

# VIAC – Questionnaire for Arbitrators

1. **Name:** Tobias Zuberbühler

2. **Citizenship:** Swiss

3. **Contact information:**

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4. **Current position:**

Partner, Lustenberger Rechtsanwälte

5. **Education:**

- 1999 Zurich Bar, admitted to all Swiss courts
- 1996 LL.M. International Legal Studies, Golden Gate University, San Francisco
- 1994 lic. iur., University of Zurich

6. **Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?  
56 (Swiss Rules, ICC Rules, DIS Rules, UNCITRAL)
- How often have you acted as Chairman?  
4
- How often have you acted as Sole Arbitrator?  
10
- How often have you acted as Co-Arbitrator?  
6
- How often have you acted as Counsel?  
26
- How often have you acted in a different function (e.g. Administrative Secretary)?  
10

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

Publications:

- Commentary on Art. 38-41 and Appendix B Swiss Rules, in: Manuel Arroyo (ed.), Arbitration in Switzerland – The Practitioner's Guide, 2nd ed., Kluwer 2018, p. 808-841
- Zuberbühler/Schreggenberger, Corruption in Arbitration - The Arbitrator's Duty to Investigate, in: New Developments in International Commercial Arbitration 2016 (eds. Christoph Müller/Sébastien Besson/Antonio Rigozzi), Schulthess 2016, p. 1-38
- Zuberbühler/Müller/Habegger (eds.), Swiss Rules of International Arbitration, Commentary, 2nd ed., Zurich 2013
- Zuberbühler/Hofmann/Oetiker/Rohner, IBA Rules of Evidence, Zurich 2012

- World Intellectual Property Organisation (WIPO), in: Gola/Götz Staehelin/Graf (eds.), Institutional Arbitration, Tasks and Powers of Different Arbitration Institutions, Zurich/Basel/Geneva 2009, 293-310
- Signatory or Not? Groups, Affiliates and MBOs, Case Note on Swiss Supreme Court Decision of 22 January 2008, 4A\_244/2007, ASA Bulletin 3/2008, 559-564
- Non-Signatories and the Consensus to Arbitrate, ASA Bulletin 1/2008, 18-34
- Zuberbühler/Oetiker (eds.), Practical Aspects of Arbitrating EC Competition Law, Zurich 2007

Recent Presentations:

- "International Arbitration and Insolvency Proceedings" (DRI – Hot Topics in International Dispute Resolution, Panellist, London, 15 June 2018)
- "Arbitrating Future Damage - New ideas on how to best avoid costly expert battles?" (SCIA Innovation Conference – Arbitrating the Future, Panel Moderator, Zurich, 1 February 2018)
- "Corruption in Arbitration - The Arbitrator's Duty to Investigate" (CEMAJ Conference "New Developments in International Commercial Arbitration", University of Neuchâtel, 11 November 2016)
- "Arbitration in the Pharmaceutical Industry" (Ljubljana Arbitration Days, 27 October 2016)
- "Settlement Facilitation by Arbitrators" (AIJA Annual Arbitration Conference, New York City, 7 October 2016)
- "Corruption in Arbitration: Arbitrators' Duty to Investigate" (Belgrade Arbitration Conference, 11 March 2016)
- "Arbitral Proceedings under the Swiss Rules of International Arbitration" (PAS Parnični arbitražni sud, Zagreb, 20 March 2015)

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

ASA, DIS, ABA Section of International Law

**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?**

Civil Law (Switzerland) and Common Law (USA)

**11. What is your main jurisdiction of practice?**

Switzerland

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

construction, transport, commodity trading, pharma, international sales

**13. Date of birth:**

21 October 1969

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](mailto: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>.

27 September 2018