

**Steven A. Certilman, FCIArb, C Arb**  
*Attorney, Chartered Arbitrator and Mediator*

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**ADR EXPERIENCE**

More than 20 years experience as domestic and international commercial, IT and IP arbitrator serving as sole arbitrator, panel chair and panelist in commercial, large and complex and international cases under various United States and international administrative rules. Disputes have included claims in excess of \$30 million arising in diverse subject areas including IT, business process outsourcing, IP, software and technology licensing, telecommunications, services agreements, insurance coverage, transactional, investment, franchising, construction, publishing, franchising and real estate. More than fifty mediation cases since 1999.

Recent or significant matters include disputes involving: breach of e-commerce agency agreement; pre- and post-closing disputes arising out of business purchases/sales; Internet and online media company contacts; custom software licensing and maintenance agreements; key person employment agreements; direct marketing printing and distribution agreement; art publishing agreements; book publishing agreements; telecommunications services agreements, technology licensing agreements and domestic and international franchise agreements.

Adjunct Professor of Law, Fordham University School of Law, teaching international arbitration (2011-date).

**PANEL APPOINTMENTS AND MEMBERSHIPS**

Fellow, College of Commercial Arbitrators; Fellow and Chartered Arbitrator, The Chartered Institute of Arbitrators, London, England (2002). Appointed Roster of Neutrals, American Arbitration Association, Large and Complex Case, Commercial and Technology Panels, Mediation Panel; Mediator and Member, Panel of Distinguished Neutrals, International Institute for Conflict Prevention and Resolution, Technology and Franchise Panels; Arbitrator, London Court of International Arbitration; Arbitrator, Hong Kong International Arbitration Centre; Arbitrator, Kuala Lumpur Regional Centre for Arbitration; Arbitrator, FINRA (formerly NASD); Arbitrator, American Dispute Resolution Center; Hearing Officer, National Arbitration and Mediation; Member, Commercial and Technology Panels, Course Director and Tutor, The Chartered Institute of Arbitrators; Mediator, United States District Court, Southern District of New York; Mediator, United States Bankruptcy Court, Southern District of New York; Arbitrator, United States District Court, Eastern District of New York; Trial Referee, Superior Court of the State of Connecticut; Member, American Bar Association; Connecticut Bar Association, (Former Chair, Technology Law Section), Fairfield County Bar Association, (Former Co-Chair, ADR Section); New York State Bar Association; New York City Bar.

**LEGAL EXPERIENCE**

More than 30 years of commercial litigation and corporate and commercial law practice with specialization in information technology, business process outsourcing, intellectual property and licensing matters. Trial Referee, Superior Court of the State of Connecticut, 1999 to date. Magistrate, Superior Court of the State of Connecticut, 2004 to date.

Corporate experience: transaction of businesses to \$35,000,000; extensive general corporate counseling and

transactional practice; contract review, analysis and negotiation over a diverse range of subject areas; debt and equity financings.

IT and Outsourcing experience: business process outsourcing agreements with Fortune 50 companies; technology transfer agreements; software licensing; e-commerce company formation, counseling and contracting.

IP experience: Prosecution and defense of copyright infringement cases, prosecution of trademark applications and defense of trademark oppositions; licensing of trademarks. Counsel to advertising agencies in corporate, contract and direct marketing matters.

### **PROFESSIONAL LICENSES**

Admitted to the Bar: New York, District of Columbia (inactive), Connecticut and Massachusetts; U.S. District Court: Southern and Eastern Districts of New York, 1982; U.S. Court of Appeals, Second Circuit, 1982; U.S. District Court, District of Connecticut, 1986.

### **SELECTED PROFESSIONAL ACTIVITIES**

Adjunct Professor of Law, Fordham University School of Law, teaching international arbitration (2011-date); Former Chairman, Board of Trustees, The Chartered Institute of Arbitrators, London, England (2009 to 2011); Elected trustee, The Chartered Institute of Arbitrators, London, England (2005 to 2011); Observer, UNCITRAL Working Group II, New York, NY (2010); Accredited Tutor, Fellowship Program, The Chartered Institute of Arbitrators; Freeman, Worshipful Company of Arbitrators (2006 to date); Arbitrator/Judge, *Willem C. Vis International Commercial Arbitration Moot Competition*, Vienna and Hong Kong (2007 to date).

### **EDUCATION**

Hofstra University School of Law, Hempstead, NY (J.D. 1981); Connecticut College, New London, CT (BA degrees in Psychology, Government and Sociology-Based Human Relations, 1978).

### **SELECTED PUBLICATIONS**

Arbitrability of IP Disputes, chapter within a treatise entitled *Arbitration of International Intellectual Property Disputes*, Juris Publishing, 2012.

Selected International Arbitration Rules, 2011 Edition, *Alternatives to the High Cost of Litigation*, a publication of International Institute for Conflict Prevention and Resolution, Volume 29 Number 9 (October 2011).

A Brief History of Arbitration in the United States, *New York Dispute Resolution Lawyer* (a publication of the Dispute Resolution Section of the New York State Bar Association), Volume 3 No. 1 (Spring, 2010).

Protocol for E-Disclosure in Arbitration Issued by the Chartered Institute of Arbitrators, *New York Dispute Resolution Lawyer* (a publication of the Dispute Resolution Section of the New York State Bar Association), Volume 2 No. 1 (Spring, 2009).

Comparison of Selected International Arbitration Rules, *Alternatives to the High Cost of Litigation*, a publication of International Institute for Conflict Prevention and Resolution, Volume 26 Number 5 (May 2008).

Judges as Mediators: Retaining Neutrality and Avoiding the Trap of Social Engineering, *Arbitration: The International Journal of Arbitration, Mediation and Dispute Management*, Volume 73 No. 1 (February, 2007).

#### **SELECTED SPEAKING ENGAGEMENTS AND EDUCATION PROGRAMS**

Presenter, *Getting the Arbitration Process Parties Want and Need*, College of Commercial Arbitrators (various presentations to law firms 2013 and continuing).

Presenter, *Comparison of Five Major Rules of International Arbitration*, Connecticut Bar Association, New Haven, Connecticut (November, 2011).

Presenter, *Introduction to Arbitration*, The Chartered Institute of Arbitrators (Bahamas Branch), Nassau, The Bahamas (May, 2011).

Presenter, *Introduction to Mediation*, The Chartered Institute of Arbitrators (Bahamas Chapter), Nassau, The Bahamas (May, 2011).

Speaker, *An Arbitration Grand Slam – The Protocols of the College of Commercial Arbitrators for Re-establishing the Goals for Quicker, Cheaper, Better*, Connecticut Bar Association (May, 2011).

Tutor, *International Arbitration Training Program*, a Joint Training Program of The International Institute for Conflict Prevention and Resolution and The Chartered Institute of Arbitrators, New York, New York (May, 2010).

Speaker, *CPR Advanced Arbitrator Training: How to Conduct Efficient Hearings and Avoid Common Pitfalls*, International Institute for Conflict Prevention and Resolution (CPR), New York, NY (October, 2009).

Faculty/Speaker, *College of Commercial Arbitrators National Summit on Business to Business Arbitration*, Washington, DC (October, 2009).

Tutor, *Accelerated Route to Fellowship (UK domestic)*, The Chartered Institute of Arbitrators, London, England (May, 2009).

Speaker, *Arbitrator Training II*, American Dispute Resolution Center, New Britain, CT (April, 2009).

Speaker, *Arbitrator Training I*, American Dispute Resolution Center, New Britain, CT (September, 2008).

Speaker, *The North American Perspective*, The Chartered Institute of Arbitrators International Conference, Dublin, Ireland (November, 2007)

Tutor, *International Arbitration Training Program*, a Joint Training Program of The International Institute for Conflict Prevention and Resolution and The Chartered Institute of Arbitrators, New York, New York (May, 2007).

Speaker, *Using Process Differences and Techniques From Other Legal Systems to Make the Most of Your International Arbitration Case*, ABA Section on Dispute Resolution Annual Meeting (April, 2007).

Speaker, *ADR Applications and Methodologies: International Perspectives*, East Asia Branch, The Chartered Institute of Arbitrators, Hong Kong (March, 2007)

Tutor, *International Arbitration Training Program*, a Joint Training Program of The International Institute for Conflict Prevention and Resolution and The Chartered Institute of Arbitrators, New York, New York (October, 2006).

Speaker, *History of ADR in the United States*, Connecticut Bar Association ADR Section (2006).

Presenter, *Best Practices in International Arbitration*, Joint Program of the American Arbitration Association and the Fairfield County Bar Association (2006).

Assessor, *Fast Track to Fellowship Program (International)*, The Chartered Institute of Arbitrators, New York, NY (October, 2006).

Assessor, *Fast Track to Fellowship Program (International)*, The Chartered Institute of Arbitrators, Chicago, Illinois (September, 2006).

Speaker, *History of ADR in the United States*, Transatlantic Perspectives on ADR, a Joint Program of St. John's University Law School (Queens, NY) and The Chartered Institute of Arbitrators (July, 2006).

Assessor, *Fast Track to Fellowship Program (International)*, The Chartered Institute of Arbitrators, London, England (July, 2006).

Speaker, *ADR in the Intellectual Property and Information Technology Fields*, Connecticut Bar Association Annual Meeting (June, 2006).

Presenter, *Law for Artists: A Paint by Numbers Primer*, presented before various organizations, 2005 to present.

Presenter, *AAA Best Practices in Arbitration*, Joint Program of the American Arbitration Association and the Fairfield County Bar Association (May, 2005).

#### **CONTACT INFORMATION**

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