

WIPO LIST OF NEUTRALS

BIOGRAPHICAL DATA

Luis C. SCHMIDT
Olivares & CIA, S.C.
Mexico City
Mexico



Nationality: Mexican

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

Post graduate diplomas, International Copyright Law, University of Amsterdam, 2000;
Post graduate diplomas, Marketing, Georgetown University, 1990;
Master, Intellectual Property, Franklin Pierce Law Center, 1989-1990;
Amparo Law, Universidad Panamericana, 1986;
Economic and Corporate Law, Universidad Panamericana, 1987;
J.D., Universidad Nacional Autónoma de México, 1986.

LANGUAGES

Spanish, English and German

PRESENT POSITION

Partner, Olivares & CIA, S.C.

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PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

Intellectual Property Consultant, Grupo Televisa (broadcasting company).

AREAS OF SPECIALIZATION

Intellectual Property Law, Entertainment Law and Information Technologies Law.

MEMBERSHIP IN PROFESSIONAL BODIES.

President, Board AMPPI and Mexican Group AIPPI, 1995-1998;
Secretary, Board, Asociación Mexicana para la Protección de las Propiedad Industrial, A.C. (AMPPI), and Mexican Group AIPPI, 1992-1995;
Advisor, International Intellectual Property Alliance, present;
Member, AIPPI A117 Bureau Advisory Committee/Membership Committee, 2001;
Member, Centro de Arbitraje de México, (CAM), 1998;
Member, Instituto Mexicano de la Mediación, (IMM), 2000;
Member, WIPO Arbitration and Mediation Center, 2001.

EXPERIENCE IN INTELLECTUAL PROPERTY

Professional activities in the field for over 20 years as a consultant and litigator for Mexican and foreign companies.
Has represented and advised a great number of international and Mexican entertainment companies in copyright and entertainment law doing litigation, licensing, regulatory and consulting.
Considered a Leading Copyright and Entertainment Law Attorney.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Has participated actively in the development of a system of domain name protection in Mexico and dispute resolution policy between trademarks and domain names. Has counseled and represented clients in the registration of domain names, in litigation and ADR.

MAJOR PUBLICATIONS (COPYRIGHT LAW)

“Breve Análisis sobre las Franquicias y el Derecho de Autor”, La Experiencia de las Franquicias, por Enrique González Calvillo, Editorial McGraw Hill;
“Computer Software and North American Free Trade Agreement (NAFTA): will Mexican Law Represent a Trade Barrier? Idea the Journal of Law and Technology, Franklin Pierce Law Center, USA, Vol. 34, No.1, p.33, 1993;
“Trademark licensing and franchising”, Réunion du Comité exécutif Copenhague 1994 (12-18 Juin 1994), Rappports des Groupes Q 116, Annuaire 1993/IV, AIPPI ;
“La Protección de Obras Plásticas y de Arte Aplicado en Mexico y en los países Latinoamericanos”, Revista Mexicana del Derecho de Autor, Año 1994;
“Mexican Copyright Reviewed”, Copyright Yearbook 1994, a Euromoney Publications, A supplement to Managing Intellectual Property, p.23-24;
“Legal Aspects of Merchandising”, XXXVI Congrès de Montréal 1995 (25-30 Juin 1995), Rappports des Groupes Q 129, Annuaire 1995/VI, AIPPI Montréal 1995 ;
“Copyright and Shrink Wrap Licenses in Mexico”, Copyright World Intellectual Property Publishing, Ltd, England, Issue 58, p.39, March 1996;
“In Mexico, Software Owners Find Rights are illusory”, IP Worldwide, USA, p.11 November/December, 1996;
“Recent Developments in Mexican Copyright Law”, Copyright World Issue 70, p.44, May 1997;
“El Sistema de infracciones Administrativas en Materia de Comercio de la Ley Federal del Derecho de Autor”, Colección Foro de la Barra Mexicana, Editorial Themis, México, p.47, Mayo, 1998;

- “Propiedad Intelectual y sus Fronteras: Protección de Arte e Industria”, Estudios de Derecho Intelectual en Homenaje al Profesor David Rangel Medina, UNAM, p.31, 1998;
- “Copyright protection for foreign works”, Managing Intellectual Property, Issue 82, September 1998; p.46-48;
- “Exhaustion of rights”, Managing Intellectual Property, Issue 86, February 1999, p.45;
- “Copyright protection for foreign works, Part 2”, Managing Intellectual Property, July/August 1999, p.45;
- The impact of e-commerce on Mexico’s IP Laws”, Managing Intellectual Property, September 2000;
- “Digital Millennium ‘a la Mexicaine”, Copyright World, Issue 106, p.18, December 2000/January 2001;
- “Data Base Protection in Mexico – Past, Present and Future”, International Internet Law Review, World Information Technology Contacts Handbook, p.9, 2001;
- “Ownership of Rights in Mexican Copyright Law”, Copyright World, Informa UK Limited August 2001;
- “The Road to Harmonization”, Managing Intellectual Property, October 2001, p. 72-75;
- “Las Medidas Cautelares en la observancia de derechos de Propiedad Intelectual en México”, El Foro, Barra Nacional, Colegio de Abogados, A.C., Duodécima Época, Tomo XV, Número 1, Primer Semestre 2002, México, D.F., p. 69-96;
- “Las reservas de derechos al uso exclusivo dentro del sistema mexicano de la propiedad intelectual”, El Foro, Órgano de la Barra Mexicana, Colegio de Abogados, A.C., Decimatercera Época, Tomo XVI, Número 1, Primer Semestre 2003, p. 93-152;
- “Artists, authors take on industry”, Copyright World, Issue 12, April 2003;
- “Copyright contracting developments in Mexico”, Managing Intellectual Property July/August 2003, p.57-59;
- “Private reproduction rights and exemptions under Mexican Copyright Law”, The Asia law IPReview, July/August 2003, p.27-29;
- “Mexico Amendments to Copyright Act”, Computer Law Review International, Issue 5, October 15, 2003, p. 159;
- “One little word”, Copyright World, February 2004, p.15-19;
- “Copyright: R.O: July 2004, Mexico/1-30;
- “Controversial copyright reform introduced”, Managing Intellectual Property, October 2004, p. 65;
- “The Status of Television Programmes in Mexican Copyright Law”, The Asialaw IPReview, September 2004, p.27-28;
- “Court fails to answer remuneration questions”, Managing Intellectual Property, Americas Enforcement Focus 2005, p.25-27;
- “Licensing as a Source of Technology Trade: A Picture of Latin America”, LES/SIPLA Meeting, November 2005;
- “Authors gain controversial royalties rights under new bill”, World Copyright Law Report, September 6, 2006;
- “Film exhibitors triumph as remuneration scheme goes to Supreme Court”, World Copyright Law Report, March 3, 2005;
- “Bill hopes to put an end to remuneration muddle”, World Copyright Law Report, June 1, 2006;
- “Remuneration Rights for Reproduction”, International CRI, Issue 4, August 15 2006, PVSt 52028, p.125-126;
- “Legislation and enforcement”, Getting the Deal Through – Copyright 2006, p. 61-65;
- “Improved protection for personalities”, Managing Intellectual Property, October 2006, p.61-63;
- “Funding, tax and legal regimes”, Copyright World, Issue #164, p.23-26;
- “Multimedia: creación de naturaleza jurídica multifacética”, Revista Mexicana del Derecho de Autor, Año VI, Número 24, 2006, p.12-17;
- “Copyright and the global challenge”, World Focus IPReview #5, 2006, p.5-12;
- “Licensing As A Source Of Technology Trade: A Picture Of Latin America”, Mondaq Intellectual Property, 2006;
- “Acquittal of satellite decoders highlights need for legal reform”, World Copyright Law Report, May 10, 2007;
- “Landmark ruling backs copyright users”, Managing Intellectual Property, May 2007;
- “A public performance in Mexico”, Copyright World Issue #170, May 2007, p.37;
- “Usetrade marks and other means to protect shapes”, Managing Intellectual Property, April 2007, p.1-3;
- “Legislation and enforcement”, Getting the Deal Through – Copyright 2007;
- “Interception And Use of Satellite Broadcasting”, CRI 3/2007, p.94-96;
- “The rules on co-owning IP rights”, Managing Intellectual Property, Americas IP Focus 2007, p.3-5;
- “Time for users to take responsibility?”, Managing Intellectual Property, October 2007, p.1-3;

“Can new Microsoft initiative have an impact on piracy rates?”, World Copyright Law Report, December 6, 2007;
 “Copyright Office to check ISSN and ISBN”, Managing Intellectual Property, April 2008, p.101-102;
 “Liability for Contributory Infringement of IPRs, Question Q204”, 2008;
 “Whither rental rights?”, World Intellectual Property Review 2008, p.59-60;
 “Copyright enforcement puzzles”, Copyright World Issue #180, May 2008, p. 34;
 “The copyright risks of advertising in Mexico”, Managing Intellectual Property, May 2008;

 “Copyright Throughout the World, Chapter 25”, Thomson Reuters/West, 12/2008;
 “Design and trade dress protection Mexico”, World Trademark Review, July/August 2008, p.72-73;
 “Legislation and enforcement”, Getting the Deal Through – Copyright 2008, p.116-120;
 “Copyright or patent”, Managing Intellectual Property, Americas IP Focus 2008, p.3-5;
 “Image and publicity rights in Mexico”, World Trademark Review, Country correspondent: Mexico, September/October 2008, p.78-79;
 “Understanding reserva rights”, Managing Intellectual Property, October 2008;
 “Using the criminal law to fight online piracy”, Intellectual Asset Management IAM, October 15, 2008;
 “What’s in a name?”, Copyright World, Issue 185, November 2008, p.34;
 “Court rejects collecting society’s bid to claim royalties for film music”, Intellectual Asset Management IAM, February 4, 2009;
 “The new digital agenda”, Copyright World Issue #187, February 2009, p.17-19.

EXPERIENCE IN COURT LITIGATION

For more than 15 years, has litigated extensively in the Mexican Courts.

PROFESSIONAL TRAINING IN MEDIATION

As member of the Mexican Mediation Institute and of WIPO, has taken courses on the subject.

EXPERIENCE IN MEDIATION

Has participated in mediation representing clients before different panels (i.e. government panels such as Copyright Office, Patent and Trademark Office or Courts and private panels).

PROFESSIONAL TRAINING IN ARBITRATION

As arbitrator for the Centro de Arbitraje de México (CAM) and WIPO, has given assistance in the training courses.

EXPERIENCE IN ARBITRATION

Has represented clients before arbitration panels in Mexico and the U.S. Has represented clients in the execution of arbitration awards before Courts in Mexico and the U.S. Has been advisor of arbitrators on IP matters.

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	20		18	2	6
Number of cases: sub-total		20		18	2	6
Domestic Arbitrations	AAA					
	Ad Hoc					15
Number of cases: sub-total						15
TOTAL		20		18	2	21

MEDIATION EXPERIENCE**SUMMARY TABLE**

Type	Administering Institution		Role	
	Name	Number of Mediations	Mediator	Counsel
International Mediations				
	Ad hoc			2
Number of cases: sub-total				2
Domestic Mediations (Estimates)	AAA			
	Court-annexed			35
	Ad Hoc			120
Number of cases: sub-total				155
TOTAL		157		157