSIONAL BODIES

2014-2015 Vice Chairman of the INTA Internet Committee;

January 6, 2020

2012-2013 Chairman of the INTA new gTLD Registry Issues Subcommittee;
2012 International Trademark Association (INTA) Volunteer Service Award (VSA) in the Advancement of Committee or Subcommittee Objectives;
Member of the American Bar Association and the ABA Special Committee on Online Trademark Issues 2008 to present;
Member of the South Carolina Bar Association.

AREAS OF SPECIALIZATION

Intellectual property, including trademark, domain name, copyright, trade secret, unfair competition and online transactions.

EXPERIENCE IN INTELLECTUAL PROPERTY

Partner in the Charleston, SC and Washington, D.C. offices of Nelson Mullins Riley & Scarborough focusing practice in the fields of intellectual property, Internet, domain name and technology litigation and strategic counseling. In the area of litigation, has been involved with numerous federal and state actions, as well as actions brought at the United States Patent and Trademark Office Trademark Trial and Appeal Board and arbitration proceedings under ICANN's Uniform Domain Name Dispute Resolution Policy (UDRP). Work in the area of strategic counseling involves advising clients on intellectual property matters, including the assignment, licensing and development of applications and other technology, as well as brand protection measures on the Internet and within online social media networks.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Has handled over 20 Uniform Domain Name Dispute Resolution Policy (UDRP) and similar country code level arbitration matters. Active member of the Intellectual Property Constituency of ICANN most recently serving as the IPC Representative 2013 and 2014 ICANN delegate to the ICANN Board's Nominating Committee (NomCom). Member of Trademark Clearinghouse Implementation Advisory Group (IAG) and a member of High Security TLD Working Group.

MAJOR PUBLICATIONS

"*IP: New gTLD committee responds to governments' issues with new gTLD program*", InsideCounsel (Oct. 15, 2013)

"*USPTO seeks comments on amendments to identifications of goods and services*", InsideCounsel (Oct. 1, 2013)

"*Task force releases green paper on copyright policy in the digital economy*", InsideCounsel (Sept. 17, 2013)

"*USPTO asks for comments on application requirements for TLDs marks*", InsideCounsel (Sept. 3, 2013)

"*Navigating ICANN's New Rules Regarding Generic Top-Level Domain Names: An Immediate Look at the Opportunities and Challenges That Come with the New gTLD Program*", (Aspatore Special Report 2013), Chapter 1.

"*The New gTLDs: What Trademark Owners and Their Attorneys Need to Know*". Panel speaker at the 2012 and 2013 ABA Annual Intellectual Property Law Conference.

"*Protecting Your Business' Intellectual Property*". A monthly lecturer at the Kauffman Foundation's Charleston region FastTrac classes for entrepreneurs.

"*Intellectual Property Basics*". A speaker at the 2007 Nelson Mullins Employment Law Seminar.

"*Taking and Defending Trademark Depositions*". A speaker and panelist at the 2005 INTA Annual Meeting.

"Cyber Attacks", South Carolina Lawyer, Jan.-Feb. 2002 Edition.

"*My Name, My Heritage, My Trademark Infringement Suit?*", South Carolina Lawyer, June-August 1996 Edition, Co-authored with Michael Mann.

First Place ASCAP Nathan Burkan Memorial Writing Competition (USC) for a paper entitled "Copyright and Digital Audio Technology".

EXPERIENCE IN COURT LITIGATION

Served as lead or co-counsel in trademark, ACPA, domain name, design patent, keyword advertising, trade dress and copyright litigation in jurisdictions throughout the United States. Tried cases at the Trademark Trial and Appeal Board and have worked closely with local counsel in trademark administrative litigation in the United Kingdom, Ireland, Germany, European Union, Japan, Australia, China, and India.

EXPERIENCE IN ARBITRATION

Represented clients in domain name-related arbitration matters.

EXPERIENCE IN MEDIATION

Participated in over 20 mediations representing clients.

ARBITRATION EXPERIENCE
SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-Arbitrator	Counsel
International Arbitrations						
	Ad Hoc – UDRP	4				4
	Others					
Number of Cases :		4				4
Sub-Total						
Domestic Arbitrations	UDRP	32				32
Number of Cases						
Sub-total						
TOTAL		36				36

MEDIATION EXPERIENCE
SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Mediations	Mediator		Counsel	
International Mediations						
	Ad Hoc					
	Others					
Number of Cases :						
Sub-Total						
Domestic Mediations	AAA					
	Court Annexed	Approx. 30				Approx. 30
	Ad Hoc					
Number of Cases		30				
Sub-total						
TOTAL						