

VIAC – QUESTIONNAIRE

1. **Name:** LANDOLT, Phillip Louis

2. **Date of birth:** 8 November 1967

3. **Citizenship:** Swiss, Canadian, American

4. **Contact information:**

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5. **Current position:** international arbitration lawyer, and university lecturer

6. **Education:** Ph.D in law (Cambridge), Post-Graduate Diploma in EU Competition Law (London), J.D. (Toronto), B.Soc.Sci in politics (Ottawa)

7. **Practiced experience in arbitration:**

How many arbitrations have you participated in (domestic/international)? Under which Rules?
About 35 arbitrations, all international. ICC, VIAC, AAA international rules, LCIA, Swiss Rules, WIPO, SIAC, ad hoc

How often have you acted as Chairman? Once.

How often have you acted as Sole Arbitrator? Once.

How often have you acted as Co-Arbitrator? Never.

How often have you acted as Counsel? About 20 times.

How often have you acted in a different function (e.g. Administrative Secretary)? About 20 times as secretary to the arbitral tribunal.

8. **Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):**

I have little formal training in international arbitration. I have, however, attended dozens of conferences on international arbitration over the last fifteen years, including UNCITRAL, VIAC, and ICC Austria conferences, and I have also attended Michael Schneider's practice building seminar.

The conferences at which I have spoken recently include:

5 May 2010, Speaker, Charles Russell conference in Manama, Bahrain on Oil and Gas Industry Construction and Dispute Settlement

4 May 2010, Speaker, ICC YAG conference in Manama, Bahrain on Drafting Arbitration Clauses

As of February 2010, Lecturer, Faculty of Law, University of Geneva for the course Introduction to Anglo-American Law

18 May 2009, Speaker, Arbitration and Bankruptcy Law, Geneva Committee of the Swiss Arbitration Association

5 March 2009 : Speaker, Challenges to Jurisdiction and to Arbitrators, Conference of the Lithuanian Committee of the ICC on "Pre-Hearing Issues and International Commercial Arbitration"

7 March 2009 : Instructor, Course on International Commercial Arbitration under the auspices of a network of Baltic law firms (« LAWIN »)

26 November 2008: Guest Lecturer on Investment Arbitration and Human Rights at the European Inter-University Centre for Human Rights and Democratisation (EIUC, University of Venice)

17 October 2008: Speaker on the Vienna Sales Convention and Judicial Interpretation at the UNCITRAL-SIAC conference on "Institutional Arbitration on Infrastructure and Construction" in Delhi, India

26 September 2008: Speaker on Managing Competition Law in International Arbitrations in Switzerland at annual ASA Conference

16 May 2008: Speaker at Concurrence, arbitrage et sport: aspects choisis de la pratique, Journée MBL du droit de la concurrence 2008

3 November 2007: Speaker on Developments in Swiss Arbitration Law 2007 at Canadian ICC AGM

September 2006, Organiser of Visit of ICC's Mirèze Philippe to speak to Geneva law firms on NetCase

23 August 2006, Association Internationale des Jeunes Avocats, Arbitrating EC Competition Law, Panel Member

12 June 2006, British Institute of International and Comparative Law Conference on Arbitrating Competition Law Issues: A European and US Perspective, Panel Member

2004 – 2006, Lecturer, Vienna Convention on Contracts for the International Sale of Goods, Diplôme de Management stratégique du processus Achats, Logistique & Approvisionnements (MASPALA), Ecole des hautes études commerciales, University of Geneva

My recent publications are as follows:

US and EU Antitrust Arbitration, co-editor with Gordon Blanke, and author or co-author of six chapters (Kluwer Law International, forthcoming in 2010)

Correspondent for Swiss arbitration developments, *Global Arbitration Review*, as from August 2008

"Judicial approaches to the interpretation of CISG" in Papers of the International Conference on « Institutional arbitration in infrastructure and construction" 31. UNCITRAL-CIAC Conference, 16-18 October 2008, Delhi, India

"Judgment of the Supreme Court of 8 March 2006 – A Commentary" (2008) 19 *European Business Law Review* 129

"Competition for Arbitration" in 4 *Sans Frontières* (SJ Berwin Arbitration Newsletter) 1, 2 - 5 (2007)

"Basis for Application of Competition Law in Arbitration Proceedings, in *Practical Aspects of Arbitrating EC Competition Law*", Zuberbühler/Oetiker eds. (Zurich – Basle – Geneva: Schulthess, 2007)

"Limits on Court Review of International Arbitration Awards Assessed in light of States' Interests and in Particular in light of EU Law Requirements", (2007) 3 *Arbitration International*, 63

Modernised EC Competition Law in International Arbitration (The Hague: Kluwer Law International, 2006)

"Arrêt du Tribunal fédéral du 8 mars 2006 dans la cause 4P.278/2005: commentaire" in 24 *ASA Bulletin* 3/2006, 535

Book Review of The Osler Guide to Commercial Arbitration in Canada by B. Barin, A. Little and R. Pepper, in (2006) 3 *Arbitration International*, 637

Electronic legal updates on Swiss arbitration law for *Mondaq* and *International Law Office*, October 2005 to December 2007

Electronic legal updates on Swiss competition law for *Cleary Gottlieb, Mondaq, International Law Office*, and *Practical Law Company*, October 2005 to December 2007

"The IBA Guidelines on Conflicts in International Arbitration: An Overview" in (2005) *Journal of International Arbitration*, vol. 22

Co-editor, *In Competition* (London: Sweet & Maxwell) from October 2000 to February 2002

"The Merger Age Spread" in *International Merger Control* (International Bar Association, 2002)

"Courage and the Activist Court" in *In Competition* (London: Sweet & Maxwell), November 2001

"Intellectual Property Rights and EC Competition Law" in *Copyright World*, June/July 2001

"The Modernisation of EC Competition Law" in *ABA International Bulletin*, Spring 2001

"Bayer Beware" in *In Competition* (London: Sweet & Maxwell), November 2000

9. Membership in arbitral institutions / functions in arbitral institutions/organizations:

ICC Switzerland and Canada, ASA, DIS, LCIA, IBA

10. Languages:

Mother tongue: English

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language): French and German

11. In which legal system have you trained? I began in Ontario, Canada, then spent significant time in England & Wales, and for the last seven years I have been working in Switzerland on Swiss law mainly.

12. What is your main jurisdiction of practice? Switzerland

13. Special expertise or specializations (please list a maximum of three): i) Competition law, ii) contracts of agency and distribution, iii) sale of good contracts (both English law and CSIG)

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons and may be put on VIAC's website.

Date and signature

10 October 2010

