

THEODORE K. CHENG

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LAW FIRM EXPERIENCE

FOX HORAN & CAMERINI LLP, New York, NY	06/13-present
YOON & KIM LLP, New York, NY	02/11-06/13
PROSKAUER ROSE LLP, New York, NY	07/07-12/10
LOEB & LOEB LLP, New York, NY	01/06-06/07
PAUL, WEISS, RIFKIND, WHARTON & GARRISON LLP, New York, NY	09/99-09/00; 10/01-01/06
ORRICK, HERRINGTON & SUTCLIFFE LLP, New York, NY	09/97-09/98

Commercial litigation partner with a focus on trademarks, false advertising, unfair competition, copyrights, patents, trade secrets, and other intellectual property rights. 20 years of experience counseling senior management and in-house counsel on litigation strategy and dispute resolution in industries as varied as high-tech, telecommunications, entertainment, consumer products, food and hospitality, retail, and financial services.

Representative matters:

- Tried patent damages case in D.N.J. over infringing animal vaccine resulting in favorable jury verdict
- Tried unpaid wages case in D.N.J. resulting in \$226,600 compensatory and punitive damages jury verdict
- Tried fraud and breach of contract claims resulting in \$2.4 million damages jury verdict
- Tried arbitration between broker-dealers over a compensation dispute on co-brokered IPOs
- Litigated copyright infringement actions brought by classes of songwriters and music publishers against unlicensed Internet file-sharing companies Grokster, Napster, Aimster, and Audiogalaxy

NEUTRAL EXPERIENCE

AMERICAN ARBITRATION ASSOCIATION (Arbitrator and Mediator)	06/14-present
CPR INSTITUTE (Mediator)	04/16-present
EASTERN DISTRICT OF NEW YORK MEDIATION PANEL	12/14-present
DISTRICT OF NEW JERSEY MEDIATION PANEL	10/16-present
NEW JERSEY CIVIL MEDIATION ROSTER	02/15-present
NEW JERSEY CIVIL ARBITRATION ROSTER (Mercer County)	03/15-present
NEW YORK CITY CIVIL COURT (Arbitrator)	12/09-present
RESOLUTE SYSTEMS, LLC (Arbitrator and Mediator)	2/11-present
SOUTHERN DISTRICT OF NEW YORK MEDIATION PANEL	09/11-present

Appointed to resolve over 300 arbitrations and mediations involving various business disputes, breach of contract and negligence actions, labor and employment-related claims, and intellectual property infringement contentions.

BUSINESS EXPERIENCE

METLIFE BROKERAGE, Princeton, NJ (Marketing Consultant)	09/93-08/94
METLIFE INSURANCE COMPANY, New York, NY (Management Associate)	09/91-08/93

EDUCATION

NEW YORK UNIVERSITY SCHOOL OF LAW, J.D., 1997

Moot Court Board, Editor-in-Chief

Honors: Moot Court Board Prize; Order of Barristers Award; Norman S. Ostrow Award; David Friedman Memorial Award; Delaware State Bar Association Louis L. Redding Fellowship

Activities: Unemployment Action Center; NYU Public Service Auction; Asian Pacific American Law Students Association (Admissions Chair)

HARVARD UNIVERSITY, A.B. *cum laude* Chemistry and Physics, 1991

Honors: Dean's List; Harvard College Scholarships

Activities: Varsity Lightweight Crew (Coxswain); Intramural Crew (Coach and Coxswain); Harvard-Radcliffe Opportunes (Assistant Musical Director)

CLERKSHIPS

THE HON. JULIO M. FUENTES, U.S. Court of Appeals for the Third Circuit, Newark, NJ 10/00-10/01
THE HON. RONALD L. BUCKWALTER, U.S. District Court, E.D. Pa., Philadelphia, PA 09/98-09/99

HONORS/AWARDS

American Arbitration Association A. Leon Higginbotham, Jr. Fellows Program (2013-2014)
New York State Bar Association Empire State Counsel Program Honoree (2008-2013)
National Asian Pacific American Bar Association Best Lawyers Under 40 Award (2007)

SELECTED APPOINTMENTS

American Arbitration Association (Director and Council Member) 05/15-present
Justice Marie L. Garibaldi American Inn of Court for ADR (Board Member) 06/15-present
New Jersey Supreme Court Arbitration Advisory Committee 09/14-present
New Jersey Supreme Court Committee on Complementary Dispute Resolution 09/14-present
New York and Kings County District Attorney's Offices (Special Assistant District Attorney) 02/98-05/12
New York State Commission on Increasing Diversity in the State Government Workforce (Chair) 04/07-12/12
New York State Insurance Fund (Commissioner) 06/10-12/10
S.D.N.Y. Mediator Advisory Committee 09/13-7/15
Storytelling Arts, Inc. (Princeton, NJ) (Secretary and Trustee) 04/13-present

SELECTED PUBLICATIONS

"Opening the Door to Racier Marks? *In re Tam* and its Impact on Trademark Registration and Business Marketing,"
NYSBA Inside (Spring/Summer 2016)
"Solving Fair Use Disputes Through Mediation and Early Neutral Evaluation," *NYSBA EASL Journal* (Spring 2016)
"Being Mindful of Language in Mediation," *FBA The Resolver* (Spring 2016)
"In Search of the Fair and Impartial Neutral," *NYSBA EASL Journal* (Fall/Winter 2015)

SELECTED SPEAKING ENGAGEMENTS

Moderator, "Lost in Translation? – Navigating the Cross-Cultural Divide in Mediation," NYSBA (October 28, 2016)
Panelist, "Emerging Importance of Cross-Cultural Competency in ADR," AAA/ICDR (February 19, 2016)
Panelist, "Introduction to International Arbitration and Perspectives on Recent Developments in New York and Asia," 2015 AABANY Fall Conference (September 19, 2015)
Panelist, "Developments in Arbitration Law: Testing the Boundaries of Court Intervention," AAA Webinar (May 20, 2015)
Panelist, "ADR Choices Have Consequences," NYSBA Dispute Resolution and Corporate Counsel Sections Annual Meeting (January 29, 2015)

SELECTED PROFESSIONAL AFFILIATIONS

American Bar Association
American Intellectual Property Law Association
Asian American Bar Association of New York (Recording Secretary and Director, 2004-2007)
Asian Pacific American Lawyers Association of New Jersey (President, 2015-2016; President-Elect, 2014-2015)
The Copyright Society of the U.S.A. (Trustee, 2016-present; Co-Chair, New York Chapter, 2015-present)
Federal Bar Association
International Trademark Association
New Jersey State Bar Association (Trustee, Dispute Resolution Section, 2016-present)
New York State Bar Association (Co-Chair, Mediation Committee, Dispute Resolution Section, 2016-present)

BAR ADMISSIONS

District of Columbia (inactive), New Jersey, New York
Supreme Court of the United States
U.S. Courts of Appeals: Second, Third, Sixth, Seventh, Ninth, and Federal Circuits
U.S. District Courts: E.D.N.Y., N.D.N.Y., S.D.N.Y., D.N.J., W.D. Mich.