

EXPLORING THE NEW FRONTIER

THE MODERN LANDSCAPE OF INTERNATIONAL ARBITRATION

AIAC YPG Virtual Conference in Conjunction
with the 5th AIAC [Virtual] Pre-Moot for the
Willem C. Vis International Commercial
Arbitration Moot

DATE 3rd March 2021

TIME 3.00 p.m. - 9.00 p.m. (MYT)


REGISTRATION <http://bit.ly/AIACYPGConference2021>




KEYNOTE SPEAKER

Prof. Dr. Ingeborg
Schwenzer, LL.M.

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PROGRAMME

03:00 p.m. Welcoming Remarks by Ms Irene Mira (Co-Chair of the AIAC YPG)

Opening Remarks by Tan Sri Datuk Suriyadi bin Halim Omar (Director of AIAC)

Opening Remarks by Mr Mohanadass Kanagasabai of Mohanadass Partnership (the Platinum Sponsor of the 5th AIAC [Virtual] Pre-Moot for the Willem C. Vis International Commercial Arbitration Moot)

03:30 p.m. Keynote Address by Prof Dr Ingeborg Schwenzer

Private International Law, Commercial Law, and Alternative Dispute Resolution: Amuse-bouches to the Contemporary Law of Sale of Goods

Is the law of sale of goods formed only by cross-border commercial transactions or are there other factors which influence its formation? We have, of course, at our disposal, instruments such as the United Nations Convention on Contracts for the International Sale of Goods ("CISG") which aims to serve as a unified legal regime for cross-border sale of goods. But much has changed since the inception of CISG. Now, more than ever, the internet and other technologies are used for daily business activities. Available alternative dispute resolution mechanisms are also varied and more sophisticated, leaving end users with flexibility and options to resolve their commercial disputes. That said, what is the state of the law of sale of goods in this modern age? More importantly, how does private international law, commercial law, and alternative dispute resolution contribute to the contemporary law of sale of goods?

04:00 p.m. **Session 1 - Solving the Puzzle: Joinder Procedure in International Arbitration**

The international arbitration community is no stranger to the joinder procedure. Although it is known as an efficient tool when encountering claims involving multiple parties and contracts, joinder still often leaves counsel and arbitrators puzzled. The invocation of a joinder can be taxing as it requires effective legal strategies. Despite being created to facilitate multi-party/multi-contract arbitration, the statistics of joinder successes are not always stellar. This session will not only navigate the advocacy aspects of the joinder procedure, but it will also weigh its risks and benefits from a commercial point of view.

05:30 p.m. Break

06:00 p.m. **Session 2 - Debunking Myths: Intellectual Property Rights in International Arbitration**

Over the years, the international arbitration community has witnessed the rise of intellectual property (IP) arbitration, through a movement that has actively embarked on efforts to debunk the myth of the purported unsuitability of having IP disputes resolved by way of arbitration. The resulting popularity of this niche area in arbitration, has in turn, opened up new topics for discussion relating to IP disputes. Whilst IP itself may not always be arbitrable, subject matters which relate to IP are a different story. This session will discuss the current state of IP arbitration, i.e. the types of commercial disputes which derive its genre from IP and how issues of arbitrability emerge therefrom, and whether improvements to the mechanism are necessary and if so, how they can be achieved.

07:30 p.m. Break

08:00 p.m. **Session 3 - Hot Debate: Selected Topic in International Arbitration**

House A: This House believes that "greener" arbitration is not only the new trend but it is also here to stay even after the pandemic ends.

House B: This House believes that "greener" arbitration is simply a passing trend and it is to fade after the pandemic ends.

09:00 p.m. Closing Remarks by Mr Lim Tse Wei (Co-Chair of the AIAC YPG)