



Kim J. Landsman

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Independent Lawyer, Arbitrator, and Mediator

Kim Landsman has more than 40 years of experience providing advice and litigating a wide variety of issues. He is best known for his work in intellectual property, where he has advised, negotiated licenses, and handled cases involving copyrights, trademarks, false advertising, patents, and trade secrets. He has also litigated commercial, contractual, employment, corporate governance/ownership, and trusts/estates disputes. In the past twenty years, his practice has expanded into and now focuses on serving as a mediator and arbitrator in domestic and international arbitration.

Mr. Landsman is a Fellow of the Chartered Institute of Arbitrators and of the College of Commercial Arbitrators, a member of the Roster of Neutrals of the American Arbitration Association and the International Centre for Dispute Resolution, and is a Distinguished Neutral of the International Institute for Conflict Prevention and Resolution. He was a member of the International Trademark Association's Panel of Neutrals and served as a mediator in the United States District Courts for the Southern and Eastern Districts of New York. He has served as arbitrator and mediator in copyright, trademark, trade secret, patent, employment, corporate governance/ownership, and general commercial disputes.

After a clerkship with Judge Arlin M. Adams, U.S. Court of Appeals for the Third Circuit, he was in private practice at the following law firms:

Associate and partner, Parker Auspitz Neesemann & Delehanty P.C., from 1980 until its merger into Morrison & Foerster in 1987

Partner, Morrison & Foerster LLP, 1987-February 1995

Partner, Patterson Belknap Webb & Tyler LLP, February 1995-November 2011

Partner, Golenbock Eiseman Assor Bell & Peskoe LLP, November 2011-June 2016

He was a Senior Vice President at Two Sigma Investments, LP from July 2016 through June 2019, in charge of litigation, intellectual property, trade secret, data privacy, and employment issues. He was brought in to mentor young lawyers, handle litigation and related advice within the department, and supervise outside counsel when they were consulted.

In July 2019 he transitioned to an independent practice as lawyer, arbitrator, and mediator.

Education and Honors

J.D. 1979, Yale Law School, Article & Book Review Editor, *The Yale Law Journal*

M.A. 1976, Oxford University, Politics and Economics

A.B. 1974, Vassar College, Honors, Phi Beta Kappa

Judicial Clerkship

Law Clerk, Judge Arlin M. Adams, U. S. Court of Appeals for the Third Circuit (1979-1980)

Practice Areas

Civil Litigation/Alternative Dispute Resolution

Copyright, Trademark, False Advertising, and Patents

Trade Secrets & Restrictive Covenants

Technology Transfer and Intellectual Property Licensing

Digital & Mobile Media

Data Privacy Law

Commercial Contracts

Corporate Governance/Ownership

Financial Institutions

International Business Practice

Employment Law

Bar Admissions

New York, U.S. Supreme Court, and various U.S. district and appellate courts

Speaker

Panelist for program on Procedures for Asserting and Evaluating Privilege Claims in International Arbitration at New York Arbitration Week 2023

Speaker on mediation at a program of the Silicon Valley Arbitration & Mediation Center

Speaker on fair use in copyright law at the 2013 Fordham Intellectual Property Law Journal Symposium and at the PLI Advanced Copyright Law Annual Review 2014. Presented program at INTA mid-winter meeting on product placement and has conducted CLE presentations on such topics as Internet enforcement and fair use of trademarks and copyrights.

Guest lecturer at Yale Law School, Brooklyn Law School, Lewis & Clark Law School, and Vassar College.

Professional Activities

Fellow, Chartered Institute of Arbitrators

Fellow, College of Commercial Arbitrators

Panel of Neutrals, American Arbitration Association and International Centre for Dispute Resolution

Distinguished Neutral of the International Institute for Conflict Prevention and Resolution for New York

City ADR Panel, Trademark, Hedge Funds, and Employment Dispute-Northeast

Member, Silicon Valley Arbitration & Mediation Center

Charter member of the International Arbitration Club of New York

Member for fifteen years of the Arbitration and/or International Commercial Disputes Committees of the Association of the Bar of the City of New York

Named in *Super Lawyers* in the area of Intellectual Property Litigation

The Copyright Society, including service on its program planning committee

Publications

Co-Author, Procedures for Asserting and Evaluating Privilege Claims in International Arbitration, a report of the International Commercial Disputes Committee of the New York City Bar Association (October 2023)

Book Review, The Rise of Transparency in International Arbitration: The Case for Anonymous Publication of Arbitral Awards, New York Dispute Resolution Lawyer (Spring 2014)

Principal Author, Publication of International Arbitration Awards and Decisions, a report of the International Commercial Disputes Committee of the New York City Bar Association (February 2014)

Author, Does Cariou v. Prince Represent the Apogee or Burn-Out of Transformativeness in Fair Use Jurisprudence? A Plea for a Neo-Traditional Approach, 24 Fordham Intellectual Property Media & Entertainment Law Journal 321 (2014)

Author, Microsoft Case is Great Example of Emergency Arbitration, Law 360 (December 13, 2013)

Author, *Cariou v. Prince* Confirms Importance of Transformativeness, Law 360 (May 1, 2013)

Author, Two Decisions in Battle Between Old and New Media Leave Little Resolved, New York Law Journal: Outside Counsel (May 24, 2012)

Co-Author with Eric Rasmussen, Special Feature – The Second Circuit Finally Acknowledges the Impact of the Supreme Court’s eBay Decision on Preliminary Injunction Standards in Intellectual Property Cases, in IP Today (May 5, 2010)

Author, Cross-Examining a Technical or Scientific Expert, in Take The Witness: CrossExamination In International Arbitration (Lawrence W. Newman and Ben H. Sheppard, Jr., eds. 2010)

Author, Holding Arbitrators to Higher Standards of Impartiality After Scandinavian Reinsurance, New York Law Journal: Outside Counsel (May 21, 2010)

Co-Author with Daniel Glazer and Irene Treloar, Standing and Joinder Considerations in Trademark Litigations and Licenses,” Trademark Law Reporter, Vol. 99 No. 6 (November–December 2009)

Author, Arbitration Fee-Splitting Agreement Invalidated in Employment Dispute, New York Law Journal: Outside Counsel (July 31, 2009)

Author, The Future of Trademark Litigation over Keyword Searches after the Second Circuit’s Rescucom Decision, Bloomberg Law Reports: Intellectual Property, Vol. 3, No. 22 (June 2009)