

James Bridgeman SC

Barrister at Law

(Kings Inns Dublin, Middle Temple London, Bar of Northern Ireland)

FCIArb, Chartered Arbitrator, Accredited Mediator

Member of the Ministerial Panel of Construction Adjudicators (Ireland)



CURRICULUM VITAE

Family Name: **Bridgeman**

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James Bridgeman SC is a dual-qualified Barrister, Chartered Arbitrator, Accredited Mediator and Statutory Adjudicator with a practice based at the Law Library in Dublin, Republic of Ireland and is a member of chambers at 4-5 Gray's Inn Square London. He has been in general Civil and Commercial practice since 1992 (silk 2017).

He served as the world President of the Chartered Institute of Arbitrators in 2018, prior to which he served a term as Trustee and has over 20 years continuous service on the committee of the Irish Branch of the Chartered Institute of Arbitrators including a term as Branch Chair.

He was educated and resides in the Republic of Ireland and holds practicing certificates as a barrister in Ireland and England & Wales.

His curriculum vitae is set out in the following sections as follows:

1. Practice
2. Panels and Appointments
3. Professional Organisations and Academic
4. Education and Training
5. Publications and Conference Presentations

Section 1. Practice

General Litigation

He was called to the Bar of Ireland in 1989. Senior Counsel (Ireland) 2017. He was called to the Bar of England and Wales (Middle Temple) in 2010 and has since held a practicing certificate for England and Wales and is a full tenant at 4-5 Gray's Inn Square, London.

He is an experienced litigator in general practice in the Irish Courts since 1992, before which he was an in-house lawyer in a firm of patent and trademarks agents. He has a special interest in commercial and technology law including intellectual property, technology, Internet and ICT, construction law, European and International law, International Arbitration, ADR and other forms of dispute resolution.

He is presently representing the Irish State and commercial parties in contentious and advisory matters. His live present caseload in the period from January to July 2019 included matters presently before the CJEU, the Superior Courts of Ireland, Chancery, Common Law and Commercial, arbitration, construction adjudication (building and M&E), international arbitration and mediation. The issues in dispute include construction, intellectual property (performers rights, copyright and internet domain names), International Treaties, European Law (transposition of EU Directive), personal injuries, mediation of a neighbour/boundary/property dispute and advisory counsel on commercial contracts/technology transfer/R&D. He is an active member of three disciplinary & regulatory standing tribunals.

He is counsel representing Ireland before the CJEU in Case No. C-265/19 *Recorded Artists Actors Performers v. Phonographic Performance (Ireland) Limited and The Minister for Jobs Enterprise and Innovation, Ireland and the Attorney General*.

Intellectual Property and ICT

Prior to commencing practice as a self employed barrister he was and associate lawyer in Cruickshank & Co. Patent and Trade Marks Attorneys engaged in the prosecution of applications for patents, trademarks and registered designs, drafting and advising on technology transfer agreements and licensing and assignment of intellectual property licensing. He qualified as a Registered Trade Marks Agent in 1992.

He is regularly instructed in both contentious and advisory matters involving patents, copyright, trade marks, registered designs and Internet domain names. His clients include Irish government departments from whom he has received instructions in patent, copyright and trademark matters through the Office of the Attorney General.

He has been appointed administrative panellist (WIPO, Geneva), expert (Nominet UK) and arbitrator (National Arbitration Forum (USA) to determine over 200 disputes on ownership of Internet domain names since 2001.

He has written numerous articles on intellectual property law including most recently Adjudicating Intellectual Property Disputes, An ICC Report on Specialised IP Jurisdictions Worldwide (2016)

Sometime member of the Irish committees of both the International Association for the Protection of Intellectual Property (A.I.P.P.I.) and the Licensing Executive Society.

His decisions in Internet Domain Name disputes are publicly available and can be found on the websites of the World Intellectual Property Organisation, the National Arbitration Forum, Nominet UK and the Czech Arbitration Centre for the following years:

Internet Domain Name Decisions Made by James Bridgeman 2002-2018							
	WIPO	NAF	KLCRA	Nominet	CAC	ICC	
2002	17						17
2003	3			3			6
2004	6			4			10
2005	10			3			13
2006	16	3		5	10		34
2007	12	8		5	1		26
2008	4	7		6			17
2009	2	9		7	1		19
2010	9	8		9			26
2011	12			8			20
2012	8	6		12	1		27
2013	7	4		8		1	20
2014	5	5		6	1		17
2015	2	7	1	7			17
2016	9	7		10	1		27
2017	11	7		10			28
2018	17	9		6	1		33
Totals	150	80	1	109	16	1	357

EU Law

He maintains an active interest in EU law, earning a Diploma in European Law at University College Dublin. In 2010 he was appointed to the Group of Experts invited to advise the EU Commission on the revision of the Brussels 1 Regulation and arbitration.

(<http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetail&groupID=2467>)

He is currently representing the Irish State in a matter relating to performers rights before the CJEU. Case No. C-265/19 *supra*.

He recently presented a lecture on *The status of the CETA (the Comprehensive Economic and Trade Agreement, a free-trade agreement between Canada, the European Union and its member states)* at the CIArb North America Branch Conference on Investor State Dispute Settlement in Washington DC on 13 September 2018.

Arbitration and Adjudication

He is a Chartered Arbitrator and has acted as tribunal member, arbitrator, both as chair and sole panellist in over 500 arbitrations, tribunals and administrative proceedings including 76 construction, partnership, insurance, real property, distributorship, intellectual property and consumer arbitrations, 357 Internet domain name references (see below), 5 construction adjudications and numerous statutory tribunals, appeal boards and professional regulatory determinations (RTB, Mental Health, Property Services Appeals Board, CPA, IIPA, PSI).

He is regularly appointed as a tribunal member for UDRP cases by WIPO, NAF, Nominet UK and has also been appointed to determine internet domain name disputes by Kuala Lumpur Centre for Dispute Resolution and the Czech Arbitration Court (.EU disputes) and the International Chamber of Commerce (new gTLDs).

He has been appointed as an arbitrator/neutral by party selection and by institutions including the World Intellectual Property Organisation (Geneva), the International Chamber of Commerce (Paris), the Chartered Institute of Arbitrators (London), the Chartered Institute of Arbitrators-Irish Branch (Dublin), the National Arbitration Forum (USA), Nominet UK (Oxford, UK).

On 7 November 2014 he was appointed by the Council of the European Union as a member of the panel of 15 arbitrators for the Protocol on Cultural Cooperation to the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea (Council Decision 2014/794/EU) (accessible at <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32014D0794&qid=1552732427271&from=EN>)

He has received recognition both in international dispute resolution and in his country of residence. He was elected and served as world President of the Chartered Institute of Arbitrators for 2018. The Chartered Institute of Arbitrators is the premier international arbitration membership organisation with 16,000 members organised across the globe in 40 branches.

He has been appointed as a member of the International Centre for the Settlement of Investment Disputes (ICSID) panels of arbitrators and conciliators, designated by the Government of Ireland. (<https://icsid.worldbank.org/apps/ICSIDWEB/about/Pages/Panels-of-Arbitrators-and-Conciliators.aspx>)

In 2010 he was appointed to the Group of Experts invited to advise the EU Commission on the revision of the Brussels 1 Regulation and arbitration. (<http://ec.europa.eu/transparency/regexpert/index.cfm?do=groupDetail.groupDetail&groupID=2467>)

In August 2014 following a series of competitive interviews he was appointed by the Deputy Governor of the Central Bank of Ireland as a member of the quasi-judicial panel to carry out investigations of regulated entities under the Administrative Sanctions Procedure under Part IIIC of the Central Bank Act 1942

His expertise was recently endorsed by his appointment on 7 November 2014 by the Council of the European Union as a member of the panel of 15 arbitrators for the Protocol on Cultural Cooperation to the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea (Council Decision 2014/794/EU) (accessible at <http://eur-lex.europa.eu/homepage.html>).

He and is presently arbitrator in an € seven-figure insurance professional indemnity dispute international arbitration.

Construction Adjudication and Dispute Resolution

He holds a Diploma in Construction Law and Contract Administration by University of Dublin and was awarded the Bunni Medal in the course. He was subsequently appointed as and continues to be a member of the Faculty of the course.

He has been appointed to the panel of construction adjudicators by the Irish Minister for Jobs, Enterprise and Innovation (Official Journal of the Irish Government 22 January 2016 <http://www.irisoifigiuil.ie/currentissues/IR220116.pdf>).

In 2018 and 2019 he was appointed adjudicator in five construction adjudications. Four proceeded to full decisions including one matter for a € eight-figure claimed sum and counterclaims in 2019.. One settled after appointment.

He acts as Counsel in construction related arbitrations, litigation and mediation. He lectures on the Law of Evidence on the TCD Diploma in Construction Law and Contract Administration.

Mediation

He is currently mediating a complex neighbour/boundary/ real property dispute in rural Ireland. He is an accredited mediator (MII) and has been appointed mediator in intellectual property, commercial, contract, partnership, workplace and family disputes by appointment of parties and by appointment of the World Intellectual Property Organisation (Geneva).

He is a past Vice-Chairman of the Mediators Institute of Ireland and is a member of the ADR Committee of the Bar Council of England & Wales and has been listed in The International Who's Who of Commercial Mediation 2013- 2015 as being among the world's leading commercial mediators.
(<http://whoswholegal.com/profiles/47092/0/bridgeman/james-bridgeman/>)

He is a member of the mediator panel on the Business and Commercial Mediation Pilot Scheme established by the Courts Service of Ireland and Chambers Ireland in 2015.

Regulatory, Disciplinary

He served as Chair of the IIPA Disciplinary Committee prior to the merger of that institute with the CPA and was then appointed as a member of the CPA Disciplinary Committee. He is currently serving a second term as a member of the Property Services Appeal Board and a serving member of the member of the Preliminary Proceedings Committee of the Pharmacy Regulator (The Pharmaceutical Society of Ireland). In August 2014 following a series of competitive interviews he was appointed by the Deputy Governor of the Central Bank of Ireland as a member of the quasi-judicial panel to carry out investigations of regulated entities under the Administrative Sanctions Procedure under Part IIIC of the Central Bank Act 1942.

Human Rights

He has served as a member of the Mental Health Tribunals Panel of Chairpersons, continuously since it was established following the enactment of the Mental Health Act 2001. He has been recently reappointed for a further term running from 2019. He also provides advocacy support for international human rights projects. Information available on request.

Section 2 Panels and Appointments

Membership of Arbitration/ADR/ Adjudicative Panels

He is a member of the following dispute resolution panels of arbitrators and mediators:

International Panels

- Panels of Conciliators and Arbitrators ICSID (nominated by the Government of Ireland)
- Chartered Institute of Arbitrators Panel of Chartered Arbitrators
- World Intellectual Property Organisation, Geneva (Panel of Mediators/Arbitrators)
- National Arbitration Forum, USA.(Internet Domain Name Dispute Panel)
- Nominet UK, United Kingdom(Internet Domain Name Dispute Panel)
- ADNDRC Hong Kong/ China (Internet Domain Name Dispute Panel)
- World Intellectual Property Organisation Center for Arbitration of Intellectual Property Disputes. Geneva. (Internet Domain Name Dispute Panel)
- Czech Arbitration Court, Prague (<.eu> and UDRP Internet Domain Name Panels_
- On 7 November 2014 he was appointed by the Council of the European Union as a member of the panel of 15 arbitrators for the Protocol on Cultural Cooperation to the Free Trade Agreement between the European Union and its Member States, of the one part, and the Republic of Korea (Council Decision 2014/794/EU) (accessible at <http://eur-lex.europa.eu/homepage.html>)
- On 19 June 2019 he was appointed as an Arbitrator on the General List of the Court of Arbitration for Sport by the International Council for Arbitration for Sport (ICAS) Lausanne, Switzerland

Irish Panels

- Courts Service of Ireland and Chambers Ireland Business and Commercial Mediation Pilot Scheme (mediator panel)
- Mental Health Commission, Ireland (Mental Health Tribunal Panel)
- Law Society of Ireland panel of arbitrators
- National Contractual Disputes Panel (Construction Industry Federation, Ireland)
- Chartered Institute of Arbitrators (Irish Branch) Panel of Conciliators for Government Contracts
- Member of the Property Services Appeal Board, appointed by the Minister for Justice (Ireland)
- In August 2014 appointed by the Deputy Governor of the Central Bank of Ireland as a member of the quasi-judicial panel to carry out investigations of regulated entities under the Administrative Sanctions Procedure under Part IIIC of the Central Bank Act 1942.
- In January 2016 appointed as a member of the panel of adjudicators appointed by the Irish Minister for Jobs, Enterprise and Innovation (Official Journal of the Irish Government 22 January 2016 <http://www.irisoifigiuil.ie/currentissues/IR220116.pdf>)

Section 3 Engagement in Professional Organisations and Academic

In 2018 James Bridgeman SC, served as world President of the Chartered Institute of Arbitrators, prior to which he was Deputy President in 2017 and a Trustee of the CI Arb from 2012- 2016 elected for the Ireland region by the membership of the Irish Branch of the institute. (<http://www.ciarb.org/about/whos-who/board-of-trustees>)

President of the Chartered Institute of Arbitrators 2018

During his presidency of the Chartered Institute of Arbitrators in 2018, he chose the theme Quality Assurance and Ethics in International Arbitration on which he presented lectures in Tbilisi, Kuala Lumpur and Dublin. The theme was adopted widely throughout the CI Arb at conferences inter alia in Abuja, Tbilisi, Kuala Lumpur, Lisbon and London.

Prior to his election as Trustee served as Chairman of the CI Arb Irish Branch and as a member of the Irish Branch Committee for 20 years.

Other ADR Institutions

He is a member of the International Chamber of Commerce (ICC) Commission on Arbitration. He served for a number of years on the Irish National Committee of the ICC. He is a member of the ICC Task Force on Revision of ICC Rules and the ICC Task Force on Arbitration involving State Entities, the ICC Task Force on the New York Convention 1958, the ICC Task Force on Arbitration of Competition Law, the ICC Working Group on the Arbitration of Intellectual Property Disputes.

He was formerly a Vice-Chairman of the Mediators Institute of Ireland.

He is an elected Honourable Member of the Board of the Georgian International Arbitration Centre (Tbilisi)

He is a member of the Alternative Dispute Resolution sub-committee of the Bar Council of England and Wales and the Alternative Dispute Resolution sub-committee of the Bar Council of Ireland.
He is a Freeman of the Arbitrators Company (London) and a Freeman of the City of London.

Academic and Training

He is actively engaged in academic teaching at third level. For many years he lectured in media law and technology law at graduate and post-graduate level at ITT Dublin (now Technological University Dublin). He is a member of the teaching faculty on the Diploma in Construction Law and Contract Administration (Trinity College Dublin). He has served as a lecturer on the Law Society of Ireland Diploma in Arbitration and has provided guest lectures on the Diploma in Arbitration (University College Dublin).

He regularly participates in mediation and arbitration and international arbitration training and assessment courses for the Chartered Institute of Arbitrators in Ireland and the United Kingdom as course director, tutor, moderator and examiner. He is a member of the Technology Sub-Committee of the Chartered Institute of Arbitrators.

He is an accredited and active member of the Chartered Institute of Arbitrators training faculty. In 2019 he was a member of the faculty of the Accelerated Route to Fellowship assessments in both Washington DC, USA and Toronto Canada.

He is the convenor of the Dublin University Construction Law Alumni and sometime editor of the *ADR and Arbitration Review* (Dublin).

Section 4 Education and Training

Professional Qualifications

- 1989 Barrister at Law (Ireland): Called to the Bar of Ireland.
- 1992 Registered Trade Marks Agent [Not presently practicing as a trade mark attorney].
- 1992 Associate Member of Chartered Institute of Arbitrators
- 1998 Fellow of Chartered Institute of Arbitrators
- 2005 Chartered Arbitrator
- 2010 Barrister at Law (England & Wales: Call to the Bar of England & Wales (Middle Temple)
- 2012 Accredited Mediator, Mediators Institute of Ireland
- 2017 Senior Counsel (SC)(Ireland): patent of precedence from the Government of Ireland
- 2019 Barrister at Law (Northern Ireland)

Academic degrees / Qualifications:

- Trinity College, Dublin B.A. (Mod.) History and Political Science
- Kings Inns, Dublin Diploma in Legal Studies
- Kings Inns, Dublin Barrister at Law
- D.I.T (now Technological University Dublin) Graduate Diploma in Arbitration Law
- D.I.T (now Technological University Dublin) Graduate Diploma in International Arbitration Law
- University College Dublin Higher Diploma in European Law
- Trinity College, Dublin Diploma in Construction Law and Contract Administration [Bunni Medal]

Other Professional Training

- 2001 WIPO Training in Mediation of Intellectual Property Disputes (London)
- 2005 WIPO Advanced Mediation Training (Geneva)
- 2007 ICC PIDA Study of Mock Case under the ICC Rules 19-22 February 2007, Paris
- 2008 Accredited Conciliator of Construction Disputes (CI Arb and Engineers Ireland)
- 2010 Call to the Bar of England and Wales (Middle Temple)
- 2011 International Chamber of Commerce / IMI Intercultural Mediator Training, First Pilot, Paris
- 2012 Mediation Advocacy Course, Bar Council of England and Wales (London)
- 2013 Certified Corporate and Employment Investigation Course (CI Arb Irish Branch)
- 2013 Forensic Accounting – Criminal course (BPP and the Bar Standards Board London)
- Is a member of the Faculty of the Graduate Diploma in Construction Law and Contract Administration, Trinity College Dublin.
- Is a member of the training faculty of the Chartered Institute of Arbitrators and most recently In 2018 was member of the Faculty of the Accelerated Route to Fellowship of CI Arb Assessment in Washington DC and Toronto, Canada.
- completed a number of training courses in international commercial arbitration organised by the International Chamber of Commerce in Paris and Dublin;
- regularly attends meetings and seminars organised by the International Chamber of Commerce including meetings of the Commission on Arbitration and specialist Task Force meetings ;
- annually attends the World Intellectual Property Organisation domain name panelist meeting in each October;
- annually attends the Nominet UK Internet domain name dispute panelist meetings each January ;
- frequently participates in the delivery of arbitration and mediation training by ADR Europe and the ADR Committee of the Bar of England and Wales;
- complies with the CPD requirements of the Bar Council of Ireland, the Bar Standards Board of England and Wales, the Chartered Institute of Arbitrators Panel of Arbitrators and the Mediators Institute of Ireland

Section 5 Publications and Conference Presentations

Publications

- ***Adjudicating Intellectual Property Disputes***, An ICC Report on Specialised IP Jurisdictions Worldwide (2016) co-author. International Chamber of Commerce Commission on Intellectual Property
- ***The UNCITRAL Transparency Rules 2014 for Investor State Dispute Settlement and the Trans-Atlantic Trade and Investment Partnership Negotiations*** ADR and Arbitration Journal November 2015
- Contributor to the IBA e-book : ***Promoting Further Mediation***. (International Bar Association 2015)
- Chapter V in ***Arbitration of International Intellectual Property Disputes*** Thomas Halkett ed. Juris Publishing Inc. New York. May 2012 (ISBN:978-1-933833-67-5);
- ***Arbitration or the Commercial Court? End Game Resolution of Intellectual Property Disputes in Ireland***. ARBITRATION Vol 76. No. 4 (2010) 626 ;
- ***The Arbitrability of Competition Law Disputes*** 19 European Business Law Review 147-174 (2008);
- ***.ie chapter in Domain Name Law and Practice*** Torsten Bettinger ed. Oxford University Press 2005 [ISBN-10: 0199278253, ISBN-13: 978-0199278251] (eds 1 and 2).
- ***Moral Rights and the Copyright Bill 1999***. Irish Business Law.
- ***International Arbitration of Intellectual Property Disputes: Patent Agents, Registered Trade Mark Agents and the Arbitration (Commercial International) Act, 1998***. Irish Intellectual Property Review. September 1998.
- ***Registrability of Trade Marks and Service Marks in Ireland - The Trade Marks Bill 1995***. The Commercial Law Practitioner. March 1996.
- ***The Video Recordings Act 1989 - BlueMovies, Red Tape, White Noise***. The Commercial Law Practitioner November 1995
- ***Arbitration of Intellectual Property Disputes - The Arbitrability Question***. Irish Law Times May 1993.
- Various book reviews, casenotes and news reports for the European Intellectual Property Review, the Irish Intellectual Property Review and the International Arbitration Review.
- Contributor to ***Final Report on Intellectual Property Disputes and Arbitration***. The ICC International Court of Arbitration Bulletin Vol 9/ No 1 – May 1998.
- Sometime editor of the ADR and Arbitration Journal.

Conference Presentations

- ***Dublin Forum on International Dispute Resolution***. Organiser and host of this annual event since 2007.
- ***Keynote Lecture: Current issues in international commercial arbitration, direction of travel and a role for Scotland***. Faculty of Advocates of Scotland, Arbitration Conference. Edinburgh 17 May 2019
- ***CIArb Practitioners' Workshop on Dealing with Ethical Dilemmas in Arbitration*** .Georgian International Arbitration Centre. Tbilisi 5 October 2018
- ***The status of the CETA (the Comprehensive Economic and Trade Agreement, a free-trade agreement between Canada, the European Union and its member states)*** CIArb North America Branch Conference on Investor State Dispute Settlement in Washington DC on 13 September 2018.
- ***Quality Assurance and Ethics in Arbitration and ADR- The Role of the Institutions Panel Chair***: Chartered Institute of Arbitrators Midsummer Conference. Dublin 29 June 2018
- ***Private Dispute Resolution in the modern age- a Celtic Perspective***. CIArb Scottish Branch Annual Lecture. Edinburgh 11 May 2018
- ***Keynote Speech: Ethics and Quality Assurance in International Arbitration. Presidential Lecture***. CIArb Malaysia Branch. Kuala Lumpur 20 April 2018
- ***TTIP and the UNCITRAL Transparency Rules 2014***. Chartered Institute of Arbitrators Centenary Conference Dublin 10 October 2015
- ***How to improve the use of mediation in both civil law and common law countries***. IBA Vienna 7 October 2015
- ***MedArb – An Epiphany***, panel presentation in Conference on Conflict Resolution: Peace, Practice, Perspective, Celebrating Women as ADR Leaders on International Womens Day. 8 March 2013. Dublin.

- **Introduction to International Commercial Arbitration under the UNCITRAL Model Law and the UNCITRAL Arbitration Rules**, Istanbul, Turkey 6 January 2012, Prague 23 October 2009 and Dublin May 2011;
- **ADR and the Courts**, CIArb Conference on Debt Mediation, Dublin June 2011
- **Arbitration and the Revision of the Brussels 1 Judgment Regulation**. Ordre des Avocats de Paris and CIArb European Branch Conference. Paris 9 June 2011
- **New WIPO Rules on Film and Media Disputes**. Dublin Forum on Arbitration of IP Disputes June, 2010
- **International Arbitration of IP Disputes**. London November 23, 2007
- **Expert Determination and Arbitration of Shareholders Disputes** CLT Shareholders Conference. Dublin. November 2007
- **The Future of Intellectual Property Disputes**. Chartered Institute of Arbitrators International Conference, Dublin 4-5 November 2007
- **Arbitration of Boundary Disputes**. Society of Chartered Surveyors Dublin 17 May 2007
- **Arbitration of Competition Law Issues**. Annual Conference Competition Dublin. September 2006.
- **The .EU Dispute Resolution Process**. Chartered Institute of Arbitrators Conference: Transatlantic Perspectives on ADR. London. July 2006
- **Alternative Dispute Resolution – A Solution for Future IPR Conflicts?** ECTA. 24th Annual Conference. 8-11 June 2005 London
- **Alternative Dispute Resolution and Intellectual Property Disputes**. AIPPI Seminar Dublin December 2005
- **Mediation of Boundary Disputes**. Irish Institute of Surveyors, DIT Bolton Street December 2005
- **Alternative Dispute Resolution and Intellectual Property Disputes**. CIPA/ITMA Seminar London November 2005

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1 August 2019