



School of International Arbitration



Columbia University Libraries, Copyright Advisory Office presents:

SIA-WIPO JOINT SYMPOSIUM 2017: ADR for Art and Cultural Heritage Disputes

Organized by:

School of International Arbitration (SIA)
WIPO Arbitration and Mediation Center

Hosted by the Copyright Advisory Office of Columbia University Libraries

New York, Tuesday, September 26, 2017

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08.30 - 09.00

Registration and Coffee

09.00 - 09.15

Welcome Remarks

Ann Thornton, Vice-Provost & University Librarian, Columbia University

Opening Remarks

Conference Organizers

09.15 - 10.45

I. Contracts, Intellectual Property and Disputes relating to Art and Cultural Heritage

Moderator: Rina Elster Pantalony, Director, Copyright Advisory Office, Columbia University Libraries

- Contractual disputes, including breach of duty
- Authenticity, attribution and provenance, ownership
- Copyright and other intellectual property matters
- Cultural heritage, restitution claims

Sharon Cohen Levin, Partner, Wilmer Cutler Pickering Hale and Dorr LLP

Sara Geelan, General Counsel and Assistant Secretary, Barnes Foundation (*speaking in her personal capacity*)

Philippa Loengard, Deputy Director, Kernochan Center for Law, Media and the Arts, Columbia Law School, Columbia University

Agnes Peresztegi, President and Legal Counsel, Commission on Art Recovery

Winston Tabb, Sheridan Dean of University Libraries and Museums, Johns Hopkins University

10.45 – 11.15

Coffee Break

11.15 -12.45

II. Resolving Art and Cultural Heritage Disputes through ADR – Context and Recent Trends

Moderator: Heike Wollgast, Senior Legal Officer, WIPO Arbitration and Mediation Center

- Benefits and limitations of ADR in the art and cultural heritage sector
- Perspective of the art market
- Views from the perspective of the living artist
- Learning from past cases
- Institutional ethics and dispute resolution policies

Monica Dugot, International Director of Restitution, Christie's
David Leichtman, Founding Partner, Leichtman Law PLLC, Chair, Board of Directors, Volunteer Lawyers For The Arts

Marc-André Renold, Professor of Art and Cultural Heritage Law, Director of the Art Law Center, University of Geneva

Howard Spiegler, Partner, Herrick LLP

Sally Yerkovich, Faculty, Museum Professions Program, Columbia University

12.45 – 14.00 *Lunch*

14.00 – 15.30 **III. Tailoring ADR Options for Art and Cultural Heritage Disputes**

Moderator: Maxi Scherer, Professor of Law, School of International Arbitration, Queen Mary University of London

- Drafting effective mediation and arbitration clauses and submission agreements
- WIPO model clauses and submission agreements
- Expertise of tribunal; expert evidence
- Expert determination procedure
- Expedited arbitration
- Confidentiality

David Bowker, Partner, Wilmer Cutler Pickering Hale and Dorr LLP

Debbie De Girolamo, Senior Lecturer, School of International Arbitration, Queen Mary University of London

Lawrence M. Kaye, Partner, Herrick LLP

Elizabeth Varner, Adjunct Professor, Indiana University Robert H. McKinney School of Law; Faculty, American Arbitration Association: Arbitrating Cultural Heritage Disputes

Heike Wollgast, Senior Legal Officer, WIPO Arbitration and Mediation Center

15.30 **Closing Remarks**