

# PAUL KLAAS

*J.D. (Doctor of Laws)*

*Chartered Arbitrator*

*Fellow of the Chartered Institute of Arbitrators*

*Fellow of the College of Commercial Arbitrators*

*Fellow of the American College of Trial Lawyers*

## ARBITRATOR

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309 Meadow Lane South  
Minneapolis, MN 55416-3408  
United States of America

Maitland Chambers  
7 Stone Buildings  
London WC2A 3SZ  
United Kingdom

## EXPERIENCE

Dual-qualified as an American lawyer and an English barrister

Commercial arbitrator on ICDR, LCIA, ICC, AAA, JAMS, other institutional, industry, and ad hoc arbitrations as chair of arbitral tribunal, member of arbitral tribunal, and sole arbitrator

Arbitrator Member, North Coast Arbitration Chambers, Minneapolis (as to matters within the US)

Arbitrator Member, Maitland Chambers, Lincoln's Inn, London (as to matters outside the US)

Partner, Dorsey & Whitney, LLP and Dorsey & Whitney (Europe) LLP, practicing in Minneapolis and London. Served, in various years, as chair of Dorsey's dispute resolution, international, intellectual property litigation, and international arbitration practice groups and as the head of Dorsey's London office. Lead counsel in hundreds of lawsuits and arbitrations (1977 – 2014)

Adjunct Professor of Law, University of Minnesota Law School (teaching the international commercial arbitration course) (Fall Terms 2013 – 2020)

Adjunct Professor/Senior Lecturer, Dartmouth College (teaching a course on classical and legal rhetoric) (Winter Term 2012, Winter Term 2015)

Lecturer on Law, Harvard Law School (teaching the international commercial arbitration course) (Spring Term 2015)

## EDUCATION

Harvard Law School

J.D., 1977, *cum laude*

Winning team and top oralist, Jessup International Law Moot Court Competition

Dartmouth College

A.B., 1974, *magna cum laude*, Phi Beta Kappa

Barge Medal for Oratory

## ADMISSIONS TO PRACTICE AS A LAWYER

United States Supreme Court

England and Wales

Solicitor: 2006 - 2014

Barrister (Lincoln's Inn): 2014 to present [serving exclusively as arbitrator/mediator]

State of Minnesota (US)

United States Courts of Appeals for the Eighth, Ninth, Tenth and Federal Circuits

United States District Courts for the Districts of Minnesota and Western Wisconsin

## HONORS

Chartered Arbitrator, Fellow, and Member of the Presidential Panel of Arbitrators,  
Chartered Institute of Arbitrators

Fellow and Member of Board of Directors, College of Commercial Arbitrators

Fellow, American College of Trial Lawyers

Chambers USA ("Noted Practitioner" as international arbitrator every year applied)

Chambers USA and/or Chambers Global ("Leading Individual" in Commercial  
Litigation) 2011-2015 ("...a diverse practice and extensive arbitration experience. He is  
described by clients as truly sensational in terms of strategy, approach, creativity, and  
instinct... with truly international experience.")

InterContinental Finance Magazine (named one of the top 500 lawyers in the world in the  
2013, 2014, and 2015 "ICFM Leading Lawyers 500")

"Minnesota Superlawyer" in the International, Alternative Dispute Resolution, Intellectual  
Property, Business Litigation, and Medical Malpractice categories (various years 2003-2014)  
Thomson Reuters

## REPRESENTATIVE CASES

### Arbitrations

*Colchester Aviation and BV Airways v. The Government of the British Virgin Islands* (International Centre for Dispute Resolution, Miami) (sole arbitrator of dispute between airline and government arising from failed effort to establish non-stop air service from the continental US to the BVI; award issued; by agreement of the parties, neither the arbitration itself nor the award is confidential)

*[US inventor/innovator] v. [Multinational pharmaceutical conglomerate]* (ad hoc) (chair of arbitral tribunal deciding claims of breach of license agreement and theft of trade secrets involving chemical additives to nutritional products for human consumption; award issued)

*[US technology developer and manufacturer] v. [German applied research organization]* (International Centre for Dispute Resolution, New York) (sole arbitrator of dispute concerning 200+ patents to audio technology; award issued)

*[Italian component manufacturer] v [US medical device manufacturer]* (ICC International Court of Arbitration, Paris/London) (sole arbitrator, by joint nomination, of dispute arising from allegedly defective limb prostheses; award issued)

*[Australian coal mining company] v. [Indian steel manufacturer]* (London Court of International Arbitration) (sole arbitrator of \$80 million contract claim; award issued)

*[Belizean financial services firm] v. [Mexican resort and entertainment conglomerate]* (International Centre for Dispute Resolution, Houston) (chair of arbitral tribunal deciding claims of breach of contract and fraud arising from debt placement; award issued; award confirmed, 2:17-CV-01292 C.D. Cal.)

*[US aircraft components manufacturer] v. [UK subcontractor]* (International Centre for Dispute Resolution, New York) (sole arbitrator of dispute arising from subcontract for manufacture of flap and slat equipment for commercial aircraft; award issued)

*[US hotel chain] v. [US hotel chain franchisee]* (JAMS, New York) (chair of arbitral tribunal deciding contract claim concerning exclusive use of name/brand in designated geographic area; settled by the parties after final hearing)

*[French television service] v. [US satellite company]* (International Centre for Dispute Resolution, New York) (chair of arbitral tribunal deciding misrepresentation claims as to satellite transponder; settled by the parties after preliminary hearings)

*[US producer] v. [Canadian distributor]* (ICC International Court of Arbitration, Paris/New York) (sole arbitrator of dispute over distribution rights to boar semen; settled by the parties before final hearing)

*[Japanese food processing company] v. [US, UK, and German food processing companies]* (International Centre for Dispute Resolution, New York) (sole arbitrator of corporate control issues among formerly-related corporations; award issued)

*[US religious organization] v. [Australian religious organization]* (International Centre for Dispute Resolution, New York) (sole arbitrator of contract and intellectual property dispute; settled by the parties after preliminary hearings and rulings)

*[North American distributor] v. [Australian owner of winery]* (International Centre for Dispute Resolution, New York) (member of arbitral tribunal deciding dispute concerning North American distribution rights of fine wines; settled by the parties after the hearing)

*[French electronics manufacturer] v. [US airline]* (ICC International Court of Arbitration, Paris) (lead respondent's counsel for airline pilot training company in dispute with manufacturer of aircraft simulator; favorable award)

*[US inventor] v. [Israeli manufacturer]* (ICC International Court of Arbitration, Paris) (lead claimant's counsel in dispute concerning patent and trademark rights to pistol; favorable interim award after first phase of hearings precipitated favorable settlement)

*[German chemical manufacturer] v. [US chemical manufacturer]* (Zurich Chamber of Commerce arbitration) (lead respondent's counsel in trade secrets/licensing dispute concerning chemical coatings for containers; favorably settled)

## **Lawsuits**

*Potash Corporation of Saskatchewan v. The Mosaic Company* (Queen's Bench, Saskatchewan, Canada) (lead US counsel to Mosaic in multi-billion dollar potash mining contract/declaratory relief lawsuit; favorably settled)

*CyberOptics v. Yamaha Motor Company* (D. Minn, Fed. Cir., Tokyo Dist. Ct.) (lead plaintiff's counsel to optical sensor manufacturer alleging "patent flooding" and theft of technology; favorably settled)

*American Network v. InteCom* (D. Or.) (lead trial counsel to plaintiff purchaser of defective telecommunications and computer equipment; \$37.5 million jury verdict)

*[Individual plaintiffs] v. Mayo Clinic* (D. Minn., 8th Cir., Minn. state courts) (lead counsel to Mayo in medical malpractice lawsuits; 30+ jury verdicts, all for Mayo)

*Medeva Pharma v. American Home Products, American Cyanamid* (D. Del., S.D.N.Y.) (lead trial counsel to British pharmaceutical manufacturer enforcing patent concerning pertussis vaccine; stipulated permanent injunction)

*First Bank v. First Bank System* (S.D. Iowa, 8th Cir.) (lead trial counsel defending bank holding company accused of trademark infringement; permanent injunction denied by district court after trial, affirmed by circuit court; then plaintiff's entire claim summarily dismissed, without appeal)

*Davis v. The Walt Disney Company* (D. Minn., 8<sup>th</sup> Cir., US Sup Ct) (lead counsel defending motion picture studio accused of copyright and trademark infringement; all claims dismissed by district court; dismissal affirmed on appeal, cert. denied by US Supreme Court)

*International Travel Arrangers v. Northwest Airlines* (D. Minn., 8th Cir.) (lead trial counsel defending airline from claims of monopolization and predatory pricing; jury rejected most claims, appellate court dismissed the rest)

*Arnold v. Cargill* (D.Minn.) (lead counsel defending alleged race discrimination class action; motion to disqualify plaintiffs' counsel for unethical behavior granted; motion for class certification denied)

*Whitaker v. 3M* (D.Minn., Minn Dist Cts.) (lead counsel defending alleged age discrimination class action; favorably settled)

*[J, J & J] v. Jamaica* (Privy Council, UK) (lead solicitor in pro bono appeal of murder convictions of three Jamaican prisoners; convictions quashed; two clients ordered released outright after 9 years in prison, third client released, but murdered pending re-trial)

## SELECTED PROFESSIONAL ACTIVITIES

Co-author, “International Arbitration Guidelines: Safe Ports for Arbitral Storms III” [experts; arbitration management] *Arbitration: The International Journal of Arbitration, Mediation, and Dispute Management* (November 2018), Vol. 84, No. 4, pp. 326-334 (reprint available upon request)

Author, “The Value of Peach Orchards: Perils of Arbitrator Subject-Matter Expertise,” *Zeitschrift für Deutsches und Amerikanisches Recht [ZDAR]* (July 2018), pp. 47-51 (reprint available upon request)

Author, “International Commercial Arbitration,” *College of Commercial Arbitrators* (2017), available at <https://www.ccaarbitration.org/international-disputes/>

Co-author, “International Arbitration Guidelines: Safe Ports for Arbitral Storms II” [interviewing prospective arbitrators, non-participating parties, drafting awards, interest and costs] *Arbitration: The International Journal of Arbitration, Mediation, and Dispute Management* (August 2017), Vol. 83, No. 3, pp. 318-329 (reprint available upon request)

Co-author, “International Arbitration Guidelines: Safe Ports for Arbitral Storms” [jurisdiction, interim measures, security for costs] *Arbitration: The International Journal of Arbitration, Mediation, and Dispute Management* (May 2016), Vol. 82, No. 2, pp. 169-182 (reprint available upon request)

Author, “Technical Expertise of Advocates and Arbitrators in International Technology Arbitrations: Benefit or Burden?” in Rovine, A. (ed.) *Contemporary Issues in International*

*Arbitration and Mediation: The Fordham Papers* (2013), Chapter 21, pp. 429-444 (reprint available upon request)

Author, "Depositions: An Apologia," (2009) *25 Arbitration International* pp. 553-567 (reprint available upon request)

Lead author, "When Patients are Harmed, But Are Not Wronged: Ethics, Law, and History," *Mayo Clinic Proceedings*; Volume 89, Issue 9; pp. 1279-1286 (September 2014) (reprint available on request)

Guest lecturer, "International Law and Dispute Resolution": Tuck School of Business Administration at Dartmouth College, Hanover, New Hampshire USA (2008-2021)

Seminar speaker, "Virus, Delay, and Consent...Oh, My! -- Common Lawyers and Virtual Hearings," ICDR Vis Moot and Seminar, via Zoom (2021)

Session Co-chair and/or Delegate, London Court of International Arbitration European Council Symposium, Tylney Hall, England (2000-2019)

Panelist, "Med-Arb and Arb-Med," Chartered Institute of Arbitrators Dispute Appointment Service Convention, London (2018)

Panelist, "CI Arb's New Guidelines: Safe Ports for Arbitral Storms." Chartered Institute of Arbitrators / Maitland Chambers debate, London (2015, 2016, 2018)

Moderator, "Quo Vadis London? International Arbitration and Commercial Law in More and Less Cosmopolitan Times," Inaugural Debate (between The Honorable Sir Bernard Eder QC and Professor Dr. Ingeborg Schwenzer) co-hosted by the London School of Economics and the London Court of International Arbitration, London (2017)

Panelist, "Advocacy in Arbitration," College of Commercial Arbitrators / American Arbitration Association, Minneapolis (2017)

Invited speaker, "American Law and Lawyers," Lincoln's Inn, London (2015)

Panel moderator, "Developments in International Arbitration: Taking the Sweet without the Bitter?" ICC International Court of Arbitration / Dorsey & Whitney, Minneapolis (2015)

Dinner speaker, "American Lawyers in International Arbitration: Not Just Carnivores on Fishing Expeditions," LCIA North American Users' Symposium, Washington DC (2015)

Seminar speaker, "Emergency Arbitrators," ICDR Vis Moot and Seminar, New York (2015)

Panelist, "International Technology Disputes": Fordham Law School Conference on International Arbitration and Mediation, New York City (2013)

Invited speaker, "Extra-Territorial Application of U.S. Law": Industrijuristgruppens Vinterseminar, Norway (2010)

Guest lecturer, "International Arbitration": Universidad San Francisco de Quito, Ecuador; Hamline University School of Law; University of St. Thomas Law School

Guest arbitrator, Willem C. Vis International Commercial Arbitration Moot (Vienna, 2016-2019; Virtual 2020-2021; Pre-Moots, New York, London, and Paris 2012-2021)

Principal speaker, "Doctors as Prey": Medical Grand Rounds, Mayo Clinic

Faculty, "Medical Law and Ethics": American Academy of Ophthalmology; Mayo Clinic; Phillips Eye Institute; Minnesota Orthopedics Society

Member, Lincoln's Inn (London)

Member, American Arbitration Association Commercial Panel; International Centre for Dispute Resolution International Panel; and the AAA/ICDR Aerospace, Aviation, and National Security Panel of Arbitrators

Member, Global Panel of Distinguished Neutrals, and the Healthcare and Life Sciences Panel, of the International Institute for Conflict Prevention & Resolution (CPR)

Member, British Virgin Islands International Arbitration Centre (BVI IAC) Panel of Arbitrators

Member, International Council for Commercial Arbitration (Practitioner Group, Academic Group)

Member, International Bar Association (Arbitration, Mediation, and Litigation committees; Intellectual Property and Entertainment Law Committee; Academic Committee)

Section Editor and Member of Editorial Board, *Mayo Clinic Proceedings* medical journal

"Medicine and Ethics –Lawyer of the Year, USA," *Finance Monthly* (2017, 2018, 2019)

Reviewer, *Leiden Journal of International Law*

Qualified neutral under Rule 114 of the Minnesota General Rules of Practice for the District Courts (facilitative mediation)

## **SELECTED CIVIC AND COMMUNITY ACTIVITIES**

Director, member of Executive Committee, and chair of Governance Committee of The Saint Paul Chamber Orchestra (Minnesota, USA) (2001-2014); Emeritus Director (2014 to present)

Director Emeritus and member of Governors' Circle of The City of London Sinfonia Orchestra

Annual Pro Bono Award, National Law Journal (leader of 60-lawyer Dorsey team and principal author of report to American Bar Association concerning George W. Bush administration immigration appeals "reforms"; cited by the U.S. Supreme Court in *Dada v. Mukasey*, 128 S. Ct. 2307 (2008))

Community Member, Golden Valley (Minneapolis, Minnesota, USA) Bicycle and Pedestrian Task Force