

Paul Berwin – Mediator

E-mail: Paul@paulberwinmediation.co.uk

Tel: 07595650224



1. Introducing Paul Berwin

Paul Berwin's experience derives from a long career as a solicitor as well as a business founder, dealing initially with very wide-ranging matters including civil litigation, commercial contracts and property, but for 25 years he has dealt exclusively with commercial, intellectual property, technology and corporate affairs, informed by a strong understanding of property issues. As a hugely experienced commercial and corporate lawyer he has advised companies, shareholders and business partners in the UK and internationally with commercial agreements and business matters.

In particular, he has dealt extensively with both the corporate affairs and the commercial agreements of technology businesses. His clients have included NASDAQ listed companies and UK companies with an international reach, and his transactional work includes the creation and dissolution of shareholder arrangements, and corporate acquisitions, sales and structuring, particularly in the range £1 million-30 million. The great majority of his work has been with owner managed businesses, often in their relations with corporates.

His principal areas of expertise which he brings to his mediation practice therefore include:

- Information Technology
- Intellectual property
- Supply of goods and services
- Share purchase/sale and restriction disputes

- Technology Licensing
- Franchising
- Software development
- Domain names and trademarks
- Shareholders disputes
- Partnership disputes
- Family business disputes
- Property disputes

2. Dispute Experience:

Experiences of mediation cases, include:

- Resolving dispute over fitness for purpose and delivery between UK local authority and US NASDAQ listed software company;
- Concluding agreement in mediation between UK website development agency and national holiday sites operator over ownership of intellectual property and other website assets;
- Resolving issue between shareholders of technology company as to valuation and the basis for exit of shareholder, whilst maintaining viability of remaining business;
- Dealing with dilapidations and lease clause dispute including the extent of a demised leasehold property;
- Party Wall Act valuation dispute;
- Inheritance dispute between children of deceased as to appropriate shares and specific assets;
- Nuisance Dispute involving alleged damage to property from works in neighbouring property;
- Dispute between lender to development company in relation to significant residential development site, and the lender who was seeking to avoid repossession;
- "Shareholder" dispute between financial advisers in failed merger, involving financial, IP ownership and reputational issues.
- Mediation over fitness of high-end motor vehicle

Other dispute experience: As managing director and founder of a law firm, Paul has not only worked closely in continuous matters with his litigation colleagues but also been close to the activity of those colleagues in managing the entire firm. He has also dealt with

any potential issues arising both between his company and other entities, and in resolving any issues within the business.

3. Personal style

Paul's style is constructive, calm and empathetic, ensuring that parties are given the space to feel that they have been heard and will be well placed to achieve an acceptable outcome. His commercial and corporate experience gives him the breadth of vision to allow for an exploratory and innovatory approach to be taken by the parties to mediation, and to challenge and probe issues to support parties in seeking resolutions.

4. Professional Background

- a. Academic: Bachelors and Masters degrees in History, Universities of Liverpool and McMaster, Hamilton Ontario, Canada;
- b. Legal: Leeds Beckett University (as it now is) 1978-80.
- c. 1982 - Qualified Solicitor
- d. Founder Berwins Solicitors, 1993
- e. CEDR Accredited Mediator (2022)
- f. Full member, Civil Mediation Council
- g. Member, Association of Northern Mediators
- h. Accredited member of the Society for Computers and Law; co-initiator of SCL Mediation panel.