

Merriann M. Panarella, Esq.  
Panarella Dispute Resolution Services  
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## **Dispute Resolution Services**

Dispute resolution services include various processes designed to enable parties, either in the midst of a conflict or foreseeing a potential dispute, to most effectively, efficiently and strategically address the issues presented. Ms. Panarella serves as an arbitrator, mediator, workplace investigator, special master, settlement counsel and early neutral evaluator depending on the parties' needs.

## **Professional Experience**

Arbitrator, Mediator, Dispute Resolution 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.

## **Dispute Resolution 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. Her arbitration experience also includes medical device, licensing, pharmaceutical development, securities fraud, hospital accounting, and legal fee disputes.

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), Fellow

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

International Chamber of Commerce (ICC)

- ICC Annual Luncheon and Program on Costs (2016)
- Ninth, Tenth Annual ICC New York Conferences (2014, 2015)
- ICC International Commercial Arbitration Workshop (Florence 2014)
- ICC International Dispute Resolution (2004)

#### American Arbitration Association (AAA)

- 2016 AAA/ICDR/[mediation.Org](http://mediation.org) Panel Conference
- *ICDR Awards and Commentaries - Just How Different Is International Arbitration Than Domestic Arbitration?* (2015)
- *"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)

#### College of Commercial Arbitrators

- *Effective Advocacy and Management in Arbitration* (2015)

#### JurisConferences LLC

- *Technology in International Arbitration* (2015)

#### American Bar Association (ABA)

- *Utilizing Mediation to Navigate the Perils of Electronic Discovery in Arbitration* (2016)
- Dispute Resolution Annual Meetings (2013, 2014, 2015)

#### 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 Health Lawyers Association

- *Mediating Health Care Controversies* (2015)

#### 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**

Senior Partner

1980-2007

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
- Health care related issues

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 (Commercial Panel, New York City and Boston)  
CPR Int'l Institute for Conflict Prevention and Resolution (Arbitration)  
Silicon Valley Arbitration and Mediation Center (Tech List)  
International Chamber of Commerce  
American Health Lawyers Association (Neutrals Panel)  
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**

Chartered Institute of Arbitrators, Fellow,  
Silicon Valley Arbitration and Mediation Center  
American Bar Association -Dispute Resolution Section: Co-Chair Intellectual Property Committee, member WIDR, Mediation, Arbitration and Health Care Committees, and Intellectual Property Law, Health Law and Litigation Sections  
International Chamber of Commerce (ICC)  
CPR Int'l Institute for Conflict Prevention and Resolution  
American Health Lawyers Association  
Massachusetts Bar Association, ADR Committee Member  
New England Association for Conflict Resolution, Board Member  
New York State Bar Association  
New York City Bar Association  
Boston Bar Association (past council member)  
Boston Bar Foundation (Fellow)  
Boston Patent Law Association  
The Boston Club, Chair Distinguished Leader Series  
Wellesley College Business Leadership Counsel (invitation only)

Women's Bar Association, Co-Chair ADR Committee

### **Selected Publications and Speaking Engagements**

Speaker, *Resolving Intellectual Property Disputes Through International Arbitration*, Duff & Phelps IP Value Summit, December 2015; Joint Sessions in Mediation, ABA Dispute Resolution Advisory Council Round Table Discussion, August 2015; *Taking an Alternative Approach to Patent Litigation*, Boston Patent Law Association Summer 2015 Newsletter; Moderator, *Mediating with the Magistrates*, Boston Bar Association, May 2015; Moderator, *Mediating Patent Disputes: Taking a Strategic Approach*, ABA, Intellectual Property Law Section Spring Conference, March 2015; *Mediation at the USITC*, Intellectual Property Litigation Newsletter, ABA, Spring 2015; *Give Mediation a Chance: New York Mandates It*, ABA Just Resolutions eNewsletter, January 2015; Moderator, *Grow Your ADR Practice: Advice From the Experts*, Boston Bar Association (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