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Intellectual Property ■ Arbitration ■ Information & Technology Law



🕒 BIOGRAPHY

Having worked as a legal consultant, co-founder of a start-up company, a researcher and teacher in different jurisdictions (France and Hong Kong) in a variety of legal fields (intellectual property, Internet law, contracts, international arbitration, business law and criminal law) and industries (law firm, high-tech company, design company, domain names registrar, tribunal of first instance, and university) for more than ten years, I have developed multiple skills (i.e., teaching, research, writing, presentation, training, contract drafting, legal consultation, business development and management).

My field of expertise focuses on the resolution of intellectual property disputes, particularly by the means of arbitration. I have participated in several ICC arbitrations, with the seats in Paris and London. I also specialize in the judicial and out-of-court resolution of disputes related to the Internet Domain Name System or DNS (ICANN, UDRP, domain names, new gTLDs, etc.). I regularly deal with these issues in my publications and at conferences. I currently work as a legal consultant for [IP Twins](#), an ICANN-accredited domain name registrar with 18 years of experience in corporate domain name strategy and management. [IP Twins](#) also offers digital brand protection services (including anti-counterfeiting and anti-cybersquatting monitoring services). A selection of my publications on issues of DNS is available [here](#).

Previously, I have taught for two years at the [Hong Kong Polytechnic University \(PolyU Faculty of Business\)](#). Before joining [PolyU](#), I worked a visiting scholar within the [European Union Academic Programme in Hong Kong \(EUAP-HK\)](#), and have organized an awareness campaign against counterfeiting in Hong Kong.

I have also worked for nine years as an in-house legal counsel for a French ICANN-accredited domain name registrar called Indom (now [CSC](#)), which was a European leader in the business of corporate domain name management. My first professional legal experience was as the assistant of the Prosecutor at the Montargis Court of First Instance (France).

📍 EDUCATION

TRAINEE LAWYER, [ÉCOLE DES BARREAUX DE LA COUR D'APPEL DE PARIS / EFB](#) (PARIS BAR ADMISSION SCHOOL), ANA PALACIO ET GUIDO RAIMONDI PROMOTION 2016-2017.

PH.D. IN LAW, *MAGNA CUM LAUDE*, GRENOBLE UNIVERSITY, FACULTY OF LAW, [CUERPI](#) — *Alternative Dispute Resolution of Intellectual Property Disputes* (in French).

MASTER OF LAWS “ARBITRAGE ET COMMERCE INTERNATIONAL” (Arbitration and international business law), VERSAILLES UNIVERSITY, “PHILIPPE FOUCHARD” PROMOTION 2006-2007

- Dissertation: “The arbitrability of patent disputes through the lens of the *Dieblot c. Liv Hydralivka* case” (in French)
- Science Po Arbitration Moot 2007, Finalist.

MASTER OF LAWS “CRÉATIONS IMMATÉRIELLES” (IP/IT Law), WITH HONORS, MONTPELLIER UNIVERSITY, PROMOTION 2004-2005

- Dissertation: “Alternative Dispute Resolution and Copyright” (in French).

UNIVERSITY CERTIFICATE “DROIT PÉNAL DES AFFAIRES” (White collar Crimes), WITH HONORS, MONTPELLIER UNIVERSITY.

L.L.B. “CARRIÈRE JUDICIAIRE ET SCIENCES CRIMINELLES” (JUDICIAL CAREER AND CRIMINAL SCIENCES), MONTPELLIER UNIVERSITY.

📍 ACADEMIC EXPERIENCE

Jan. 2014 — Dec. 2015: teaching fellow, [Hong Kong Polytechnic University, Faculty of Business](#).

- Courses taught: Introduction to Business Law (common law) and Legal Aspects of E-Commerce (in a comparative perspective).
- **CERTIFICATE IN BECOMING AN ONLINE TEACHER**, with commendation, Educational Development Center, The Hong Kong Polytechnic University — 2014-2015 Academic year, second semester (6 months).
- **CERTIFICATE IN UNIVERSITY TEACHING**— Educational Development Center, The Hong Kong Polytechnic University — 2013-2014 Academic year, Second semester (6 months).

Sept. 2013 — Dec. 2013: visiting scholar, [European Union Academic Programme—Hong Kong](#) .

- Organized an awareness campaign against counterfeiting; and
- Presented in a number of conferences and seminars

📍 TEACHING EXPERIENCE

Introduction to Business Law (legal systems, contract law, tort law and anti-corruption law — Common law), Hong Kong Institute of Certified Public Accountants/Institute of Advanced Executive Education (IAEE) of the Hong Kong Polytechnic University, Hong Kong — From 17 to 24 July 2014 — 40 students (Deloitte Touche Tohmatsu).

Introduction to Business Law (legal systems, contract law and tort law — Common law), as a tutor, The Hong Kong Polytechnic University, Faculty of Business, Hong Kong — 2013-2014 and 2014-2015 academic years — 250 students/semester.

Legal Aspects of E-Commerce (in a comparative perspective: Hong Kong and major markets), as a lecturer, The Hong Kong Polytechnic University, Hong Kong — 2013-2014 Academic year — 50 students.

- Selected teaching materials are available here: <https://emmanuelgillet.com/teaching/>

Protecting of European Brands in Asia, Guest lecturer, Hong Kong Baptist University, Hong Kong — 4 October 2013 — Lecture delivered to students from the Department of Business Administration College of Governance and Business University of Southeastern Philippines — 40 students.

Arbitrability of Intellectual Property Disputes, Guest Lecturer, Cornell University, School of Law School, U.S.A. — 16 April 2013 — 10 students.

Arbitrability in China, Guest Lecturer, Chinese University of Hong Kong, School of Law — 18 April 2012 — 50 students.

Domain Names and DNS Governance, Guest Lecturer, Master of laws “Intangible Creations” (master “Droit des Créations Immatérielles”), Montpellier University, School of Law, France — From 2005 to 2011 — 25 students.

🕒 PRACTITIONER EXPERIENCE

CONSULTANT, [IP TWINS](#), PARIS, FRANCE, SINCE MARCH 2018

- Communication and business development.
- Conducting research and writing of studies and comments about counterfeiting, cybersquatting, and domain name governance (a list of published articles is available [here](#)).
- Organization of conferences and webinars.

TRAINEE LAWYER, [JANE WILLEMS LAW FIRM](#), PARIS, FRANCE, 2017 (EFB INTERNSHIP, FROM JAN. TO JUNE 2017, 6 MONTHS).

- Conducting research and writing of briefing notes in international commercial arbitration.
- Note-taking at arbitration hearings.
- Drafting of legal acts specific to the arbitration procedure.
- Participated in an international commercial arbitration concerning the resolution of a dispute relating to the execution of a joint venture contract, ICC arbitration in Paris under Chinese law.

TRAINEE LAWYER, Contract and Intellectual Property, [PEARL STUDIOS INC.](#), MONTRÉAL, QUÉBEC, CANADA (EFB INTERNSHIP, FROM JULY TO DEC. 2016, 6 MONTHS)

- Development of an international IP strategy.
- Negotiation and revision of contracts (confidentiality, service, manufacturing and distribution contracts).
- Writing of the legal content of the [instrumments.com](#) website.
- Revision of the strategy for the prevention and resolution of disputes.
- Search for prior art in the field of trademarks, domain names, designs and patents.
- Liaison for the filing of trademarks and designs in the United States and China.

IN-HOUSE LEGAL COUNSEL, INDOM/CSC, PARIS, FRANCE (FROM AUGUST 2004 TO MARCH 2013, 9 YEARS) — Indom was a leader in the online brand protection European market; the company became Netnames France in 2010, which was then acquired by CSC in 2016.

- Legal monitoring and writing of articles, comments and summaries (about 300 published on DomainesInfo.fr, of which a selection of titles is available [here](#)). These articles cover subjects such as online trademark infringement, judicial and extrajudicial proceedings relating to domain names, case law regarding Google Adwords, liability of intermediaries, and Internet governance.

INTERN, [CABINET JANE WILLEMS](#), PARIS, FRANCE, 2007-2008 (9 MONTHS).

- Conducting research and writing of briefing notes in domestic and international commercial arbitration.

- Drafting of legal acts specific to the arbitration procedure.
- Cases:
- An international commercial arbitration concerning the resolution of a patent dispute, ICC arbitration in Paris under French law.
- An international commercial arbitration involving a contract for the sale of goods, ICC arbitration in London under English law.
- An international commercial arbitration concerning the settlement of a dispute over a pharmaceutical distribution contract, ICC arbitration in London under English law.
- A commercial arbitration in domestic law dealing mainly with the arbitrability of the dispute, one of the parties involved being under a bankruptcy status, ICC arbitration in Paris under French law.

INTERN, [CLIFFORD CHANCE](#), INTELLECTUAL PROPERTY DEPARTMENT, PARIS, FRANCE, 2008 (6 MONTHS).

- Preparing legal memoranda:
- in European copyright, French patent law, and European competition law.
- on the liability of Internet service providers under French law and European law.
- Conducting legal research on the law n° 2007-1544 of October 29, 2007 related to the fight against the counterfeiting through the angle of its compatibility with the directive n° 2004/48/CE of April 29, 2004.
- Conducting legal monitoring and writing of personalized newsletters for specific clients (trademarks, and designs).

JUDICIAL CLERK FOR THE PROSECUTOR AT THE COURT OF FIRST INSTANCE OF MONTARGIS, FRANCE, 2003-2004 (18 MONTHS).

- Preparing briefs and legal memoranda, including suggestions or recommendations.
- Conducting legal monitoring in criminal law.
- Classifying complaints in order of priority.

🕒 PUBLICATIONS AND EDITORIAL ACTIVITIES

Revue Francophone de la Propriété Intellectuelle (RFPI): member of the editorial board for Oceania.

Journal Articles

« À la recherche d'une propriété littéraire et artistique dans la Chine ancienne » (**"Searching for the Roots of Copyright in Ancient China"**), *Revue Francophone de la Propriété Intellectuelle*, Décembre 2016, No. 3, pp. 49-63.

« Procédures extrajudiciaires de règlement des litiges relatifs aux noms de domaine : quelles perspectives pour l'arbitrage ? » (**"Extrajudicial Procedures to Resolve Domain Names Disputes: What is the Prospect of Arbitration?"**), *Versailles International Business Law Review (VIBLR/LexisNexis)*, 2013, No. 4, pp. 145-168.

« Arbitrability of Intellectual Property Disputes in China », *The International Litigation Quarterly*, American Bar Association, Summer 2012, Vol. 28, No.2, pp. 7-10.

« Litiges de propriété intellectuelle. L'apport de la loi de simplification et d'amélioration de la qualité du droit du 17 mai 2011 » (**"Intellectual Property Disputes after the Law for Simplification and Improvement of the Law of the 17 May 2011"**) (with professor Jean-Michel BRUGUIÈRE), *La Semaine Juridique, Entreprise et Affaires (JCP E/LexisNexis)*, N° 37, 15 septembre 2011, Étude 1663, pp. 41-48.

« Vigueur et éclat de la clause compromissoire en matière interne » (**"Strength and Glitter of the Arbitration Clause"**), *Revue Lamy Droit des Affaires (RLDA/Wolters-Kluwer)*, 2010, Vol. 55, n° 3177, pp. 65-70.

« Domaining et sites parking : enjeux et responsabilités » (**“Domaining and Parking Websites: Stakes and Liabilities”**), *Revue Lamy Droit de l’Immatériel* (RLDI/Wolters-Kluwer), 2010, Vol. 62, n° 2056, pp. 68-72.

« L’encadrement du nommage Internet à l’épreuve des droits et libertés fondamentaux. À propos de la décision n° 2010-45 QPC du 6 octobre 2010 » (**“The Domain Names Legal Framework and the Human Rights. Comment of the Constitutional Court No. 2010-45 dated 6 October 2010”**), *Revue Lamy Droit de l’Immatériel* (RLDI/Wolters-Kluwer), 2010, Vol. 65, n° 2130, pp. 18-24.

« La sentence arbitrale n'est pas exécutoire de plein droit malgré la référence à un règlement d'arbitrage qui prévoit l'exécution de la sentence sans réserve, note sous Cass. civ. 1^{re}, 4 juillet 2007, Groupe Antoine Tabet » (**“An Arbitration Award is not Enforceable de Plano”**), *Petites Affiches*, 25 septembre 2007, No. 192, pp. 27-29.

Works in progress:

- Book:
- Arbitration of Intellectual Property Disputes.
- Articles:
- “Disputes over multilingual and internationalized domain names: an empirical study”, [iptwins.com](#), forthcoming.
- « La propriété intellectuelle dans les sentences arbitrales de la CCI » (**“Intellectual Property in ICC Arbitral Awards”**), *ICC Bulletin*, forthcoming.
- Article: « Une histoire française de l’arbitrage en droit de la propriété intellectuelle » (**“The French History of Arbitration and Intellectual Property Since the Revolution”**).

Selected Online Publications

IP Twins Newsletter (for a full list, see <https://emmanuelgillet.com/blog/>)

- “UDRP on catalyzer.com: from the utopia of complaint to the reality of the decision, [iptwins.com](#), 30 July 2020”.
- “Some tips for a domain name portfolio management strategy in pandemic times, [iptwins.com](#), 26 June 2020”.
- “UDRP: the improper and unjustified transfer of the domain name home-goods.shop, [iptwins.com](#), 1st June 2020”.
- “China: acquisition of domain name, limitation period and admissibility of the complaint under the China dispute resolution procedure, [iptwins.com](#), 11 May 2020”.
- “Political cybersquatting: cases under French law, [iptwins.com](#), 20 February 2020”.
- “Geographical identifiers and UDRP requirements: a landmark case (D2019-1758, [visitqatar.com](#)), [iptwins.com](#), 27 November 2019”.
- “kingofpop.com: Michael Jackson’s rights holders and other celebrities facing domain name issues, [iptwins.com](#), 11 July 2019”.
- “Cyber attacks on the DNS: ICANN urges to deploy the DNSSEC protocol”, [iptwins.com](#), 4 March 2019.
- “.EU: Brexit calendar in case of a no deal scenario. Our advice”, [iptwins.com](#), 28 January 2019.
- “UDRP on ritzcarlton.tokyo: cybersquatting, language of the proceedings and strategy for cityTLDs”, [iptwins.com](#), 26 November 2018.
- “bmw.com (BMW), e-leclerc.com (E. Leclerc), Porsche.com (Porsche), קוקהקולה.com (Coca-Cola) et al.: Brief Overview of Internationalized Domain Names in WIPO UDRPs”, [iptwins.com](#), 23 November 2018.
- “Counterfeit and “Parasitism”: the All Blacks Tackled French Companies”, [iptwins.com](#), 8 October 2018.
- “Cambridge.org v. Carnbridge.org: a UDRP Case on Typosquatting and Identity Theft”, [iptwins.com](#), 29 September 2018.
- “What to Do With Domain Names Such as starbucksnestle.com and starbucks-nestle.com?”, [iptwins.com](#), 13 September 2018.
- “Harley-Davidson wins 19.2 Million in Statutory Damages Against SunFrog”, [iptwins.com](#), 28 June 2018.

Personal blog (www.emmanuelgillet.com):

- [IP in Movies: Extraordinary Measures \(2010\)](#), emmanuelgillet.com, 15 April 2020.
- [IP in Movies: Big Eyes \(2014\)](#), emmanuelgillet.com, 19 April 2020.
- [IP in Movies: Architecture 101 \(2012\)](#), emmanuelgillet.com, 2 November 2015.
- [IP in Movies: The Social Network \(2010\)](#), emmanuelgillet.com, 29 August 2015.
- [Design your Dispute Resolution Mechanisms Before the Relationship Turns Sour](#), emmanuelgillet.com, 24 February 2013.

🕒 CONFERENCE PRESENTATIONS

[“The Future of Intellectual Property Arbitration?—A Case Study on IP Arbitration: the Portuguese System for Settlement of Disputes Derived from Industrial Property Rights Where Reference Medicines and Generic Medicines are in Question”](#) — 2015 UNCITRAL Emergence Conference “Harmonizing Trade Law to Enable Private Sector Development” — United Nations Commission on International Trade Law — 30 November 2015, Macau University, Macau.

[“Using Online Educational Technologies in Legal Studies: the Combination of Quizzes and Wikis”](#) — Blended Learning Symposium — Educational Development Centre of the Hong Kong Polytechnic University — 19 August 2015, Hong Kong.

[“Arbitration of Intellectual Property Disputes from the Parties’ Perspective”](#) — BIP Asia Forum 2014 — Hong Kong Government, Hong Kong Trade Development Council and Hong Kong Design Centre — 5 December 2014, Hong Kong.

[“New gTLDs and Public Order”](#) — Domain Names and DNS: Comparative Studies, Institutional Perspectives, Recent Developments in the DNS Governance — Chinese University of Hong Kong and Asian Domain Name Dispute Resolution Centre — 14 May 2014, Hong Kong.

[“Rethinking the Domain Name Dispute Resolution in the Era of New gTLDs”](#) — Rethinking Domain Name Dispute Resolution in the Era of New gTLDs — Asian Domain Name Dispute Resolution Centre and Kuala Lumpur Regional Center for Arbitration — 18 January 2014, Kuala Lumpur.

[“Intellectual Property Marketplaces for Culture and Creative Industries”](#) — BIP Asia Forum 2013 — Hong Kong Government, Hong Kong Trade Development Council and Hong Kong Design Centre — 6 December 2013, Hong Kong.

[“Google AdWords and Trademark Rights: the European and Hong Kong Approaches”](#) — European Union Academic Programme — 7 November 2013, Hong Kong.

[“Fighting Counterfeiting: A Compilation of Previous Anti-Counterfeiting Campaigns”](#) — European Union Academic Programme — 18 September 2013, Hong Kong.

[“Arbitrability of Intellectual Property Disputes: A Comparative Study”](#) — City University of Hong Kong — 28 October 2011, Hong Kong.

🕒 MEMBERSHIP

- International Trademark Association (inta.org).
- Comité Français de l’Arbitrage (cfa-arbitrage.com).
- The Intellectual Property Society of Australia and New Zealand (IPSANZ) (ipsanz.com.au).

🕒 LANGUAGES

- French (native).
- English (proficient).
- Spanish (reading knowledge).
- Mandarin (basics).