



CI Arb New York News

Welcome



Welcome to the inaugural edition of *CI Arb New York News*, the biannual newsletter of the Chartered Institute of Arbitrators' New York Branch. The newsletter aims to inform members about Branch activities, provide practical advice and discuss noteworthy arbitration and ADR developments.

CONTENTS



Chair's Message

2



What You Missed

3



About You

4

Upcoming Events



Second Annual New York
Branch Reception
October 2, 2014

5



WIPO/CI Arb NY Branch
USPTO/FRAND Mediation and
Arbitration Workshop
Nov 6-7, 2014

6

Guidance Note on Arbitration and Social Media

Social media has become an effective means for communicating and marketing, yet using social media poses unique challenges for arbitrators given an arbitrator's obligations to be and remain independent, impartial and keep confidential all matters related to the

arbitrations they handle.

The Branch, acting with the support of the Institute's Practice and Standards committee, participated in an ad hoc committee that resulted in the drafting of a Guidance Note on the proper

Continued on pg. 4

Chair's Message



Welcome to our second year!

Our Branch has made significant strides since last year. From our kick-off reception last September,

where we launched the New York branch, to our two topical lunchtime video-linked programs (one last December and the other this past February), to our Fellowship Course this past May, the Branch has accomplished much. It has firmly established the Chartered Institute's active participation in the New York international arbitration community and significantly raised its profile here. One telling reflection: our branch membership increased by approximately 31%.

As Chair, my goal is to make the Branch a focal point, a welcoming, inclusive professional home, for the entire international arbitration community in New York -- thus, filling a void that has existed for quite some time. All those actively participating in the field or even just interested in it are welcome to join us and, by so doing, exchange views and learn from each other, re-ignite relationships with existing friends and colleagues and establish new ones with persons just met; and, through it all, advance the practice of international arbitration and all our respective roles in it.

The Branch's commitment to bring our members appealing, informative and timely professional programs and enjoyable social events continues unabated.

We have several exciting events "in the works" for this new year: two WIPO workshops early this November dealing with handling international intellectual property and technology disputes, where the Branch is an active co-participating organization; another topical lunchtime video-linked program in winter 2015 dealing with the UNIDROIT principles, and during mid-May 2015,

Continued on pg. 4



Branch Executive Committee

Chair
Peter L. Michaelson

Vice Chair
Thomas D. Halket

Treasurer
Charles Moxley

Secretary and Co-Chair, Membership Committee
Irene C. Warshauer

Chair, Education Committee
Steven A. Certilman

Chair, Programming Committee
Richard L. Mattiaccio

Co-Chair, Membership Committee
Jack Levin

Chair, Publicity Committee
Nancy M. Thevenin

Professor George A. Bermann

Marc A. Goldstein

Lawrence W. Newman

CIArb New York News

Editor and designer
Nancy M. Thevenin

CIArb New York News is the CIArb New York Branch's biannual newsletter. This newsletter aims to inform members about Branch activities, provide practical advice and discuss noteworthy arbitration and ADR developments.

Subscription is free to members and friends of CIArb. All rights reserved. This publication may not be reproduced, transmitted, or stored in any print or electronic format, including but not limited to, any online service, any database or part of the internet, or transmitted in any form or by any means (electronic or otherwise) without the prior written permission of the publisher.

DISCLAIMER: The contents of this publication are not intended to be a substitute for either general or specific legal advice on individual matters, and readers are strongly encouraged to seek competent legal advice.

First Annual CIArb New York Branch Reception



Anthony Abrahams, Director General of CIArb, addressing the attendees of the CIArb's New York Branch Kick-Off Reception

Almost a year to the date, we launched a "kick-off" reception of the New York Branch. Hosted by Baker & McKenzie, nearly 100 arbitrators, mediators, judges and practitioners attended this inaugural event that established the enthusiastic and inclusive atmosphere of this new CIArb chapter in North America. Special guest, **Anthony Abrahams, Director General of CIArb**, marked the significance of the Institute's presence in New York - one of the most important venues in the world for international arbitration.

Arbitral 999/911: Emergency Relief for Problems That Will Not Wait

Marc J. Goldstein organized the Branch's first substantive program, which took place on December 5, 2013, at the offices of Gibson Dunn & Crutcher.

Entitled, "Arbitral 999/911: Emergency Relief for Problems That Will Not Wait," the program featured an energetic video-linked transatlantic roundtable of experienced emergency arbitrators and counsel in London and New York.

Panelists in London included Sophie Nappert (3 Verulam Buildings), Christopher Newmark (Spenser Underhill Newmark LLP) and David Brynmor Thomas (Thirty Nine Essex Street).

Panelists in New York included William L.D. Barrett (Butzel Long LLP), Professor George A. Bermann (Columbia Law School), J. Brian Casey (Bay Street Chambers - Toronto), Thomas Halket (Halket & Weitz LLP and Branch Vice Chair), James Hosking (Chaffetz Lindsey LLP), Luis Martinez (ICDR), Victoria Orlowski (Gibson Dunn & Crutcher LLP) and Thomas Ventrone (ICDR).

Co-sponsors of the program included the ICDR, the ABA Section of International Law, Chaffetz Lindsey LLP, Berwin, Leighton & Paisner LLP and TDM.

Amir Ghaffari of Berwin Leighton Paisner LLP and Marc J. Goldstein moderated the program.



video-linked transatlantic roundtable of experienced emergency arbitrators and counsel in London and New York

Chair's Message

Continued from pg. 2

our new comprehensive, week-long international arbitration course jointly provided with Columbia Law School. Extending out a bit further, during late October 2015, we will hold a joint full-day conference with UNCITRAL/Vienna and Columbia Law School to present to the New York international arbitration community the upcoming UNCITRAL Guide to the New York Convention.

Please attend our programs and events, starting with our fall reception on October 2.

We also welcome you to join any of our Branch committees. Our Branch is fortunate to have truly exceptional, dedicated and highly skilled individuals serving in its executive ranks and on its committees. These folks, on a strictly volunteer basis, devote considerable time and effort to administer the Branch and devise, implement and deliver our activities to all its members and to the greater New York international arbitration community. If you have an idea for a program or event, or want to get more actively involved, let me know. As the Branch continues to grow, it can surely use your help.

From my own perspective, as Chair, it's been quite a ride seeing our Branch develop and flourish over the past year, and an immensely satisfying one. The best is yet to come! Be part of it. Benefit from it.

I now look forward to seeing each of you at one of our activities this year.

Pete Michaelson, F.C.I. Arb., C. Arb.
Chair, New York Branch

Guidance Note on Arbitration and Social Media

Continued from pg. 1

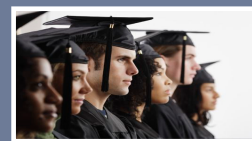
use of social media by arbitrators.

The Guidance Note establishes a set of best practice principles divided into six groups: (1) foundational material comprising definitions and issues; (2) concerns for neutrals arising from their use of social media; (3) general principles not relating to pending matters; (4) principles applicable to invitations to serve as a neutral; (5) principles relating to issues arising during a specific pending matter; and (6) principles relating to issues arising after a neutral has concluded his or her work on a specific matter.

Chaired by our Vice Chair, Thomas Halket, the committee included members of the Branch and representatives of other arbitral organizations: Stephen P. Gilbert, Herbert H. (Hal) Gray, III, Larry D. Harris, Robert A. Holtzman, William H. Lemons, Peter L. Michaelson, Edna Sussman, Irene C. Warshauer and John H. Wilkinson.

A copy of the Guidance Note on Arbitration and Social Media can be found on our website at www.ciarbny.org.

ABOUT YOU



Many of our members are helping shape the minds of future arbitration and ADR practitioners by serving as professors in law school all over New York.

Write to us at info@ciarbny.org and let us know where you are teaching. The list of schools will be featured in our next newsletter.

Judicial Review of Jurisdictional Challenges in Investment Arbitration: What Should Judges Do?

The Branch's second program took place on February 28, 2014, and was hosted by Debevoise & Plimpton. Entitled "Judicial Review of Jurisdictional Challenges in Investment Arbitration: What Should Judges Do?," the program focused on judicial interpretation of investment treaty awards and video-linked panelists in New York, Toronto (at Toronto Arbitration Place) and Washington, D.C.

The New York Branch organized the program in collaboration with the CIArb Toronto Chapter, ICC Canada and the United States Council for International Business (U.S. national committee to the ICC).

The program faculty included the Hon. Kathryn N. Feldman (Justice of the Court of Appeal for Ontario), José Ricardo Feris (Deputy Secretary General of the ICC International Court of Arbitration), Professor George A. Bermann (Columbia University School of Law), Catherine M. Amirfar (Debevoise & Plimpton LLP), Robert J.C. Deane (Borden Ladner Gervais LLP), Barry Leon (Perley Robertson Hill & McDougall LLP and Chair of ICC Canada) and Eric A. Schwartz (King & Spalding LLP and Vice President of the ICC International Court of Arbitration).

Co-sponsors of the program included the Committees on

Foreign and Comparative Law, Arbitration and International Commercial Disputes of the Association of the Bar of the City of New York and the Toronto Arbitration Place.

Over a hundred participants attended this program in New York and Toronto.



*focus on judicial
interpretation of
investment treaty
awards*

Accelerated Route (Fast Track) to CIArb Fellowship

The Branch organized its first Accelerated Route (Fast Track) to CIArb Fellowship from May 15 to 17, 2014, at the offices of the ICDR in New York City. Sixteen pupils attended including attorneys from Australia, Canada and Mexico.

We are grateful to the ICDR for hosting this successful event. For more information about this and future programs, email course-admin@ciarbnewyork.org.

Second Annual New York Branch Fall Reception

Thursday, October 2, 2014, 6-8 p.m.

Socony-Mobil Building

150 East 42nd Street, 17th Floor

A social event for CIArb members and all friends who are active in arbitration, to launch the second year of the CIArb New York Branch

Welcoming Remarks:

Pete Michaelson, Chair, CIArb New York Branch

George A. Bermann, Professor, Columbia Law School;
Director, Center for International Commercial and
Investment Arbitration

Hosted by:

The International Centre for Dispute Resolution (ICDR)
The New York International Arbitration Center (NYIAC)

R.S.V.P. September 30, 2014 to Richard Mattiaccio at
richard.mattiaccio@squirepb.com

With thanks to our hosts, this reception is complimentary and open to all. Timely responses will help to ensure sufficiency of provisions as well as ease of entry to the 17th floor. Latecomers will be most welcome.



Save the Date 2015

CIArb New York
Branch
Joint Columbia
University Law
School Course on
International
Arbitration

**Week of
May 11, 2015**

More details to follow

CIArb New York
Branch
Joint program with
UNCITRAL on the
UNCITRAL Guide
to the New York
Convention

October 21, 2015

More details to follow



WIPO Mediation and Arbitration Workshops in New York November 6 - 7, 2014

WIPO Arbitration and Mediation Center is organizing a Mediation Workshop and an Arbitration Workshop in New York in cooperation with the United States Patent and Trademark Office (USPTO), the Licensing Executives Society (USA & Canada), and the Chartered Institute of Arbitrators (New York Branch).

These practical Workshops are designed for potential parties in mediation and arbitration and will take participants through the main stages of the WIPO mediation and arbitration procedures, including case management techniques.

In addition to presenting the 2014 WIPO Rules that came into effect on June 1, 2014, the program will cover drafting clauses and submission agreements for intellectual property and technology disputes, including FRAND disputes. The faculty consists of eminent mediators and arbitrators.

Registration is now open at <http://www.wipo.int/amc/en/events/workshops/2014/arbmed/>

Participants may register for one or both Workshops and will be awarded a certificate of participation. Continuing Legal Education (CLE) or Continuing Professional Development (CPD) credit will also be available.



New York
Branch

CI Arb

Issue #1, Sept. 2014

CI Arb New York News

WWW.CIARBNY.ORG



CI Arb
evolving to resolve