

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Gabriela PAIVA HANTKE
Paiva & Cía, Ltda.
Santiago
Chile



Nationality: Chilean

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

University of Chile, Law School (Santiago, Chile), Law Degree, Summa Cum Laude, 1984;
Supreme Court of Chile, admitted to Law Practice, 1987;
Hiroshima University School of Law (Hiroshima, Japan), Guest Researcher, Faculty of Law 1990-1994;
International Intellectual Property Training Institute (IIPTI- KOICA), South Korea, Industrial Property Systems, Republic of South Korea, 1993;
United States Department of State (Washington D.C., U.S.A.), nominated by U.S. Embassy in Chile for International Visitor Leadership Exchange (IVLE) Program, 2007;
Universidad Adolfo Ibañez, Universidad Diego Portales and Business Women Association, nominated as leading woman to be part of the Women to the Boards, BOW Program, 2013;
Revista del Campo, Farmer's Publication at El Mercurio Newspaper, Chile, Most well-known lawyers in Agriculture, 2014;
Chambers Latin America IP, 2014;
Chambers Latin America IP, 2015.

LANGUAGES

Spanish, English, French and Japanese

PRESENT POSITION

Paiva & Cia, Managing Partner, 1997 up to date, Santiago, Chile.
IP firm in Chile specializing in Intellectual Property, trademarks, patents, plant varieties, denominations

January 30, 2020

of origin, copyright, domain names, Internet and new technologies, licensing, IP management, IP and trademark valuation, litigation, enforcement, customs and border measures, mediation and arbitration.

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Food Industry Association of Chile, Lawyer 2001 up to date;
Chile-Pacific Foundation, Consultant 1995 up to date;
Seed Association of Chile, Breeder's Committee, Lawyer 1998-2008;
University of Chile, Faculty of Engineers, Biotech field, IP professor 1998-2008;
Cariola y Cia -Sargent & Krahn, law and IP firms, Lawyer 1994-1996;
University of Chile, School of Law, Law and Economics Associate Professor 1996;
Hiroshima University, Faculty of Law, Guest Researcher 1990-1994;
Estrategia Business Newspaper, columnist and correspondent Japan 1990-1994;
Water Supply Company of Coquimbo Region, Chile, Lawyer 1989-1990;
Chilean Government Planning Agency, Legal Department 1987-1989;
Air Force of Chile, Welfare Department, Law matters in family law 1986;
Professor of Law and Economics and Intellectual Property at several Universities during these years as: Universidad Central, Universidad del Desarrollo, Universidad Gabriela Mistral, y la Universidad de Chile.

AREAS OF SPECIALIZATION

Intellectual Property, trademarks, patents, licensing, IP management of intellectual property, IP litigation, enforcement, customs and border measures, plant variety protection, denominations of origin, domain names and domain name dispute resolution, mediation and arbitration.

MEMBERSHIP IN PROFESSIONAL BODIES

Chilean Bar Association, Member National Commission for the Development of Biotechnology, 2003, Business Women Association (ME), Chilean Association of Industrial Property (ACHIP) and Inter-America Association of Intellectual Property (ASIP) and AIPPI.

EXPERIENCE IN INTELLECTUAL PROPERTY

Specialized in Intellectual Property matters since employed in 1994 as a lawyer with one of the largest IP firms in Chile. Then, in 1997, founded the IP law firm of Paiva & Cia. While Managing Partner of Paiva & Cia has advised Chilean businesses and industry bodies, as well as international clients, in all areas of IP.

Works extensively with clients with respect to domain names and other Internet related matters.

Involved in agricultural regulatory issues as counsel for the Breeder's Committee of the Seed Association. Principal author of the original private sector law draft to implement UPOV 1991 in Chile (not yet passed).

Recognized by Revista del Campo, the most famous publication in agriculture in Chile, as one of the well known lawyers in agriculture and IP in Chile.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

WIPO Domain Name Arbitration Panelist.

NIC Chile. Principal co-author in 1997 of the original "Domain Names Rules and Regulations for the Country Code of Chile (NIC Chile and .CL) and Dispute Resolution Policy." In 1997, developed a complete procedural and philosophical system for resolving domain name ownership disputes. Has continuously continued to contribute to the NIC Chile rules from 1997 to the present.

NIC Chile Arbitration Panelist since 1997 with 600 + arbitral decision for the .CL country code top level domain (CCTLD). Developed, a complete jurisprudential system for resolving domain name disputes, which is followed widely in the .CL Chilean CCTLD and other top-level domains.

MAJOR PUBLICATIONS

“Economic and Juridical Aspects of Technology Transfer”, Book, 1990;
“Dispute Resolution in a Globalized World”, Book, 2004;
Japan External Trade Organization JETRO, “Manual against Falsifications”, 2012;
Japan External Trade Organization JETRO, “Industrial Property Manual”, 2004;
APEC, “A Guide to Arbitration and Dispute Resolution in APEC Member Economies”, Chapter about Chile;
Diego Portales University, “Law and Information Technologies, Chapter “Analysis of the evolution of Domain Name system and Regulations in Chile”, 2002;
IP Topics, “Plant Variety a Key Category of IP in Agriculture”, Lexis Nexis, 2006;
Chile Pacific Foundation, “Report on Electronic Commerce”, co-author, 1998;
University of Hiroshima, The Hiroshima Law Journal, “Technology Transfer, Patents and the United States Japan Relationship”, Japan, 1993;
Intellectual Property and the coming awakening of Chile and its International Trade, El Mercurio Editorial Chile.

EXPERIENCE IN COURT LITIGATION

As managing partner at Paiva & Cia we handle all types of IP matters from registration to contracts and litigation, including trademarks and domain names.

PROFESSIONAL TRAINING IN MEDIATION

Santiago Chamber of Commerce, “Mediation Training”.
Santiago Chamber of Commerce, “Advanced Mediation Training”.
Universidad de Chile, Professor at the first post graduate course on mediation in the medical area.

EXPERIENCE IN MEDIATION

Santiago Chamber of Commerce. Mediator in several cases at the Arbitration and Mediation Center.
APEC Dispute Mediation Experts Group, representative Chile, 1996-1999.

PROFESSIONAL TRAINING IN ARBITRATION

Santiago Chamber of Commerce, International Arbitration Course.
Consumer Protection Service of the Government of Chile, training for mediators and arbitrators.
NIC Chile and other entities, speaker at several Domain Name Seminars and Workshops to educate lawyers and new arbitrators.
As arbitrator of the Arbitration and Mediation Center of the Chamber of Commerce of Santiago, continuously participation in seminars and activities organized by the Center.

EXPERIENCE IN ARBITRATION

Arbitrator for Consumer Protection Service of the Government of Chile, 10 mediations and 10 arbitrations approx.
Arbitrator for Santiago Chamber of Commerce, arbitrator in around 20 cases including mediations and arbitrations.

Arbitrator for NIC Chile (.CL), 600 + Domain Names Arbitrations resolved.
American Arbitration Association, member of the list of International Arbitrators.

ARBITRATION EXPERIENCE

SUMMARY TABLE

Type	Administering Institution		Role			
	Name	Number of Arbitrations	Presiding Arbitrator	Sole Arbitrator	Co-arbitrator	Counsel
International Arbitrations	AAA					
	ICC					
	LCIA					
	Ad Hoc					
Number of cases: sub-total						
Domestic Arbitrations	AAA					
	Ad Hoc	NIC Chile Arbitrator 300				
Number of cases: sub-total						
TOTAL		300 cases approx.				

MEDIATION EXPERIENCE**SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations				
	Ad hoc			
Number of cases: sub-total				
Domestic Mediations (Estimates)	AAA			
	Santiago Chamber of Commerce Arbitration Center	4		
	Court-annexed			
	Ad Hoc			
Number of cases: sub-total				
TOTAL		4		