

## → 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

### Government and State Entity Matters

- Republic of Argentina in U.S. litigation defending against attempt by bondholders to seize Argentine presidential airplane to collect debt arising out of Argentine financial crisis and raising issues of foreign sovereign immunity under Foreign Sovereign Immunities Act, resulting in dismissal of the action.
- Republic of Congo in litigation defending against enforcement of a foreign judgment to collect defaulted loan obligation under Foreign Sovereign Immunities Act and attachment of assets in United States, resulting in complete dismissal of action and creation of new precedent regarding commercial activity exception to foreign sovereign immunity.
- European Union and related parties in lawsuit arising out of issuance of European patent and involving sovereign immunity issues.
- Government of Serbia in litigation arising out of bank deposits in defunct bank in former Yugoslavia.
- Sovereign state in Southeast Asia in potential investor-state arbitration by Chinese investor arising out of hydropower project.
- Government of Korea in negotiations and ratification of Korea-United States Free Trade Agreement.
- Sovereign state in Middle East in connection with negotiation of bilateral investment treaties with U.S. and Australia.
- Government of Kuwait in UNCC proceedings in Geneva against Government of Iraq following Gulf War.
- Total S.A. in ICSID arbitration proceedings against Government of Republic of Uganda arising out of investments in petroleum operations in Uganda and breach by Government of Uganda of obligations under investment contract and Netherlands-Uganda Bilateral Investment Treaty.

- Regional West African oil exploration and production company in ICC arbitration in London against Government of Sierra Leone relating to cancellation of offshore oil exploration and production rights.
- Large French company in ICC arbitration in Geneva against South American entity in dispute over ownership of ICSID claim against government of country in South America.
- Samsung Engineering in ICSID arbitration against Government of Oman arising out of investment in petrochemical plant construction and breach by Government of obligations under bilateral investment treaty with Korea.
- Korean investor in ICSID arbitration against government in Middle East arising out of power plant construction project.
- Samsung C & T in connection with investment dispute issues against government in Middle East.
- Major oil company in connection with potential ICSID claim against Government of country in East Africa under applicable bilateral investment treaty.
- Major European oil company and its Middle East subsidiary in relation to oil exploration and production agreement with Ministry of Energy and Government with respect to force majeure and other issues in light of current emergency conditions in country.

## **Complex Commercial and Business Matters**

- Brazilian subsidiary of Indian company in ICC arbitration in Sao Paulo against Brazilian subsidiary of US company arising out of supply contract.
- KT SAT in ICC arbitration relating to dispute over ownership of satellite in orbit.
- Large French aircraft manufacturer in ICC arbitration relating to design of high lift devices.
- Large French company in ICC arbitration in Geneva against South American company in dispute over ownership of ICSID claim against government of country in South America.
- Indonesian chemical company in international arbitration before London Court of International Arbitration arising out of sale of chemical manufacturing facilities.
- Large French avionics manufacturer in patent infringement arbitration and litigation involving aircraft terrain awareness and warning systems.
- European manufacturer of satellites in ICDR arbitration in New York arising out of contract for design and supply of constellation of satellites to US-based customer.
- European aircraft manufacturer in ICC arbitration in New York arising out of agreement for supply of airframe components.
- International owners of large industrial project in Middle Eastern country against international engineering firm in UNCITRAL arbitration in London.
- Turkish company in ICC arbitration against German telecommunications company regarding sales and distribution rights.
- Large European satellite manufacturer in AAA/ICDR arbitration involving manufacture of telecommunications constellation.
- Belize corporation in ICC arbitration in connection with sale and installation of mobile telecommunications infrastructure equipment in Turkey.

- Major US multinational in ICC arbitration in Miami arising out of construction of two power plants in Venezuela.
- Large European company in ICC arbitration in Zurich arising out of long term lease agreement.
- Taiwanese business owner in series of disputes, including CIETAC arbitration, arising out of sale of textile-related businesses.
- Korean company in ICC arbitration against major U.S. technology company arising out of supply agreement to provide key components for consumer electronic devices.

## **Oil, Gas, Energy and Metals Matters**

- Large LNG producer and supplier in ICDR arbitration in Texas relating to termination of long-term U.S. LNG supply agreement.
- Samsung Engineering in arbitration dispute in Saudi Arabia against joint venture of Ma'aden & Alcoa.
- Samsung Engineering in arbitration dispute in Saudi Arabia against Aramco.
- Large French multinational corporation in UNCITRAL arbitration in London against engineering and design firm arising out of major energy project in the Middle East.
- French chemical company in ICC arbitration relating to construction of chemical plant in France.
- An African exploration and production company in ICC arbitration against Government of Sierra Leone relating to agreement for exploration off west coast of Africa.
- African subsidiary of European company in ICDR arbitration relating to supply of LNG to US company.
- Large energy company on force majeure and contract issues in relation to oil exploration and production operations in Yemen.
- Large French company in ICC arbitration in Geneva against South American entity in dispute over ownership of ICSID claim against government of country in South America.
- European energy company in LCIA arbitration arising out of petroleum supply contract.
- International owners of large energy project in Middle East in arbitration over disputes related to supply of feed gas needed to achieve project completion.
- Large energy company on wide range of issues and disputes in areas of feed gas supply, LNG quality, force majeure, shipping, engineering and construction, price reviews and other commercial matters.
- Brazilian subsidiary of Indian company in ICC arbitration in Sao Paulo against Brazilian subsidiary of US company arising out of supply contract.
- General Electric Corporation in ICC arbitration arising out of contract to construct two power plants in Venezuela.
- Major US-based multinational in ICC arbitration in Miami arising out of construction of two power plants in Venezuela.
- Public utility company in ICC arbitration arising out of decommissioning of nuclear power plant.