

→ International Arbitration

The International Arbitration Practice at Sheppard Mullin includes more than two dozen attorneys practicing in the Firm's New York, Washington, D.C., Shanghai and California offices. More than a dozen different languages are spoken within the group, and our attorneys practice globally as well as being licensed in various domestic jurisdictions, including many U.S. states, England and Wales.

The Firm regularly represents clients before the leading international arbitration institutions, including the International Chamber of Commerce (ICC), International Centre for the Settlement of Investment Disputes (ICSID), International Centre for Dispute Resolution (ICDR), American Arbitration Association (AAA), the Permanent Court of Arbitration, the China International Economic and Trade Arbitration Commission (CIETAC) and the London Court of International Arbitration (LCIA). We have experience in a variety of specialty practice areas, and have represented clients before the World Intellectual Property Organization (WIPO), London Maritime Arbitration Association, Society of Maritime Arbitrators of NY, Iran-United States Claims Tribunal, Court of Arbitration for Sport and the Independent Film & Television Alliance (formerly the American Film Marketing Association), as well as in numerous ad hoc arbitrations.

Services Provided

Our services include advising on the drafting of arbitration clauses, representing claimants and respondents in institutional and ad hoc arbitral proceedings and, when necessary, representing parties in litigation to enforce or avoid arbitration agreements and awards under the New York Convention on the Recognition and Enforcement of Foreign Arbitral Awards. We also serve as neutral and party-appointed arbitrators.

The Firm's attorneys offer various educational programs to familiarize clients and business groups with the international arbitration process and pros and cons of international arbitration. We focus particular attention on the need to craft appropriate, tailored dispute resolution language at the time underlying transactions are negotiated and documented. We also help clients navigate the procedural steps when a potentially arbitrable dispute arises.

Experience And Expertise

The types of arbitral disputes the Firm handles include the following:

- construction projects
- government procurement contracts
- natural resource and energy projects and agreements
- joint ventures
- overseas investment
- international sales agreements
- mergers & acquisitions

- life sciences
- intellectual property licensing
- patent validity
- media & entertainment licensing and investment
- sports
- trade
- insurance and reinsurance
- marine
- aviation
- director & officers liability
- executive compensation agreements
- other international commercial disputes

The Firm represents a variety of parties in such disputes, from majority or minority shareholders in joint ventures, to independent contractors against State parties, to State entities in major infrastructure projects. We have particular expertise in State entity disputes.

Experience

Representative examples of recent international arbitrations handled by members of our team are as follows:

- Representing Korean construction company in ICSID arbitration under Korea-Oman BIT.
- ICC arbitration of a contract dispute with a Greek distributor on behalf of a consumer products company.
- ICC arbitration of a distributor contract dispute on behalf of a nutrition and weight management company.
- ICC arbitration on behalf of a U.S. pharmaceutical company against the Brazilian subsidiary of a global pharmaceutical company involving the right to terminate a license and distribution agreement.
- ICC arbitration of a breach of contract dispute on behalf of a Hong Kong based manufacturer of cell phones and cell phone equipment.
- ICC arbitration on behalf of a U.S. pharmaceutical manufacturer against its Jordanian joint venture partner.
- ICC arbitration of a licensing and expropriation dispute on behalf of a multinational pharmaceutical company against a European state entity.
- ICC arbitration of a breach of contract dispute arising from an investment banking transaction in Korea.
- ICC arbitration on behalf of a Middle Eastern state entity in an oil concession dispute.
- ICC arbitration of a patent licensing dispute involving multiple parties from the United States and France.
- ICC arbitration of a product defect and breach of contract dispute on behalf of a multinational Taiwanese company.
- ICC arbitration on behalf of a European electronics company in a product defect and licensing dispute.
- ICC arbitrations regarding various disputes on behalf of a Chinese producer of metallurgical coke.

- ICC arbitration on behalf of a multinational consumer products company in a breach of contract and licensing dispute.
- ICC arbitration on behalf of a Brazilian multinational energy company in a contract dispute arising from the construction of Libya's Great Man-Made River Project.
- CIETAC arbitration of a breach of contract dispute arising from sale of business equipment in China to US-based multinational.
- CPR International Institute arbitration in a licensing dispute on behalf of one multinational pharmaceutical company against another multinational pharmaceutical company.
- ICDR arbitration on behalf of a California limited partnership of multiple Chinese parties over a real property development dispute.
- ICDR arbitration concerning licensing and intellectual property rights related to nucleic acid detection of indicators for cervical cancer.
- AAA arbitration on behalf of a global electronics/telecommunications company against a New Mexico provider of epitaxial equipment, for breach of contract and fraud.
- AAA international rules arbitration on behalf of a California telecommunications company against a Hong Kong telecommunications provider.
- AAA arbitrations on behalf of an environmental remediation services company against a prime contractor and a utility owner in connection with a manufactured gas plant (MGP) remediation project in New York.
- AAA international rules arbitration on behalf of a local exchange telephone carrier in Texas against an international provider of software consulting services.
- AAA arbitration on behalf of one of the largest distributors of pharmaceutical products in Mexico involving a dispute with the manufacturer of a muscle conditioning sports spray.
- WIPO arbitration of a patent infringement and breach of contract dispute on behalf of a Chinese owner of multiple U.S. and European patents.
- WIPO and ICANN arbitration of a domain name dispute involving the unauthorized registration of a web address on behalf of an online gaming company.
- Counsel to several U.S. multinationals concerning arbitration terms under CIETAC, HKIAC, ICC, LCIA and UNCITRAL rules.
- Resolution of dozens of disputes with suppliers in China, Italy, Japan, Korea, the United Kingdom and other jurisdictions on behalf of a Fortune 100 aerospace manufacturer. The disputes were under international supply agreements with arbitration provisions (AAA, ICC, UNCITRAL and ad hoc).
- Major international arbitration of a contract dispute on behalf of a Mexican engineering and construction corporation involving the engineering, procurement and construction of a nitrogen production plant in Mexico.
- Defense of one of the world's largest hotel companies against claims in an LCIA arbitration brought by its Dubai business partner.
- Defense of a U.S. telecommunications company in an ad hoc London arbitration arising from operations in Kuwait.
- Defense of multiple contract disputes and claims on behalf of an energy company arising from construction of a power plant in Pakistan.

- Dispute before the Court of Arbitration for Sport on behalf of an Olympic gymnast whose award of a gold medal at the Athens 2004 Olympic Games was protested by the Korean Olympic Committee on behalf of a Korean athlete.
- Counsel to State of Kuwait in United Nations Compensation Commission proceedings concerning claims of Kuwait government Ministries against Iraq, with primary responsibility for claims concerning the Kuwait Emergency Reconstruction Office, Prisoners of War, and the Ministries of Health, Finance and Foreign Affairs.
- Counsel to several Asian power companies in UNCITRAL arbitration of a contract termination dispute against the Government of Laos involving a mining and power generation project.
- Special counsel to government agency of Middle Eastern state in connection with negotiation of dispute resolution provisions in potential free trade agreements.
- Arbitration on behalf of a multinational electronics and technology company based in South Korea involving the termination of a distribution and cross-licensing agreement.
- Arbitration on behalf of a South Korea-based automobile and electrical equipment manufacturer in a breach of contract dispute against a Colombian distributor.
- Lead counsel in London arbitration of claims against the Indian government arising from a launch pad accident.
- Defense of multiple claims and cross-claims on behalf of a Hong Kong-based building contractor relating to construction of a bridge structure.
- Zurich Chamber of Commerce dispute on behalf of a telecommunications company against a European state entity.
- London Maritime Arbitration Association proceedings on behalf of a Chinese producer of metallurgical coke.
- Dispute before the London Maritime Arbitration Association on behalf of a multinational agricultural conglomerate arising from long-term charter shipping contracts.
- Dispute before the Society of Maritime Arbitrators of New York on behalf of a petroleum trading organization against an Italian shipping company.
- Corporate shareholder dispute submitted to the Singapore International Arbitration Centre (SIAC) on behalf of a Nevada LLC with two India-based members.
- Ad hoc arbitration on behalf of a defense contractor against a South American state entity.
- Provided analysis and opinions regarding claims arising from the construction of a bridge project in Bangladesh.
- Ad hoc arbitrations on behalf of an energy services company against former executives over termination issues and compensation.