

VIAC – Questionnaire for Arbitrators

1. Name: Dr. Nikolaus Pitkowitz, MBL-HSG, FCIArb

2. Citizenship: Austria

3. Contact information:

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4. Current position: Founding Partner of Pitkowitz & Partners

5. Education:

2004: Certified Mediator

1999: Master of European and International Business Law, University of St. Gallen

1991: Orientation in the US Legal System, Georgetown University

1984: Doctor iuris, University of Vienna

1984: Magister iuris, University of Vienna

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?
 - Over 130 Cases
 - Rules: VIAC, ICC, SIAC, HKIAC, SCC, PCA, LCIA, CIETAC, UNCITRAL, ICSID, Hungarian.
- How often have you acted as Chairman?
 - 18 cases
- How often have you acted as Sole Arbitrator?
 - 10 cases
- How often have you acted as Co-Arbitrator?
 - 21 cases
- How often have you acted as Counsel?
 - 81 cases
- How often have you acted in a different function (e.g. Administrative Secretary)?
 - 1 case

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

Books:

- Handbook on Third-Party Funding in International Arbitration, JURIS, 2018 (Editor & Co-Author)
- Die Aufhebung von Schiedssprüchen (Setting Aside Arbitral Awards), Manz, Kluwer, 2008
- Business Law in Austria, editor and co-author (1996, 2003)

Articles (Selection - for the full list visit www.pitkowitz.com):

- Die Aufhebung von Schiedssprüchen (Setting Aside Arbitral Awards), in Handbuch Schiedsgerichtbarkeit und ADR, 2021, 427
- The Legal Nature of Third-Party Funding Agreements, co-author, Austrian Yearbook on International Arbitration, 2021, 353,
- The Arbitrator's Duty to Challenge Corruption, Liber Amicorum Michael Moser 2020, 205
- Confidentiality and Protection of Confidentiality in Arbitration, Austrian Yearbook on International Arbitration 2020, 199
- The Vienna Innovation Propositions: Venturing into New Fields and New Ways of Arbitration - Revisiting Traditional Ways of Arbitration, co-author, Austrian Yearbook on International Arbitration 2019, 515
- The Vienna Repositioning Proposition: Repositioning Actors and Actions In International Arbitration, co-author, Austrian Yearbook on International Arbitration 2018, 209
- The Vienna Predictability Propositions: Paving The Road To Predictability In International Arbitration, co-author, Austrian Yearbook on International Arbitration 2017, 115
- Multi-Party Arbitrations – Joinder and Consolidation Under the Vienna Rules 2013, Austrian Yearbook on International Arbitration 2015, 301
- The Arbitrability of Corporate Disputes under Austrian Law – Still Open Questions?, Austrian Yearbook on International Arbitration 2014, 31
- Is there still a Scope of Application of the European Convention on International Commercial Arbitration, Austrian Yearbook on International Arbitration 2013, 93
- Shared Funding of Arbitration Proceedings – Fact or Fiction?, Austrian Yearbook on International Arbitration 2011, 31
- Arbitral Settlement and its Scrutiny by State Courts; in Consensual Dispute Resolution, 7th Law School Day Karl-Franzens-University of Graz, 2010, 134
- Mediation and Cultural Differences; in Barclay, Mediation Techniques, International Bar Association 2010, 213
- Ordre public-widriger Klimt-Schiedsspruch - Kann der armen Amalie geholfen werden? (Klimt Award violating public policy?), ecolex 2007, 663
- New Mediation Rules of the EU - Is Austria still Paving the Way? (Die neuen Mediationsregeln der EU - Ist Österreich noch Wegbereiter?), SchiedsVZ 2005, 81

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

- Functions:
 - VIAC - Vice President (since 2011) and Member of the Board (since 2010)
 - CIMAC (Casablanca International Arbitration and Mediation Centre) – Court Member (since 2016)
 - ABA (American Bar Association) - Vice-Chair, International Arbitration Committee, Section of International Law
 - ILA (International Law Association) - Secretary Austrian Branch and Member of Committee on International Commercial Arbitration
 - IBA (International Bar Association) - chair of the Advisory Board of the IBA Real Estate Section
- Memberships
 - Vienna Bar Association
 - Austrian Arbitration Association (ArbAut)
 - Chartered Institute of Arbitrators, Fellow (FCI Arb)
 - New York State Bar Association (NYSBA)
 - German Institution of Arbitration (DIS)
 - Swiss Arbitration Association (ASA)
 - London Court of International Arbitration (LCIA)
 - International Arbitration Institute (IAI)
 - European Law Institute (ELI)
- Member of Panel of Arbitrators of
 - SIAC – Singapore International Arbitration Centre (since 2010)
 - HKIAC – Hong Kong International Arbitration Centre (since 2010)
 - AIAC – Asian International Arbitration Centre (since 2010)
 - CIETAC – China International Economic and Trade Arbitration Commission (since 2011)
 - ICDR – International Centre for Dispute Resolution (since 2012)
 - KCAB – Korean Commercial Arbitration Board (since 2013)

9. Languages

Mother tongue: German

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): English

10. In which legal systems have you trained?

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Civil Law | <input checked="" type="checkbox"/> Common Law | |
| <input checked="" type="checkbox"/> Austrian Law | <input type="checkbox"/> Hungarian Law | <input type="checkbox"/> Swiss Law |
| <input checked="" type="checkbox"/> Czech Law | <input type="checkbox"/> Polish Law | <input type="checkbox"/> Ukrainian Law |
| <input checked="" type="checkbox"/> German Law | <input checked="" type="checkbox"/> Slovakian Law <input type="checkbox"/> | <input checked="" type="checkbox"/> European Law |

Other _____

11. What is your main jurisdiction of practice?

Worldwide

12. In which jurisdictions are you admitted to the bar?

Austria

13. Special expertise or specializations (please list a maximum of five):

- | | | | |
|---|---|--|---|
| <input type="checkbox"/> Antitrust/Unfair competition | <input checked="" type="checkbox"/> Damages | <input checked="" type="checkbox"/> Insolvency | <input type="checkbox"/> Power plants |
| <input type="checkbox"/> Aviation | <input type="checkbox"/> Distribution | <input type="checkbox"/> Insurance | <input checked="" type="checkbox"/> Private Intern. Law |
| <input checked="" type="checkbox"/> Banking & Finance | <input type="checkbox"/> Domain name disputes | <input type="checkbox"/> Intellect. property (IP) | <input type="checkbox"/> Public Intern. Law |
| <input type="checkbox"/> Capital markets | <input type="checkbox"/> Employment | <input type="checkbox"/> ISDS/ Foreign invest. | <input checked="" type="checkbox"/> Real estate |
| <input checked="" type="checkbox"/> CISG | <input checked="" type="checkbox"/> Energy | <input checked="" type="checkbox"/> Joint ventures | <input type="checkbox"/> Shipping |
| <input checked="" type="checkbox"/> Civil fraud disputes | <input checked="" type="checkbox"/> Engineering | <input type="checkbox"/> Licensing | <input type="checkbox"/> Sports |
| <input checked="" type="checkbox"/> Commercial disp. / transactions | <input type="checkbox"/> Entertainment | <input type="checkbox"/> Life sciences | <input type="checkbox"/> State/Public contracts |
| <input type="checkbox"/> Commodity market | <input type="checkbox"/> Healthcare & Pharmac. | <input type="checkbox"/> Maritime arbitration | <input checked="" type="checkbox"/> Technology |
| <input checked="" type="checkbox"/> Company/Corporate/M&A | <input type="checkbox"/> Hotel/Gastro./Tour. | <input type="checkbox"/> Media | <input checked="" type="checkbox"/> Telecommunication |
| <input checked="" type="checkbox"/> Construction | <input checked="" type="checkbox"/> Inform. technology (IT) | <input type="checkbox"/> Mining | <input type="checkbox"/> Transport |
| <input checked="" type="checkbox"/> Contract law | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Natural resources | |
| <input type="checkbox"/> Other _____ | | | |

14. Date of birth: 4 October 1961

VIAC offers arbitration practitioners the possibility to present themselves on its website. VIAC reserves the right to publish any presentations submitted and to remove it as the case may be. Parties are free to nominate an arbitrator of their choice and so is the VIAC Board when appointing an arbitrator. These presentations do not constitute recommendations but may assist the parties in choosing an arbitrator willing to conduct proceedings according to the Vienna Rules. The fact that an arbitration practitioner appears on this list, does not authorize this person to use the title "VIAC-arbitrator".

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.

I hereby consent that the data provided in this questionnaire may be processed for the appointment of arbitrators and published by VIAC. This includes in particular publication on the website of VIAC as well as use in any presentations, etc. This consent may be withdrawn at any time by contacting VIAC at our general contacts, in particular by email addressed to office@viac.eu. The consequence of any such withdrawal will be that my data will no longer be processed by VIAC. For further information, see our privacy statement at <http://www.viac.eu>.

20 June 2022

Dr. Nikolaus Pitkowitz