



International Chamber of Commerce

The world business organization

International Court of Arbitration®

ICC International Commercial Dispute Resolution

Flexible Solutions for an Evolving World

Date

Sunday 11 – Tuesday 13 September 2005

Venue

**The Lodge at Torrey Pines
La Jolla, California, USA**

International Court of Arbitration®

Since its creation in 1923, the ICC International Court of Arbitration has handled over 13,000 cases. The worldwide scope of its activity was again evidenced in 2004 with 561 new cases filed involving 1,682 parties from 116 countries and independent territories. The ICC Court itself is characterized by its broad representation, comprising members from more than 80 countries with diverse legal backgrounds. Over the years, ICC has developed a range of other dispute resolution rules, in addition to arbitration, and now offers a comprehensive package of dispute resolution services to meet the needs and challenges of international commerce today.

Objective

For the last seven years, US parties have been the most numerous of all nationalities in ICC arbitration. This conference aims to give participants a greater understanding of the workings of the ICC International Court of Arbitration and to provide insight into current trends in the field of international dispute resolution. Leading experts in the field will share their knowledge and first-hand experience on some of the major issues in international arbitration today and discuss its use especially in the entertainment, the biotech, healthcare and pharmaceutical industries, and in resolving intellectual property disputes.

Participants

The topics covered will be of interest to practicing lawyers, corporate counsel, arbitrators, mediators, academics, ADR experts and users, and business persons who wish to learn more about the international dispute resolution mechanisms offered by ICC.

In partnership with



**The United States Council
for International Business**
the US affiliate of ICC

With the support of

- Clifford Chance
- Cooley Godward LLP
- Fasken Martineau DuMoulin LLP
- Freshfields Bruckhaus Deringer
- O'Melveny & Myers LLP

International Chamber of Commerce

38, Cours Albert 1er, 75008 Paris, France
Telephone +33 1 49 53 28 69 Fax +33 1 49 53 29 42
Web site www.iccconferences.com E-mail conf@iccwbo.org

ICC Conferences

Program

Sunday 11 September 2005

6:00 **Welcome Cocktail Reception**

Monday 12 September 2005

8:00–9:00 **Registration**

9:00–9:15 **Welcome and Introduction**

- **Lorraine M. Brennan**, Director, Arbitration & ADR, North America, ICC International Court of Arbitration
- **Jennifer Kirby**, Deputy Secretary General, ICC International Court of Arbitration

9:15–10:30 **ICC Arbitration in Practice**

Created in 1923, the ICC International Court of Arbitration pioneered the use of arbitration to resolve international business disputes and, since that time, has administered over 13,000 cases. This panel of ICC arbitration experts will provide insights into ICC arbitration, from drafting the request for arbitration to obtaining a final award.

- **Katherine H. Gurun**, Senior Vice President & General Counsel, Bechtel Corporation, San Francisco
- **Jennifer Kirby**, Deputy Secretary General, ICC International Court of Arbitration
- **Richard H. Kreindler**, Partner, Shearman & Sterling LLP, Frankfurt
- **Nigel Rawding**, Partner, Freshfields Bruckhaus Deringer, London

Moderated by

- **Nancy M. Thevenin**, Deputy Director, Arbitration & ADR, North America, ICC International Court of Arbitration

10:30–11:00 *Morning break*

11:00–12:00 **Arbitration and ADR in the Entertainment Industry**

Resolving disputes in the entertainment industry through arbitration and alternative dispute resolution is an important developing trend in California. Our panelists will describe the types of claims that are increasingly being referred to arbitration, key issues to consider in drafting a dispute resolution clause in the entertainment industry and important features of the California International Arbitration Statute. Panelists will also discuss the different places of arbitration for these types of cases and their respective advantages and disadvantages.

- **Fred Bennett**, Partner, Quinn Emanuel Urquhart Oliver & Hedges, LLP, Los Angeles
- **Gerald Phillips**, Of Counsel, Phillips, Lerner & Lauzon, LLP, Los Angeles

Moderated by

- **Dixon Q. Dern**, Attorney, Arbitrator & Mediator, Los Angeles

12:00–2:00 *Lunch*

2:00–3:00 **Arbitrating Intellectual Property Disputes**

Another growing area in international arbitration is the use of arbitration to resolve international intellectual property disputes. This panel will discuss the reasons for this development, advantages and disadvantages of arbitrating IP disputes, practical tools for obtaining emergency injunctive relief, and the current debate over entering into confidentiality agreements when arbitrating these disputes.

- **William H. Baker**, Counsel, Ropes & Gray LLP, New York
- **Thomas J. Brewer**, Arbitrator & Mediator, Seattle
- **David Huebner**, Partner, Coudert Brothers LLP, Los Angeles

Moderated by

- **Claudia Ray**, Partner, O'Melveny & Myers LLP, New York

3:00–3:30 *Afternoon break*

3:30–5:00 **Litigation Tactics Affecting International Arbitrations**

Parties are increasingly tapping the judicial system in connection with international arbitration, sometimes in an effort to derail or disrupt the arbitral proceeding. This panel will describe the interplay of litigation and arbitration and current litigation tactics (such as anti-suit injunctions) that can affect the efficiency and efficacy of arbitration. Panelists will also raise practical considerations in assessing whether to involve the courts and how to respond to these tactics.

- **John J. Barceló III**, Professor, Cornell Law School, Ithaca
- **Herbert B. Hoffman**, Judge, California Superior Court, San Diego
- **Robert H. Smit**, Partner, Simpson, Thacher & Bartlett LLP, New York
- **Abraham D. Sofaer**, George P. Shultz Distinguished Scholar & Senior Fellow, The Hoover Institution, Stanford University

Moderated by

- **Lorraine M. Brennan**, Director, Arbitration & ADR, North America, ICC International Court of Arbitration

7:00 *Dinner*

Program *(continued)*

Tuesday 13 September 2005

9:30–10:45 Arbitration in the Biotech, Healthcare and Pharmaceutical Industries

This panel will discuss the developments and future trends in the biotech, healthcare and pharmaceutical industries and provide insight into how alternative dispute resolution methods and arbitration can be used to meet the legal challenges facing these industries.

- **Kay Boulevard-Miller**, Managing Counsel, Merck & Co., Inc., New Jersey
- **Jeffrey Hessekiel**, Senior Counsel, Gilead Sciences, Inc., Foster City
- **Anthony M. Stiegler**, Litigation Partner, Cooley Godward LLP, San Diego
- **Alice D. Sullivan**, Judge (ret.), Chair, Board of Trustees, The Scripps Research Institute, La Jolla

Moderated by

- **Dana Haviland**, Arbitrator & Mediator, Los Altos

10:45–11:15 *Morning break*

11:15–12:30 Arbitrating in Asia

As Asia plays an increasing role in the global economy, corporations and their counsels have a vested interest in understanding the unique features of arbitrating with parties from the Asia-Pacific region. This panel will focus on salient features of arbitrating in China, Hong Kong, Japan, Singapore and Indonesia.

- **Michael Charles Pyles**, Chair, ICC Australia
- **Charles Stevens**, International Arbitrator, Berkeley & Tokyo
- **David E. Wagoner**, Attorney-at-Law & Chartered Arbitrator, International Arbitration Chambers, Seattle

Moderated by

- **M. Scott Donahey**, Partner, Tomlinson Zisko LLP, Palo Alto

12:30–2:30 *Lunch*

2:30–3:45 Growth and Development of Multi-Party and Multi-Contract Arbitrations

Arbitral tribunals are increasingly faced with disputes that go beyond the two-party, one-contract scenario. The trend towards multiple parties and contracts in international arbitration is expected to continue due to the rapid globalization of international business. This panel will examine the unique procedural and substantive issues that must be considered when arbitrating multi-party and multi-contract disputes.

- **Michael Bühler**, Partner, Jones Day, Paris
- **Louis B. Kimmelman**, Partner, O'Melveny & Myers LLP, New York
- **Jennifer Kirby**, Deputy Secretary General, ICC International Court of Arbitration
- **Fabian von Schlabrendorff**, Partner & Head of European Litigation and Dispute Resolution Practice, Clifford Chance, Frankfurt

Moderated by

- **Richard Page**, Partner, The Page Firm, San Diego

3:45–5:00 Arbitration Chronicles

This panel of experienced international arbitration practitioners will provide thought-provoking real-world narratives, engage in an interactive exchange with participants regarding the issues raised and provide guidance on those issues.

- **Henri C. Alvarez**, Partner, Fasken Martineau DuMoulin LLP, Vancouver
- **Axel H. Baum**, Counsel, Hughes Hubbard & Reed LLP, Paris
- **Denis Bensaude**, Lawyer, Paris; Member of the Paris and New York Bars

Moderated by

- **Andrew de Lotbinière McDougall**, Partner, White & Case LLP, Paris

5:00–5:15 Closing Remarks

- **Jennifer Kirby**, Deputy Secretary General, ICC International Court of Arbitration
- **Nancy M. Thevenin**, Deputy Director, Arbitration & ADR, North America, ICC International Court of Arbitration

Logistical Note

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Working language

English

CLE credits

ICC Conferences is a State Bar of **California** approved MCLE provider, is eligible for CLE credit under **New York's** approved jurisdiction procedures, and is a Law Society and the General Council of the Bar of the **United Kingdom** External CPD Course Provider.

Contribution to costs

- US\$ 990 for ICC/USCIB members
- US\$ 1,040 for non-members
- US\$ 220 for accompanying person

Registration before Friday 29 July
 US\$ 890 "Early-bird" special

The contribution to costs covers all conference activities, including documentation, networking lunches and contact breaks, Sunday reception and dinner on Monday. All fees are exclusive of travel and accommodation.

The accompanying person fee provides for Sunday cocktail reception and dinner on Monday. Sessions and networking lunches are restricted to participants only.

How to register

Easier and faster: registration and payment on-line at www.icconferences.com

- *or*, complete and return the registration form indicating method of payment, and:

E-mail:	conf@iccwbo.org	Post:	ICC Conferences
Fax to:	+33 1 49 53 29 42		International Chamber of Commerce
Phone:	+33 1 49 53 28 69		38, Cours Albert 1er, 75008 Paris, France

Registration will be confirmed upon receipt of the registration form and contribution to costs.

Conference information

- For any questions **concerning the programme**, please contact **Lorraine M. Brennan**, Director, or **Nancy M. Thevenin**, Deputy Director, Arbitration and ADR, North America, ICC International Court of Arbitration; **phone +1 212 703 5060; lbrennan@uscib.org; nthevenin@uscib.org**
- For any questions **concerning registration**, please contact **Dorothy Cross**, Marketing Coordinator, ICC Conferences; **phone + 33 1 49 53 28 69; dcc@iccwbo.org**

Travel, visas and accommodation

Participants are responsible for making their own travel and hotel arrangements.

A hotel reservation form for the "**The Lodge at Torrey Pines**", with which ICC has negotiated preferential rates at 275 US\$ (+ prevailing city and state taxes), will be sent upon receipt of the registration form together with the contribution to costs. All room reservations must be guaranteed by a credit card. Reservations will be automatically billed for one night unless cancelled 48 hours prior to arrival. The **pre-reservation cut-off date is Friday 12 August 2005**. Hotel reservations received after Friday 12 August will be provided on a space available basis at prevailing rates.

Dress code

Business casual for both Sunday cocktail reception & Monday dinner.

Cancellations

50% of the conference fee will be refunded for any cancellation received in writing by ICC Conferences prior to **Friday 12 August 2005**. No refund can be made for cancellations received after this date. You are welcome to send a substitute at any time. Please notify us if you plan to send a substitute since updated registration materials will be required.

Sponsorship opportunities

Companies that choose to become Conference Sponsors are given many opportunities to profile their business. They will receive maximum exposure during the event. If your organization is interested in sponsoring this conference, please contact **Dorothy Cross at ICC, dcc@iccwbo.org; phone +33 1 49 53 28 69**.

Registration form

S 0508

Register online
www.iccconferences.com
or complete and return to:
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Participant information

Title (Mr/Dr/Ms/etc.)
Family name First/given name
Position
Company
Address
City/state Zip/postal code
Country E-mail
Phone (.....) Fax (.....)

Accompanying person

Family name First/given name

(Please check the appropriate box)

Contribution to costs

- US\$ 990 for ICC/USCIB members
- US\$ 1,040 for non-members
- US\$ 220 for accompanying person

Registration before Friday 29 July
 US\$ 890 “Early-bird” special

Should you need an invoice, please check

Method of payment

By credit card: *Please note that all charges will be reflected in euros*

American Express Euro/MasterCard Visa

Card number Expiry date

Name of cardholder

By cheque:

payable to “**International Chamber of Commerce**” bearing the reference “ICC S0508” and participant’s name clearly indicated.

Registration will be confirmed upon receipt of this completed registration form and contribution to costs.

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Date Signature

The information you provide on this form will be used to compile the participant list for this event. It will be stored on ICC’s database for the sole use of the ICC International Secretariat. You may have access to this information and ask for deletion or correction at any time by contacting ICC.

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