



VASANTHA STESIN

LLM (London), LLB (Hons)(Wales), FCI Arb, FACICA, Grad Cert Mediation & Dispute Resolution (UQ), BSc(Pharmacy)

2019

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Vasantha's career has spanned 38 years. She is an experienced Dispute Resolution (DR) Practitioner, corporate and commercial solicitor, advocate/barrister and a senior corporate executive within the multinational pharmaceutical industry. She is a Fellow of the Chartered Institute of Arbitrators (FCI Arb) and runs her own boutique law practice.

Vasantha is a NMAS accredited Mediator on various panels including the Victorian Small Business Commission, the Melbourne Magistrates' Court (SLEM), the Civil Mediation Program of the Magistrates' Court of Victoria, Domestic Building Dispute Resolution Victoria (DBDRV), Department of Justice and Regulation, Victoria, the Australian Small Business and Family Enterprise Ombudsman (ASBFEO), IP Australia, the World Intellectual Property Organisation (WIPO) and the Arts Law Centre of Australia. Vasantha has conducted private mediations, under various statutory regimes, Court mandated mediations and when privately instructed by solicitors or parties/corporations both prior to and during litigation. She undertakes conflict coaching and uses alternative dispute resolution methods in various workplace issues including in harassment and bullying. She is involved with Elder Mediation and is a mediator member of the Elder Mediation Australasian Network (EMAN).

Vasantha is a Fellow of the Australian Centre for International Commercial Arbitration (ACICA) and a Panel Member of the Asian International Arbitration Centre (AIAC).

Vasantha is a former committee member of the LEADR Victorian Chapter's Special Interest Group (SIG) on Statutory ADR, the IAMA-LEADR Victorian Integration sub-committee and the Resolution Institute's (RI) Arbitration and Mediation SIGs.

Vasantha has worked for Abbott Laboratories and Smith Kline & French Laboratories in senior management roles. Vasantha has advised and/or been involved in commercial matters and litigation in the heavily regulated pharmaceutical and health industries, inter alia companies such as Eli Lilly, Glaxo SmithKline, Pfizer, CSL, Roche, HMR, medical device, start-up and biotechnology companies. Her experience ranges from broad commercial and contractual matters (including Intellectual Property and its commercialisation) to specific advice work and litigious matters. She was seconded to Bristol Myers Squibb in Australia, working on project related and other matters. Vasantha has also advised and acted for hospitals and health care organisations.

Vasantha has tied her practice experience to her 12-year teaching role at the University of New South Wales that involved students studying for postgraduate qualifications to advance within the pharmaceutical, medical device and biotechnology industries. She has more recently taught at Monash University in Melbourne. She mentors junior lawyers and dispute resolution practitioners as part of her contribution to the legal and DR field.

PERSONAL DETAILS

TELEPHONE: +61 3 9596 0697
+61412-327 771 (Mobile)
FACSIMILE: +61 3 9596 0747
EMAIL: vstesin@stesinlegal.com
WEB SITE: <http://stesinlegal.com>

EDUCATIONAL QUALIFICATIONS

- February 2018:** Fellow of the Chartered Institute of Arbitrators (FCI Arb)
- December 2016:** Member of the Chartered Institute of Arbitrators (MCI Arb)
- April 2015:** Working towards Elder Mediation International Network (EMIN) Accreditation as an elder mediator; 3-day training workshop with Dale Bagshaw and currently fulfilling remaining requirements; Member of EMAN and elder mediator
- May 2014:** Mediating Workplace Bullying Complaints: using an evidence -based model to ensure sustainable outcome, LEADR (now Resolution Institute)
- 2009-2010** Graduate Certificate in Mediation and Conflict Resolution, Australian Centre for Peace and Conflict Studies, University of Queensland (Executive Dean's Commendation for High Achievement)
- 1991** Postgraduate Practical Law Course
Singapore
- 1989-1990** Master of Laws
Commercial and Corporate Law
King's College, London and The London School of Economics and Political Science
Research Paper: *"A Comparative Review of the Effects of Prices and Patents on the Marketing of Ethical Pharmaceuticals in Great Britain versus Canada"*
Supervisor: Professor W R Cornish (formerly of the London School of Economics now of Cambridge University)
- 1986-1988** Bachelor of Laws (Honours)
University College Wales, Aberystwyth
- 1983** Diploma in Adult Education
University of British Columbia, Canada
- 1977-1980** Bachelor of Science (Pharmacy)

University of Singapore

ADMISSION

- 1994** **Admitted as a Barrister and Solicitor of the Supreme Court of Victoria and the High Court of Australia**
- 1992** **Admitted as an Advocate and Solicitor of the Singapore Bar**
- 1991** **Admitted as a Barrister and Solicitor of the Supreme Court of the Australian Capital Territory and the High Court of Australia**
- 1990** **Barrister-at-Law of Lincoln's Inn**
England and Wales

MEMBERSHIPS

- Panel Member of the Asian International Arbitration Centre (AIAC)
- Fellow of the Australian Centre for International Commercial Arbitration (FACICA)
- Fellow of the Chartered Institute of Arbitrators (FCI Arb) 2018
- Member of the Chartered Institute of Arbitrators (MCI Arb) 2016
- Member of the Elder Mediator Australasian Network (EMAN) 2015
- Member of the Bayside Business Network (Victoria) 2015
- Former Committee Member of LEADR, then LEADR-IAMA (now Resolution Institute [RI])
- Former RI Arbitration Special Interest Group Member (SIG)
- RI Mediation SIG Member
- Professional Legal Practitioner Member of Resolution Institute (formerly LEADR-IAMA)
- Member of Victorian Association for Dispute Resolution (VADR)
- Member of Law Institute of Victoria
- Member of the Southern Solicitors Law Association, Victoria

VOLUNTEER POSITIONS

- Past Committee Member, LEADR Victorian Chapter Statutory ADR SIG
- Past Committee Member, LEADR & IAMA Victorian Integration Committee
- Past Committee Member, LEADR & IAMA Victorian Mediation & Dispute Resolution Special Interest Groups (SIG)
- Past Committee Member, RI Arbitration SIG
- Committee Member, RI Mediation SIG
- Victorian Women Lawyers: Mentor to young lawyers and law students
- PeaceWise Hub Leader
- Careline
- ICC Australia Asia-Pacific Commercial Mediation Competition 2018: Judge and Mediator

SUMMARY OF SKILLS AND WORK EXPERIENCE

Dispute Resolution

- Mediation (facilitative, evaluative and transformative); alternative forms of DR including negotiation, conflict coaching, conferencing, amongst others;
- Multi-cultural, jurisdictional and individual insights;
- Strong communication and people skills enabling developing innovative solutions to produce positive outcomes for parties in dispute;

- Pragmatic approach to DR, empowerment of individuals and organisations to recognise disputes and assist parties to move towards resolution;
- NMAS accredited Mediator (Resolution Institute); panel member on the Single List of External Mediators (SLEM) of the Melbourne Magistrates' Court; the Victorian Small Business Commission; the Civil Mediation Program, Magistrates' Court of Victoria, Department of Justice and Regulation, Victoria; the Arts Law Centre of Australia; Domestic Building Dispute Resolution, Victoria (DBDRV), Department of Justice; IP Australia; WIPO; Office of the Small Business and Family Enterprise Ombudsman (OSBFEO); elder mediator; facilitator; conflict coach; court mandated mediations and privately appointed by companies or solicitors;
- Mentoring and coaching junior legal and DR practitioners.

Legal

- In depth, practical and legal knowledge of the pharmaceutical and related industries (see Areas of practice below for further detail);
- Solid experience in the broad areas of Commercial law and Intellectual Property (including commercialisation of IP, patents, trademarks and copyright);
- Strong statutory interpretative skills;
- Strong skills in negotiation and Plain English drafting;
- Well versed in various aspects of litigation pertaining to the AAT and Federal Court;
- Skilled at working as a team within a legal group and with external counsel while in an in-house position; well versed at supervising and training junior lawyers in relevant areas;
- Experienced at working independently to service a wide-ranging array of clients and to build a legal practice;
- Excellent skills in business development within a legal practice;
- Strong presentation skills, ability to effectively write and deliver various relevant legal seminars and workshops and papers at conferences.

Business/Commercial

- Strong managerial skills i.e. ability to initiate, organise, lead and carry out objectives in a corporate environment;
- Ability to develop and build own business
- Excellent supervisory skills having had responsibility (dotted line reporting functions) for supervising and developing teams of medical representatives, sales and product managers in the Asia Pacific region;
- Strong interpersonal skills i.e. ability to negotiate, influence, and work effectively with a wide range of professionals from both the commercial and scientific/medical sectors to achieve quality outcomes;
- Excellent skills in marketing, advertising and business development within a corporate environment;
- Excellent training skills, ability to motivate, interact and increase knowledge within an adult learning environment and improve individual competence for specific requirements of each position;
- Extremely skilled at organising, preparing materials and running seminars, workshops, sales and marketing meetings, product launches, physician conferences and other such events;
- Excellent verbal and written communications skills;
- Significant ability to think strategically, laterally and prioritise multiple priorities effectively;
- Flexibility and maturity in adapting to and dealing with the changing needs of a corporate environment.

EMPLOYMENT

May 2012- to date:

Panel Member:

- **Melbourne Magistrates' Court Single List of External Mediators (SLEM)**
- **Victorian Small Business Commission (VSBC)**
- **Civil Mediation Program, Magistrates' Court of Victoria, Department of Justice and Regulation, Victoria**
- **Domestic Building Dispute Resolution Victoria (DBDRV), Department of Justice and Regulation, Victoria**
- **Office of the Small Business and Family Enterprise Ombudsman (OSBFEO)**
- **IP Australia**
- **World Intellectual Property Organisation (WIPO)**
- **Arts Law Centre of Australia**

**Private mediations through referrals from solicitors
Conflict Coaching
Workplace Bullying and Harassment
Member of the Elder Mediation Australasian Network (EMAN)**

April 2010- to date:

Principal, Stesin Legal

April 2010 – to date:

**Nationally Accredited Mediator (Resolution Institute):
Mediation; Facilitation; Conflict Coaching**

February 2012-todate:

**Guest lecturer in various areas within the Faculty of
Pharmacy and Pharmaceutical Sciences, Monash
University**

January 2000 –April 2012:

**Lecturer & Tutor (Law)
Conjoint Senior Lecturer (Law & Ethics),
Pharmaceutical Medicine & Drug Development
Postgraduate Studies Program
Faculty of Medicine
University of New South Wales**

**Teaching law to students undertaking a Masters of Medical Science in Drug Development or a
Diploma in Pharmaceutical Medicine at the Faculty of Medicine, University of New South
Wales:**

- History of law, principles and process;
- Intellectual Property;
- Product liability & risk management;

- Law & ethics;
- Other relevant areas as required.
- **Also involved in writing research articles and presenting papers at relevant seminars and conferences.**

February 2001-September 2002

**Arthur Robinson & Hedderwicks, then Allens Arthur Robinson (now known as Allens)
Senior Associate
Intellectual Property, Communications & Technology Department**

Areas of practice:

Pharmaceutical law

Advice to local and foreign based multi-national pharmaceutical and related companies on various commercial and legal issues, including advice on:

- the Trade Practices Act;
- the National Health Act;
- the Therapeutic Goods Act and Regulations;
- product registration and related regulatory issues;
- product liability;
- the PBAC, PBPA and pricing issues;
- communication with healthcare professionals and patients;
- HRECs and clinical trial studies;
- assessment of product liability and insurance risks and advice on risk minimisation.

Intellectual Property ('IP')

- Commercialisation of IP originating from clinical research;
- Strategic advice on major patent litigation;
- Technical advice pertaining to pharmaceutical patents;
- General Advice on various IP matters;
- IP pertaining to biotechnology including licensing issues, patent protection, commercialisation of IP and related matters.

Commercial law

- various contractual agreements between parties;
- commercial agreements including franchising, licensing, distribution, joint marketing and R&D agreements;
- general advice on various aspects of commercial law especially to foreign companies wishing to do business in Australia.

Business development

- Initiated and set up firm's web site on relevant legislation pertaining to biotechnology and therapeutic goods;
- Prepared materials, organised and delivered papers at various conferences and ran workshops and seminars on relevant topics;
- Trained junior solicitors in my areas of specialisation;
- Wrote relevant articles for publication on firm's web site and other relevant material for public distribution.

March 1994-January 2001

**Dunhill Madden Butler (then Deacons and now known as Norton Rose Fulbright)
Solicitor, then Senior Associate
Corporate & Commercial Department**

Areas of practice:

Pharmaceutical law

Advice to Medicines Australia (formerly APMA), and local and foreign based multi-national pharmaceutical, biotechnology and related companies on various commercial and legal issues, including advice on:

- the Trade Practices Act;
- the National Health Act;
- the Therapeutic Goods Act and Regulations;
- advertising material and the Medicines Australia Code of Conduct;
- all other relevant industry codes, guidelines and orders;
- Consumer Medicine Information;
- product registration and related regulatory issues;
- product liability;
- the PBAC, PBPA and pricing issues;
- generic substitution;
- labelling and packaging;
- communication with healthcare professionals and patients;
- HRECs and clinical trial studies;
- assessment of product liability risks and advice on risk minimisation;
- development of various policies and standard operating procedures for pharmaceutical companies;
- litigation and representation on behalf of pharmaceutical companies inclusive of AAT Appeals and matters at the Federal Court;
- liaison with the Office of the Australian Government Solicitor on behalf of various pharmaceutical companies;
- Government relations including Freedom of Information and administrative law issues.

Intellectual Property ('IP')

- Commercialisation of IP for research based organisations and industry;
- Strategic advice on major patent litigation;
- Technical advice pertaining to pharmaceutical patents;
- Advice on licensing, patent protection, commercialisation and related IP matters for various biotechnology start-up companies & those companies entering into the biotechnology area;
- General Advice on various IP matters.

Commercial law

- various contractual agreements between parties;
- commercial agreements including franchising, licensing, distribution, joint marketing and R&D agreements;
- general advice on various aspects of commercial law especially to foreign companies wishing to do business in Australia.

Business development

- Prepared materials, organised and delivered papers at various conferences and ran workshops and seminars on relevant topics;
- Trained junior solicitors in my areas of specialisation;
- Wrote relevant articles for publication and public distribution;
- Organised and ran Pharmaceutical Corporate Counsel forum.

SECONDMENT: September 1997-August 1998

Seconded to the local subsidiary of Bristol Myers Squibb to work on a project involving risk management, product liability and trade practice issues. Developed company policy and SOPs relating to these areas. Also advised on a variety of other commercial and litigious matters of a confidential nature whilst on secondment.

1993

Shook Lin & Bok (Singapore) Associate

Intellectual Property

- Registration of Trade Marks and Patents;
- Oppositions to Trade Mark Registration;
- Prosecution of Patent, Trade Mark and Copyright Infringements inclusive of High Court Trials;
- Taking out and enforcing Anton Pillar Orders.

Civil Litigation

- Trials inclusive of claims for breach of contract, insurance, accident compensation;
- Applications for Summary Judgements;
- Applications for Service of Writ out of Jurisdiction;
- Various Applications in Chambers before a Registrar or Judge;
- All research and preliminary work for trials.

Commercial law

- Joint Venture Agreements inclusive of those in foreign jurisdictions such as Vietnam and Cambodia;
- Incorporation of Companies and provision of ongoing Company Secretarial support.

1992 (Singapore)

Contract positions with **Ang & Partners**, then **Edmond Pereira & Partners** in maritime law and criminal law. Gained significant experience, especially in trial work, in these two areas of law.

1991-1992 (Singapore)

Rodyk & Davidson

Articled Clerk

Areas of Practice:

- Intellectual Property
- Civil Litigation

- Commercial law

1989

Chambered at: **11 New Square, Lincoln's Inn, London**

Mainly Chancery work (wills, probate and family law)

1983-1986

**Smith Kline & French Laboratories
Training Manager, Asia Pacific**

- Ran induction programmes for new medical representatives and management;
- Provided relevant updates and training for all current personnel on an on-going basis including relevant skills training;
- Provided training across the board for new products;
- Developed all relevant course and training material for use in the various training programmes;
- Organised and conducted sales conferences and international product launch meetings;
- Handled various patent and trade mark issues including piracy and counterfeiting of products;
- Ran quarterly sales meetings for medical representatives in the Asia Pacific region;
- Negotiated government contracts including tenders for various products in the Asia Pacific markets;
- Was responsible for the above in 15 countries.

1981-1982

**Abbott Laboratories
Pharmacist/Market Research Analyst**

Duties included responsibility for the legal aspects of the import and export of pharmaceuticals, i.e. holding of poisons licences; various marketing and training functions.

1982

**Royal Melbourne Hospital, Melbourne, Victoria
Pharmacist**

Clinical Pharmacy; registered to practise pharmacy in Victoria

1980-1981

**Ministry of Health, Singapore
Pupil Pharmacist; Registered to practice pharmacy in Singapore**

OTHER RELEVANT EXPERIENCE

LANGUAGES

English (native)

Mandarin (written and spoken)

PROFESSIONAL ASSOCIATIONS

- Law Institute of Victoria
- Resolution Institute: (formerly LEADR, now merged with IAMA)
- Victorian Lawyers RPA Ltd
- Bayside Business Network
- Victorian Association for Dispute Resolution (VADR)
- Chartered Institute of Arbitrators (CIArb)
- Elder Mediation Australasian Network (EMAN)

CONFERENCES/PROFESSIONAL ACTIVITIES

- 2019 Presenter, National Mediation Conference, Sydney
- 2018 Delegate, ICCA Conference, Sydney; Judge & Mediator: ICC Australia Asia-Pacific Mediation Competition 2018
- 2010 Presenter, NSW State Legal Conference on Product Liability in Healthcare
- 2009 Presenter, NSW State Legal Conference on Product Liability in Healthcare
- 2008 Presenter, NSW State Legal Conference on Product Liability in Healthcare
- 2008 Presenter, NSW State Legal Conference on Product Liability in Healthcare
- 2008: Presenter, NSW State Legal Conference on Product Liability in Healthcare
- 2008: Presenter, ARCS Annual Scientific Congress
- 2007: Presenter, NSW State Legal Conference on Product Liability
- 2007: Presenter, ARCS Annual Scientific Congress on Medical Information and Regulatory Legislation
- 2005: Presenter, ARCS Melbourne & Sydney Seminars on the AUSFTA
- 2002: Presenter, ARCS Melbourne Group Meeting
- Presenter, ARCS Australia Annual Conference 2002
- Presenter, Pharmaceutical Professionals Seminar on Privacy
- 2001: Presenter, ARCS Clinical Conference 2001
- 2000: Presenter, ARCS Regulatory Conference 2000
- 1999: Delegate, Medico-Legal Masterclass
- Presenter, ARCS Regulatory Conference 1999
- 1998: Presenter, BLEC Seminar on Pharmaceutical Law
- Presenter, LES Annual Conference
- Presenter, Drug Information Association Conference
- Delegate, Victorian Health Summit
- 1997: Presenter, Pharmaceutical Issues Workshops, DMB, Melbourne & Sydney
- Presenter, ARCS Melbourne Group
- Presenter, ARCS/TGA/PBB Inaugural Conference
- 1995: Delegate, 4th National Medico-Legal Conference, Melbourne, Victoria
- 1995: Delegate, Annual Medico-Legal Conference, Falls Creek, Victoria
- 1995: Delegate, TGA-ARCS "Working in Partnership" Annual Conference, Canberra, ACT
- 1995: Presenter, Pharmaceutical Issues Workshops, Dunhill Madden Butler, Melbourne and Sydney
- 1994: Delegate, APMA Seminar on Consumer Product Information, Sydney, NSW
- 1994: Delegate, ARCS Conference on "*Protecting and Profiting from Innovations: Intellectual Property issues affecting medical research, biotechnology and the pharmaceutical industry*", Sydney, NSW
- 1994: Presenter, AIC Conference on "Maximising the Business Applications of your Intellectual Property"; Paper presented entitled: "***Protecting Product Improvements when licensing in the Biotechnology Industry***", Melbourne, Victoria
- 1993: Delegate, Marques Annual Conference, London
- 1993: Delegate, 35th Annual Council Meeting of the Asian Patent Attorneys Association, Kuala Lumpur, West Malaysia

PUBLICATIONS

- “Stesin V, Wulfsohn L, Nattraj N and Rajandran P K, “Alternative Dispute Resolution and Health”, Ed Sourdin T, *Australasian Dispute Resolution* (Subscription work, Thomson Reuters) 2017
- Chapter on *Product Liability*, **Postgraduate Studies in Drug Development and Pharmaceutical Medicine, Faculty of Medicine, University of New South Wales**; 2012
- ‘*Patents and the Australia-US Free Trade Agreement*’ **Australian Health Law Bulletin** (2005) 14(1) HLB
- ‘*Patents and the Australia-US Free Trade Agreement*’ **ARCS newsletter**; *Issue Number 107*; June 2005
- Co-authored chapter on *Intellectual Property*, **Postgraduate Studies in Drug Development, Faculty of Medicine, University of New South Wales**; 2005
- Various papers presented at national ARCS conferences and meetings on relevant topics
- Dunhill Madden Butler Quarterly Pharmaceutical Law Bulletins
- “Consumer Medicine Information-Product Liability Issues”; **Priceless Magazine (Sigma Pharmaceuticals)** 1998
- "Substituting Generically, Who Is Liable?"; **Priceless Magazine (Sigma Pharmaceuticals)**; 1997
- "Update on Patent Legislation in Singapore"; **Patent World (UK)**; 1993
- "Update on Patent Legislation in Singapore"; **Asia Law (Hong Kong)**; 1993