

Steven A. Certilman, FCIArb
Chartered Arbitrator and Mediator

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, transactional, investment, franchising, construction, publishing, franchising and real estate. More than thirty 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, Commercial and Technology Panels, Mediation Panel; Mediator and Member, Panel of Distinguished Neutrals, International Institute for Conflict Prevention and Resolution, Technology and Franchise Panels; Member, Hong Kong International Arbitration Centre, Panel of Arbitrators; Member, International Panel of Arbitrators, Singapore International Arbitration Centre; Member, Panel of Arbitrators, Kuala Lumpur Regional Centre for Arbitration; Member, Panel of Neutrals, FINRA (formerly NASD); Member, Commercial Panel, American Dispute Resolution Center; Hearing Officer, National Arbitration and Mediation; Member, Commercial and Technology Panels and Tutor, The Chartered Institute of Arbitrators; Mediator, United States District Court, Southern District of New York; Arbitrator, United States District Court, Eastern District of New York; Mediator, United States Bankruptcy Court, Southern District of New York; Arbitrator and Mediator, Superior Court of the State of Connecticut; Member, American Bar Association; Connecticut Bar Association, (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 25 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 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, 1982; District of Columbia, 1984 (inactive); Connecticut, 1988; 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

Chairman Emeritus, Board of Trustees, The Chartered Institute of Arbitrators, London, England (2009 to 2010); Elected trustee, The Chartered Institute of Arbitrators, London, England (2005 to 2011), Observer, UNCITRAL Working Group II, New York, NY (2010); 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).

SPEAKING AND TUTORING

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 (Bermuda Branch), Nassau, The Bahamas (May, 2011).

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

SELECTED PUBLICATIONS

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).

CONTACT INFORMATION

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