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**FN-5629661 MN-5629661 LN-5629661,
Esq.**

Los Gatos, California



Current Employer-Title Colev Law - Principal

Profession Attorney, Arbitrator, Mediator

Work History Principal, Colev Law, 2021-Present; Senior Vice President, Samsung Electronics, 2011-2022; Principal, Kapria Law, 2009-2011; Partner, Dechert LLP, 2007-2009; Shareholder, Greenberg Traurig LLP, 2005-2007; Partner, McDermott Will & Emery LLP, 2003-2005; Of Counsel, Brobeck Phleger & Harrison, 2001-2003; Associate, Skjerven Morrill & MacPherson, 1998-2001; Assistant US Attorney, US Attorney's Office, Northern District of Florida, 1995-1998; Judicial Law Clerk, US District Court, Northern District of Florida, 1993-1995.

Experience More than 30 years of experience first as an intellectual property litigator, then as a technology transactions attorney, later as inhouse counsel at a large technology company, and currently as a full time Arbitrator and Mediator.

Litigation and Trial experience

Practiced as a litigation partner at leading US law firms handling complex civil, intellectual property and technology litigation. As inhouse counsel, oversaw several hundred intellectual property disputes in the US and overseas. Tried more than 50 cases in US district courts and International Trade Commission.

Transactional experience

Established a boutique law firm focused on technology M&A, patent licensing, joint development, technology transfer and other commercial transactions. Personally negotiated three of the largest patent cross license agreements in the technology industry. Oversaw several hundred technology and commercial transactions involving both technology startups and some of the largest technology companies.

Inhouse experience

Served as Senior Vice President of Intellectual Property at Samsung Electronics for 10 years and oversaw intellectual property acquisition, licensing, litigation, technology policy and M&A matters including the Apple-Samsung patent war.

Judicial and Government experience

Clerked for a federal district court and served as a federal prosecutor at a US Attorney's Office before entering private practice. Currently serves as a Discovery Judge Pro Tem for two California courts, presiding over a wide range of discovery issues.

Taught technology licensing at Santa Clara University School of Law as an adjunct professor. Guest lectures at Northwestern University School of Law on M&A due diligence and at Florida State University College of Law on arbitration.

IAM Strategy 300 Top IP Strategists and Top In-House Counsel, Daily Journal.

Currently serves as an independent arbitrator for International Centre for Dispute Resolution (ICDR), International Chamber of Commerce (ICC), American Arbitration Association (commercial, employment, intellectual property, M&A, technology and consumer panels), Financial Industry Regulatory Agency (FINRA), Korea Commercial Arbitration Board International (KCAB International), Chinese Arbitration Association, Taipei (CAA), and World Intellectual Property Organization (WIPO) Arbitration and Mediation Center.

Currently serves as a mediator for the US District Court for the Central District of California, Orange County Superior Court, Alameda County Superior Court, San Mateo County Superior Court, Contra Costa County Superior Court (settlement mentor), San Francisco County Superior Court (settlement conference officer), ICC, AAA, KCAB International, CAA and WIPO Arbitration and Mediation Center. Recognized as knowledgeable, well-prepared, tenacious, and able to connect with people from diverse backgrounds.

Mediator Experience

Serves as a mediator in complex business and commercial disputes, breach of contract, commercial and residential leases, open book accounting, personal injuries including TBI (traumatic brain injuries), airplane turbulence and other injuries, intellectual property disputes including patents, SEP/FRAND, copyrights and trade secrets, cryptocurrencies, professional fee disputes, Song-Beverly Consumer Warranty Act claims, Consumer Legal Remedies Act claims, Fair Credit Reporting Act claims, Investigative Consumer Reporting Agencies Act claims, construction disputes, boundary disputes, homeowner's association disputes, wage and hour claims and landlord-tenant disputes.

Has experience dealing with disputes damages claims from tens of thousands of dollars to billions of dollars. Has mediated cases with multiple parties, corporate entities, government agencies and insurance adjusters.

As a former corporate in-house counsel, a law firm litigation partner and a federal prosecutor who tried more than 50 cases to verdict, able to establish the trust and confidence of in-house counsel and litigation counsel.

Currently serves as a Judge Pro Tem and Settlement Conference Officer for San Francisco Superior Court, as a mediator for Alameda County Superior Court Mediation Program, as a Settlement Mentor for Contra Costa County Superior Court, as a mediator for Orange County Superior Court Civil Mediation Panel, as a neutral for World Intellectual Property Office Arbitration and Mediation Center, and as a private mediator.

Representative Issues Handled as a Mediator

Mediation experience in a wide array of industries and subject matters, including:

General and commercial contract disputes; commercial real property leases; technology disputes; software development; joint development agreement; open book accounting; intellectual property disputes; trade secret misappropriations; loan guarantees; fee disputes; professional malpractice; partnership disputes; fraud/misrepresentations; conversion; employment agreements; EDD employee classification; wage and hour claims; reasonable accommodations; Song-Beverly Consumer Warranty Act (Lemon Law) claims; Consumers Legal Remedies Act claims; personal injuries; airplane turbulence and in-flight injury claims; TBI (traumatic brain injuries); restaurant leases; landlord-tenant disputes; and unlawful detainer actions.

Mediator Style & Process Preferences

Evaluative/Facilitative.

In mediation, I promote and utilize a pre-mediation protocol of separate conferences with representatives of all parties, exchange of key information and mediation statements, and establishing agreed-upon agenda for the mediation session. I review all submitted materials and engage in conversation with the parties' representatives in advance to understand the interests and goals of each party. I respect party autonomy in mediation and do my best to ensure that each party's voice is not only heard but also reflected in the outcome.

Technology Proficiency

Substantial experience in online dispute resolution using Zoom and Team platforms.

Familiar with ESI (electronically stored information) issues.

Worked on an Artificial Intelligent (AI) project as an engineer.

Education

Northwestern University School of Law (JD, Editorial Board, Journal of Criminal Law & Criminology-1993); Cornell University (BS, Electrical Engineering-1988).

Professional Licenses

Admitted to the Bar: Florida (1993 - inactive), California (1998).

US Patent & Trademark Office (2001).

Professional Associations

California Arbitration, Founding Member & Co-Chair, Marketing Committee; American Bar Association, Dispute Resolution Section; Silicon Valley Arbitration & Mediation Center; National Asian Pacific American Bar Association; Asian Pacific American Bar Association Silicon Valley.

Recent Publications & Speaking Engagements

Publications:

"Anti-suit injunctions – a new global trade war with China?" ManagingIP, August 3, 2022

"Patent Indemnity Trap in a Tech Deal," LinkedIn, July 25, 2022

"Navigating a decade of the America Invents Act," ManagingIP, March 1, 2022

"The Anti-suit Injunction Conundrum: How We Got Here and How to Avoid It," IPWatchdog, February 15, 2022

"Implementer's Challenges," AIPPI Japanese Journal Vol.66 No. 11, November 25 2021

Speaking Engagements:

"The Ubiquitous World of Internet of Things (IoT) Connected Devices – the Coming Tsunami of Patent Licensing." (Licensing Executive Society SV Chapter 2024)

"An Alternative Way to Resolve IP Disputes – Technology Arbitration" (Asian Pacific American Bar Association SV 2023)

"When Worlds Collide: Arbitration of International Patent Disputes" (California International Arbitration Week 2023)

"Metaverse, Stable AI Diffusion, and Deepfakes" (Will Work For Food 2023)

"What Does a Mediator Add That the Parties Can't Do Themselves" (SVAMC Corporate Counsel ADR Clinic 2021)

"FRAND Licensing – Developments and Predictions" (Licensing Executive Society SV Chapter 2020)

"5G and IoT: The Next IP Battleground?" (2020 AIPPI World Congress Online 2020)

"The Future of 5G Patent Licensing" (IPlytics Conference 2020)

"A Different NPE Problem" (IP Counsel Café Annual Conference 2020)

"Update from Inside the Beltway" (Corporate IP Strategy Conference 2019)

"Establishing Licensing Fees in a Whole New World: The Rise of Collective Licensing" (IP Counsel Café Annual Conference 2018)

"Extra-territorial Perspectives: From Remedies in US Courts for Acts Occurring in Whole or in Part Outside the US to Obtaining Discovery from Abroad" (EDTX Bench Bar Conference 2018)

Panel speaker at 3rd Annual Post Grant PTO Proceedings (ACI 2017)

"Cross-over Professional and Educational Opportunities in Korea and the US" (UC Berkeley 2016)

"From Alice to Halo, Stryker and Beyond" (EDTX Bench Bar Conference 2016)

"The Future is Open: Managing and Commercialising IP Assets" (Business of IP Asia Forum 2016)

Keynote Address, the PTO and the Courts (Stanford Law School Symposium 2015)

Keynote Address, Inaugural Conference, Korea Law Center (UC Berkeley 2014)

Moderator, "Remedies in Patent Cases" (Georgetown Patent Law Conference 2013)

Locations Where Parties Will Not be Charged for Travel Expenses The San Francisco Bay Area

Mediation Rate \$9,000 Per Day

Languages English, Korean

Citizenship United States of America

Locale Los Gatos, CA

The AAA's Rules provide the AAA with the authority to administer a mediation including, mediator appointment, general oversight and billing. Accordingly, mediations that proceed without AAA administration are not considered AAA mediations, even when the parties select an mediator who is on the AAA's Roster.

The information contained in this resume has been supplied solely by the individual mediator and may, or may not, be a complete recitation of their experience. The AAA assumes no responsibility for the content, completeness, accuracy, or reliability of the information contained in a mediator's resume. If you have any questions about a mediator's experience or background, you are encouraged to contact your case manager.

Mediators on the AAA Roster are not employees or agents of the AAA.