

Jacques DE WERRA

Professor of contract law and of intellectual property law
at the Law School of the University of Geneva / Director of the Digital Law Center

EDUCATIONAL QUALIFICATIONS AND ACTIVITIES

Professor of contract law and of intellectual property law, University of Geneva, 2006 – (full-time position as “professeur ordinaire”)
Director of the Digital Law Center, Faculty of Law, University of Geneva, 2020-
Vice-rector of the University of Geneva (2015-2019);
Faculty Fellow / Faculty Associate, Berkman Center for Internet and Society, Harvard University (2013-2015);
Visiting Professor, Harvard Law School (winter term 2022: January 2022)
Visiting Professor, Paris II Panthéon Assas (2020)
Visiting Professor, Stanford Law School (2017; 2023);
Visiting Professor, Université catholique de Louvain (2014);
Lecturer, Boston University School of Law (spring term 2013);
Visiting Professor, City University of Hong Kong (2012);
Visiting Professor, Nagoya University (2012);
Visiting Professor, University of Neuchâtel, 2006-2007;
Visiting Professor of e-commerce law and intellectual property law (Master program in law, criminality and security of new technologies), University of Lausanne, 2005-2006;
Lecturer (for intellectual property law), University of Geneva, 2003 – 2006;
LL.M., Master of Laws, Columbia University School of Law, 2001;
Doctorate in Law (J.S.D.), University of Lausanne, 1996;
Degree in Law (J.D.), University of Lausanne, 1993.
Bar Admission: Geneva Bar, 1999; New York Bar, 2003.

OTHER SCIENTIFIC AND PROFESSIONAL ACTIVITIES

Organizer of the digital law summer school at the University of Geneva (since 2014: www.digitallaw-geneva.ch)
Co-organizer of the WIPO – University of Geneva summer school on Intellectual Property (since 2011)
Member of the scientific board of the Swiss Review of intellectual property, information and competition law (sic ! www.sic-online.ch)
Member and former Chairman (2013-2015) of the Standing Committee on “IP ADR” of the International Association for the Protection of Intellectual Property (AIPPI)
Member of the Swiss Federal Arbitral Commission for the Management of Copyrights and Neighbouring Rights (2012-2015)
Panelist for Internet Domain Name Disputes of the WIPO Arbitration and Mediation Center (Geneva) and the Asian Domain Name Dispute Resolution Center (ADNDRC) until 2019 (Hong Kong)

PAST PROFESSIONAL EXPERIENCE

Associate, Lenz & Staehelin, Zurich/Geneva, Switzerland, 2002-2006;
Intern, Fross, Zelnick, Lehrmann & Zissu P.C., New York City, 2002;
Trainee / associate, de Pfyffer & Partners, Geneva, 1997-2000;

Prof. Jacques de Werra – University of Geneva – Faculty of Law – Department of commercial law
UNI MAIL - Boulevard du Pont d'Arve 40 CH-1211 Geneva 4 Switzerland
jacques.dewerra@unige.ch; <https://www.unige.ch/droit/en/collaborateur/professeurs/dewerra-jacques/>.

Intern, Morrison & Foerster, LLP, Brussels, 1996;
Research assistant, Law School of the University of Lausanne, 1993-1996.

MEMBERSHIP IN PROFESSIONAL BODIES

Association Littéraire et Artistique Internationale (ALAI), Swiss Group;
Comité Français de l'Arbitrage (CFA);
International Association for the Protection of Intellectual Property (AIPPI), Swiss Group (former member of the board);
Licensing Executives Society (LES), Swiss Group;
Swiss Arbitration Association (ASA);
Swiss Forum for Communication Law.

SELECTED PUBLICATIONS¹

Using Arbitration and ADR for Disputes about Personal and Non-Personal Data: What Lessons from Recent Developments in Europe?, in: American Review of International Arbitration. 2019, vol. 30, no. 2, p. 195-217;

<https://archive-ouverte.unige.ch/unige:134313>

Can exclusive licensees sue for infringement of licensed IP rights? a case study confirming the need to create global IP licensing rules, in: Harvard Journal of Law & Technology 2017 (Special issue), p. 189-209;

https://papers.ssrn.com/sol3/papers.cfm?abstract_id=2907655

Annual review of the Swiss case law about Swiss contract law, in: Journal des Tribunaux² since 2011 ; last published review: Droit des contrats : Partie générale et contrats spéciaux, Journal des Tribunaux II (Droit civil, poursuite pour dettes et faillites et procédure civile) 2020;

<https://archive-ouverte.unige.ch/unige:159253>

Scientific co-editor (with Prof. Irene Calboli) of The Law and Practice of Trademark Transactions: a Global and Local Outlook (Edward Elgar 2016)

Scientific co-editor (with Prof. Philippe Gilliéron) and author of the [Commentaire romand de droit de la propriété intellectuelle](#) (approx. 2500 pages) commenting the four main Swiss intellectual property laws (i.e. copyright, patent, trademark and design laws)

Scientific editor of the Research Handbook on Intellectual Property Licensing (Edward Elgar 2013): www.ip-licensing.info

Founder and scientific editor of an intellectual property book series: Propriété Intellectuelle – Intellectual Property (www.pi-ip.ch):

- Vol. 1: Sport et propriété intellectuelle / Sport and Intellectual Property (2010)
- Vol. 2: La résolution des litiges de propriété intellectuelle / Resolution of Intellectual Property Disputes (2010)
- Vol. 3: Marques notoires et de haute renommée / Well-Known and Famous Trademarks (2011)

¹ Full list of publications: <http://www.unige.ch/droit/collaborateur/professeurs/deWerra-jacques/publications.html>.

² Leading Swiss legal journal (in French language).

- Vol. 4 : La propriété intellectuelle dans l'industrie pharmaceutique / Intellectual Property in the Pharmaceutical Industry (2012)
- Vol. 5 : Yaniv Benhamou (thèse de doctorat), Dommages-intérêts sous l'angle de la méthode des redevances suite à la violation de droit de propriété intellectuelle en droit suisse et comparé
- Vol. 6 : La protection des secrets d'affaires / The Protection of Trade Secrets (2013)
- Vol. 7 : Défis du droit de la concurrence déloyale / Challenges of Unfair Competition Law (2014)
- Vol. 8 : Le droit du design / Design law (2015)
- Vol. 9 : Indications géographiques: Perspectives globales et locale / Geographic Indications: Global and Local perspectives (2016)
- Vol. 10 : Droit d'auteur 4.0 / Copyright 4.0 (2017)
- Vol. 11 : Accords de technologie / Technology Transactions (2018)
- Vol. 12 : Marques 3D et autres marques non-traditionnelles / 3D Trademarks and other Non-Traditionally Trademarks (2019)
- Vol. 13 : Propriété intellectuelle à l'ère du Big data et de la blockchain / Intellectual Property in the Era of Big Data and Blockchain (2020)

Alternative Dispute Resolution Mechanisms for Solving Trademark Disputes (Mediation, UDRP, Arbitration), in: Irene Calboli & Jacques de Werra (eds), The Law and Practice of Trademark Transactions : a Global and Local Outlook (Edward Elgar 2016), p. 293-322; <https://archive-ouverte.unige.ch/unige:82027>

New Developments of IP Arbitration and Mediation in Europe: The Patent Mediation and Arbitration Center Instituted by the Agreement on a Unified Patent Court, in: *Revista Brasileira de Arbitragem* 2014, p. 17-35; <https://archive-ouverte.unige.ch/unige:39878>

The Expanding Significance of Arbitration for Patent Licensing Disputes: From Post-Termination Disputes to Pre-Licensing FRAND Disputes, in: *ASA Bulletin* 2014, vol. 32, no. 4, p. 692-706; http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2773720

Euro-Korean Perspectives on the Use of Arbitration and ADR Mechanisms for Solving Intellectual Property Disputes, in: *Arbitration International*, 2014, vol. 30, no. 1, p. 91-123 (co-authored with Gyooho Lee and Keon-Hyung Ahn); <https://archive-ouverte.unige.ch/unige:33421>

Arbitrating International Intellectual Property Disputes: Time to Think Beyond the Issue of (Non-) Arbitrability, in: *International Business Law Journal*, 2012, Issue 3, p. 299-317; http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2149762

How to Protect Trade Secrets in High-Tech Sports? An Intellectual Property Analysis based on the Experiences at the America's Cup and in the Formula One Championship, in: *European Intellectual Property Review* 2010 (volume 32, issue 4), p. 155-164; http://papers.ssrn.com/sol3/papers.cfm?abstract_id=2149767

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