



Nigel FRANCIS

Partner
Herbert Smith
23rd Floor, Gloucester Tower
11 Pedder Street
Central, Hong Kong SAR

Tel: 852-2101 4002
Fax: 852-2845 9099
E-mail: nigel.francis@herbertsmith.com



Date of Birth: 6 April 1960
Nationality: British

EDUCATIONAL AND PROFESSIONAL QUALIFICATIONS

LLB, Bristol University
Solicitor, England and Wales, 1984
Solicitor, Hong Kong, 1984

LANGUAGE

Spoken: English
Written: English

PRESENT POSITION

Partner, Head of Asia Telecommunications, Media and Technology (TMT) Practice Group

PROFESSIONAL EXPERIENCE BEFORE PRESENT POSITION

1982-84 - Trainee Solicitor, Herbert Smith (London and Hong Kong)
1984 - Assistant Solicitor, Herbert Smith Hong Kong
1989 - Assistant Solicitor, Herbert Smith London
1991 - Partner, Herbert Smith London

MEMBERSHIP IN PROFESSIONAL BODIES

Member:
Asian Patent Attorneys Association
International Trademark Association

AREAS OF SPECIALIZATION

Commercial Litigation

Contentious Intellectual Property and Information Technology

Digital Media

EXPERIENCE IN INTELLECTUAL PROPERTY

Involved in cases dealing with breach of confidence, infringements of all forms of proprietary rights and the obtaining and enforcement of injunctions in Hong Kong, China, Macau and Singapore.

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

HKIAC Domain Name Dispute Resolution for .hk domains

Asian Domain Name Dispute Resolution Centre (ADNDRC) for gTLD's

EXPERIENCE IN COURT LITIGATION

- Acting for CLP Power and CLP Telecom in matters concerning telecommunications regulation.
- Acting for Motion Picture Association of America and Hollywood film studios in relation to copyright and trademark piracy in Hong Kong and enforcement of piracy on the internet in Hong Kong and China.
- Acting for STAR TV, TVB, ATV, Wharf Cable and HK-IMS in relation to copyright licensing issues.
- Acting for the International Federation of the Phonographic Industry in relation to piracy of sound record recordings.
- Acting for Microsoft Corporation in relation to copyright and trademark piracy in Hong Kong and elsewhere.

EXPERIENCE IN ARBITRATION

- Acting for the Hong Kong Government on two substantial arbitrations relating to 'BOT' projects and fees charged by the operators to users.
- Acting for an individual solicitor in dispute with his former partners regarding the enforceability of a restrictive covenant.