

Merriann M. Panarella, Esq.
Arbitrator, Mediator, Consultant
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Professional Experience

Arbitrator, Mediator, Consultant, 2007 - present; Litigation Partner, Complex Commercial and Intellectual Property Practice Groups, Wilmer Cutler Pickering Hale and Dorr LLP, 1980-2007; Law Clerk for The Honorable W. Arthur Garrity, 1979-1980.

ADR Experience and Training:

Arbitration experience including in large, complex cases, for example: a multi-million dollar dispute over the development of a medical device with an award rendered after a 5 day hearing within 6 months of appointment, a licensing dispute involving drying technology, a hospital accounting dispute.

Mediation experience including as counsel and mediator, intellectual property disputes, licensing and technology agreements, contracts, real estate, environmental matters and deceptive trade claims.

Arbitration

Chartered Institute of Arbitrators (CIArb)

- CIArb Diploma in International Arbitration (2012)
- CIArb International Commercial Arbitration Training (Montreal 2011)

International Chamber of Commerce (ICC)

- Ninth Annual ICC New York Conference (2014)
- ICC International Commercial Arbitration Workshop (Florence 2014)
- ICC International Dispute Resolution (2004)

American Arbitration Association (AAA)

- "Exceeded Powers": Recent Trends in Cases Challenging Arbitrator Authority (2014)
- Maximizing Efficiency & Economy in Arbitration: Challenges at the Preliminary Hearing (2013)
- Advanced Case Management Issues (2006)
- Arbitrating Intellectual Property Disputes (2005)
- Fundamentals of the Arbitration Process (2005)

American Bar Association (ABA)

- Dispute Resolution Annual Meetings (2013, 2014)

Financial Industry Regulatory Authority (FINRA)

- Live Video Basic Arbitrator Training (2013)
- Basic Arbitrator Training Part II Expungement Training (2013)
- Basic Arbitration Training Part I (2013)

Mediation

American Bar Association

- 12th Annual Advanced Mediation and Advocacy Skills Institute (2014)

Harvard Law School Program of Instruction for Lawyers

- Mediation Workshop (40 hours) (2003)

World Intellectual Property Organization (WIPO)

- Mediation Training, (16 hours) (Geneva 2005)

Mediation Works, Inc. (MWI)

- Mediator Roundtables (2014)
- Mediation Training for Volunteers (2005, 2013)

WilmerHale LLP (Hale and Dorr LLP), Boston

1980-2007

Senior Partner

Managed and conducted all aspects of complex litigation including pretrial, trial and appellate matters, and Markman Hearings in patent matters. Served as lead trial counsel and managed trial teams consisting of lawyers, scientists, experts, paralegals and technical support personnel. Negotiated and drafted complex settlement, licensing, and confidentiality agreements.

Litigation experience includes:

- Contractual and commercial matters
- Licensing and technology development agreements
- Patent cases in diverse industries and technologies
- Trade secret and non-compete claims
- Partnership and other collaborative disputes
- Deceptive trade claims
- Employment disputes both contractual and statutory
- Insurance coverage disputes
- Antitrust matters including Sherman Act, and Clayton Act
- Securities lawsuits
- Real estate development agreements
- Environmental matters involving gas storage tank liability and other issues
- Trademark and copyright claims

Industry experience includes:

Telecommunications, medical devices, life sciences, pharmaceuticals, software, oil and gas, plastics, health care, hospitals, sporting goods, and various methods of manufacture (laser, ink jet, plastics, and thermistor technologies). Domestic and foreign clients have included large New York Stock Exchange listed companies as well as small venture backed start-ups and individuals.

Ms. Panarella's litigation clients included, for example:

- Global manufacturer of high performance analogue semiconductors for use in mobile phones in a multi-million dollar dispute involving 12 patents and related trade secrets
- Worldwide provider of innovative medical devices in a multi-million dollar dispute involving five patents related to medical devices
- National manufacturer of open programmable switches in a technology development dispute over the miniaturization of proprietary switching technology
- Leading manufacturer of temperature control devices in a trade secret dispute over thermistor manufacturing
- Canadian telecommunications company in an antitrust matter
- Global oil and gas refining and marketing company in multiple cases involving environmental issues, product liability claims, antitrust issues and contractual claims

The Honorable W. Arthur Garrity, Jr.
Law Clerk

1979-1980

Bar and Court Admissions

Admitted to the Bar: Massachusetts, 1980; New York, 1980; U.S. District of Massachusetts, 1981; U.S. Court of Appeals, First Circuit, 1981; U.S. Federal Circuit Court of Appeals, 1993.

ADR Panels and Affiliations

Chartered Institute of Arbitrators, Fellow
American Arbitration Association (Arbitration)
International Chamber of Commerce (ICC)
World Intellectual Property Association (Arbitration and Mediation)
Financial Industry Regulatory Authority (Arbitration)
New York State Supreme Court, Commercial Division, Roster of Neutrals (Mediation)
Mediation Works, Inc. (Mediation)
Massachusetts Fee Arbitration Board (Arbitration)

Professional Associations:

American Bar Association -Dispute Resolution Section: Co-Chair Intellectual Property Committee, member WIDR, Mediation and Arbitration Committees, and Intellectual Property Law and Litigation Sections
International Chamber of Commerce (ICC)
CPR Institute for Dispute Resolution, International Commission on Patent Disputes (past)
American Intellectual Property Law Association (AIPLA)
New York City Bar Association
Boston Bar Association (past council member)
Massachusetts Bar Association
Boston Bar Foundation (Fellow)
Boston Patent Law Association
Boston Club
Wellesley College Business Leadership Counsel (invitation only)

Selected Publications and Speaking Engagements:

Give Mediation a Chance: New York Mandates It, ABA Just Resolutions eNewsletter, January 2015; *Grow Your ADR Practice: Advice From the Experts*, Moderator, Boston Bar Association.Panel (2014); *Considering a Legal Career*, Wellesley College Keynote Address; *Moving for Injunctive Relief*, MCLE, February 2007 (Second Edition); *Intellectual Property: What it is and How to Obtain It*; Presentation to Mass Medic. (2004); *Stemming the Patent Litigation Tide*, Medical Device and Diagnostic Industry, March 2003 and China Legal Manager (Inaugural Issue); Has spoken and written on alternative dispute resolution, litigation and intellectual property matters.

Education:

University of Virginia, School of Law, J.D.	1976-1979
Wellesley College, B.A. <i>cum laude</i> Economics, Phi Beta Kappa,	1971-1975