

K O N R A D
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& P A R T N E R S

ARBITRATORS' QUEST
2nd edition

CALL FOR APPLICATIONS

Konrad & Partners' CEE & SEE mock trial

FACTS

After a successful first edition, Konrad & Partners is pleased to announce the organization of the **second edition** of its *“Arbitrators’ Quest – Konrad & Partners’ CEE and SEE mock trial”*, which will take place in Vienna on 19 May 2016.

The first Arbitrators’ Quest was convened in May 2015, during which the top ten applicants from the CEE and SEE regions competed against each other. The arbitral tribunal – assessing the participants – consisted of lawyers from Konrad & Partners’ International Arbitration Practice Group. The *hearing* was followed by a panel discussion of experts at the premises of Konrad & Partners addressing the topic: *International Arbitration – How to shape your career from an experts point view.*

AIM

International arbitration is a specialized field of work that requires not only expert knowledge, but also intense practical experience to master. As such, while a firm understanding of the legal concepts and theories constitutes an indispensable basis for a successful career in this field, insight into the everyday work of an arbitration practitioner can give prospective lawyers a considerable edge over their colleagues.

Our mock trial aims at providing students and young professionals in the field of international arbitration an opportunity to gain insight into and first-hand experience with situations and matters typically arising in international arbitration disputes, under the supervision of, and in close cooperation with, experienced practitioners as well as renowned scholars.

FORMAT

The Workshop is organized by Konrad & Partners with the non-financial support of universities and student organizations. The hearing of the mock trial will be held at the premises of Konrad & Partners' Vienna office on 19 May 2016, followed by a panel discussion and a cocktail reception. The mock trial is based on a case that revolves around issues that might potentially arise between two parties that have concluded a license agreement.

In order to facilitate a meaningful learning experience for all participants, they will be expected to be reasonably familiar with the process of arbitration in general. Therefore, advance study of academic standard works on international arbitration is encouraged. However, in order to enable the participants to experience the fast pace of a typical hearing situation, time for specific preparation will be limited.

Beginning of March, a mock case file will be distributed to all participants, enabling them to prepare for the immediate tasks of the mock trial, which will include the drafting of a written submission on behalf of one of the parties, as well as a short oral mock hearing in which each participant will be required to plead a party's case. After completion of the oral hearings, the mock arbitrators will elect the participant with the best overall performance in the workshop, taking into account the initial applications of the participants, the contents and formal appearance of their written submissions, and the oral presentation given during the mock pleadings.

The winner will be offered a paid two-month summer internship at Konrad & Partners' Vienna office, as well as paid accommodation. Certificates of participation will be provided to all participants.

While all participants are expected to make and pay for their own travelling arrangements, accommodation will be arranged and paid for by Konrad & Partners.

APPLICATION

The Arbitrators' Quest is primarily aimed at students from the CEE and SEE regions.

Applications may be sent on or before **19 February 2016** via e-mail to j.gruber@konrad-partners.com and must entail the following information and documents:

- A personal statement setting out the applicant's motivations for applying for participation and for the internship;
- A detailed curriculum vitae;
- An academic paper prepared by the applicant with regard to the topic of "*The (non-) mandatory nature of multi-tiered arbitration agreements*". The paper's length should be in the range from 1000 to 1500 words. Applicants should refer to the dispute resolution (1.1) and arbitration clause (1.2) provided below and focus on any specific sub-topic of their choosing, or on the legal situation in their home countries with regard to the (non-) mandatory nature of dispute resolution steps preceding the actual arbitration proceedings (such as consultation, see below). Papers are expected to meet international academic standards. Findings should be supported by references and footnotes.

"1.1 Dispute and its resolution

The parties shall attempt in good faith to settle amicably by means of mutual consultation any disputes or disagreements arising from or in connection with the Agreement ("Dispute") without automatically resorting to court or arbitration. In the event of a Dispute, the party claiming the existence of a Dispute between the contracting parties shall deliver to the other party a written notice in which it proposes that the parties attempt to resolve the dispute amicably ("Notice of Dispute").

The Notice of Dispute shall contain, in particular, a description of the Dispute, a proposal for Dispute resolution, and the identification of the persons who will be authorised to hold talks on the Dispute on behalf of the contracting party under this point. In response to the Notice of Dispute, the other contracting party shall notify, in writing, the persons who will be authorised to hold talks on the Dispute on behalf of that party, and shall do so no later than five (5) days from the day of delivery of the Notice of Dispute.

If the contracting parties fail to agree on a complete resolution of the Dispute within thirty (30) days from the day of delivery of the Notice of Dispute to the other contracting party, the Dispute shall be finally settled pursuant to point 1.2, unless the parties agree otherwise in writing. The contracting parties may also agree, in writing, on extending the time limits under the preceding sentence.

APPLICATION

1.2 Arbitration

Any dispute arising out of or in connection with this Agreement shall be resolved by arbitration under the UNCITRAL Arbitration Rules. The arbitral tribunal shall be composed of three arbitrators. The place of the arbitration shall be Vienna, Austria. The language of the arbitration shall be English.

Claimant shall commence the arbitration by sending a Notice of Arbitration and Statement of Claim by registered mail or private courier to Respondent. This document shall include the appointment of an arbitrator and comply with the requirements of Articles 3 and 18 of the UNCITRAL Arbitration Rules.

Within 30 days from receipt of the Notice of Arbitration and Statement of Claim, Respondent shall send a Statement of Defence (and, if any, Counterclaim) by registered mail or private courier to Claimant. This document shall include the appointment of an arbitrator and comply with the requirements of Article 19 of the UNCITRAL Arbitration Rules.

The two arbitrators so appointed shall appoint the third and presiding arbitrator within 30 days following receipt of the notice of appointment of the second arbitrator by Claimant."

Applicants should be aware that the quality of their application documentation, in terms of both substance and form, will be taken into account not only for the selection of participants, but also for the overall evaluation of their performance during the mock trial. Applications should therefore be prepared diligently and should reflect the applicant's overall professional attitude.

Out of all applicants, no more than **10 students** will be selected to participate in the Arbitrators' Quest in Vienna. Announcements for participation will be made beginning of March.