

PROFILE - ALAN L. LIMBURY
MA (Jurisprudence) (Oxford), MDR (UTS)
Specialist Accredited Mediator (Law Society of NSW), Advanced Mediator (Resolution Institute), Certified Mediator (IMI), Distinguished Fellow, International Academy of Mediators.

LAWYER, NEGOTIATOR, MEDIATOR and ARBITRATOR



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Mediation experience

Alan has been mediating since 1986 part time and since 1996 full time, with wide experience as sole mediator in over 2,000 commercial and intellectual property disputes of all kinds in Australia, New Zealand and the UK, in which parties are legally represented. He was described in the 1996/97 edition of Legal Profiles as 'the leading practitioner' in ADR in Sydney; by The Times of London in June 2007 as "the leading Australian mediator"; and by Who's Who Legal 2014 and 2015 as "one of the 10 most highly regarded commercial mediators in the world". In 2016 he was inducted as a Distinguished Fellow of the International Academy of Mediators.

Other dispute resolution experience

1964-1996 Commercial litigation lawyer in Sydney law firms.
1976-1996 Partner, Minter Ellison, Sydney. Chairman, Trade Practices, Intellectual Property and Alternative Dispute Resolution Groups.

Wide experience as a litigation lawyer at trial and on appeal in commercial disputes, including intellectual property (trade marks, patents, copyright and confidential information), restrictive trade practices, unfair competition and administrative law.

Since 2000 Experience in 11 commercial arbitrations raising issues of contractual interpretation, misleading and deceptive conduct, intellectual property rights, international technology licensing, margin lending and estoppel.

Experience as arbitrator in over 540 domain name disputes.

Eight years as initial Chairman of the Complaints Resolution Panel established under the Australian *Therapeutic Goods Regulations* to determine complaints about the advertising and promotion of therapeutic goods to consumers; and Member, Therapeutic Goods Advertising Code Council.

Three years as a member of the Australian Administrative Appeals Tribunal, in determining appeals from governmental administrative decisions.

Qualifications

- BA (Hons.)(Jurisprudence), University of Oxford, 1963.
- MA, University of Oxford, 1968.
- Master of Dispute Resolution (MDR), University of Technology, Sydney, 1997.
- Barrister, United Kingdom (Inner Temple), 1964.
- Legal Practitioner, High Court of Australia and Supreme Courts of the Australian Capital Territory, New South Wales, Queensland and Victoria (from 1965).
- Trained in negotiation and mediation at Harvard University in 1986, 1987 and 1991.
- Trained in mediation by ACDC, 1986; CDR Associates, Colorado, 1988; Institute of Arbitrators Australia (Advanced), 1989; Law Society of New South Wales (Advanced), 1993 and University of Technology, Sydney (Advanced), 1993.
- Specialist Accredited Mediator, Law Society of NSW, 1995.
- LEADR Advanced Mediator, 1997 (now Resolution Institute).
- Trained in arbitration by the World Intellectual Property Organization, 2000 and 2004 and by the Chartered Institute of Arbitrators, 2003-4.
- Member, Accredited Mediator and Grade 1 Arbitrator, Institute of Arbitrators & Mediators Australia, 2005-2012.
- Accredited as an Experience Qualified Mediator under the Australian National Mediator Standards since 2008.
- International Mediation Institute Certified Mediator since 2011.

Current positions

- Sole Practitioner, Solicitor and Barrister of the Supreme Court of New South Wales.
- Managing Director, Strategic Action Pty Ltd t/a Strategic Resolution.
- Distinguished Fellow, International Academy of Mediators
- Member, International Advisory Board, Afghanistan Centre for Commercial Dispute Resolution.
- Chairman, Code Appeals Committee, Medical Technology Association of Australia Limited.
- Chairman, Complaints Panel of the Australian Self-Medication Industry.
- Alternate Chairman, Complaints Resolution Panel to determine advertising complaints under the *Therapeutic Goods Regulations*.
- Assistant lecturer in Negotiation (postgraduate) and Dispute Resolution (undergraduate and postgraduate) at the University of New South Wales.
- Senior Fellow, Melbourne Law School, teaching Mediation of Commercial Disputes.
- Member of several mediation panels around the world.
- Member of several domain name arbitration panels around the world.

- Honorary Life Member, Business Law Section, Law Council of Australia.

Previous positions and activities

- Chairman, Medicines Australia Code of Conduct and Appeals Committees (2006-2016).
- Adjunct Professor, Faculty of Law, the University of Sydney (2009-2010).
- Chartered Arbitrator and Fellow, the Chartered Institute of Arbitrators, (2005-2010).
- Professional Dispute Board Member, the Dispute Board Federation (2008-2009).
- Chairman, Standing Expert Committee on ADR, Law Council of Australia (member 1989-2009).
- Deputy Chairman, National Electricity Tribunal (1998–2007).
- Member, Health Services Advisory Committee (2001-2007).
- Chairman, Complaints Resolution Panel to determine advertising complaints under the *Therapeutic Goods Regulations* and member, Therapeutic Goods Advertising Code Council (1998-2006).
- Member, Administrative Appeals Tribunal (Commonwealth of Australia) (2001-2004).
- Founding member and director of LEADR (now Resolution Institute), (Chairman 1991-1993).
- Chairman, Business Law Section of the Law Council of Australia (1987–1989) and of its Trade Practices Committee.
- Member, Advertising Review Expert Committee concerned with Trans-Tasman harmonization of therapeutic goods advertising (2002).
- Conciliator under s.89 of the *Health Care Complaints Act 1993* (NSW).
- Legal advisor to the Medical Services Committee (NSW).
- Member, the Australian Institute of Company Directors.

Some Publications

- "Should Mediation be an Evidentiary 'Black Hole'?" University of New South Wales Law Journal Vol. 35(3) 914 (Forum), November, 2012
- "Getting the best of both worlds with Med-Arb": Law Society of NSW Journal, September 2010, Vol. 48 No. 8, 62-65.
- "Resolving IP disputes by mediation": Law Society of NSW Journal, August 2010, Vol. 48 No. 7, 75-77.
- "Mediating Trade Practices penalty cases with the Australian Competition & Consumer Commission": The Australian Corporate Lawyer, June 1997.
- "The Regulation and Approval of Pharmaceutical Substances": Changing Dynamics in the Pharmaceutical Industry Conference, Sydney, October 1994.
- "Intellectual Property Litigation in Australia - The Cimetidine Example 1987-1994": ARCS Symposium, Sydney, September 1994.