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JAPAN: 10TH ANNUAL INTERNATIONAL ARBITRATION & REGULATORY SUMMIT

Thursday, 20 June 2024, 9:25am – 4:00pm

Venue: *Keio Plaza Hotel Tokyo*
(This conference will be conducted in English)

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SPEAKERS



Tony Andriotis
Partner, DLA Piper;
Professional & Institutional
Relations Officer, Japan
Commercial Arbitration
Association (JCAA)
Chairman



Mitsuru Tamura
Coordinator, Japan
Commercial Arbitration
Association (JCAA)
Opening Address



Adrian Cole
Independent Arbitrator
Keynote Speaker



Hisako Matsuda
Registered Foreign Lawyer,
Oh-Ebashi LPC & Partners
Moderator – 1st Grand Panel



Yi-Shun Teoh
Partner, RPC
Moderator – 2nd Grand Panel



Daniel Allen
Partner, Mori Hamada &
Matsumoto
Moderator – 3rd Grand Panel



Wilson Wei Huo
Partner, Zhong Lun Law Firm;
Arbitrator; General Secretary,
China Forum of Financial and
Investment Disputes (CFFID)



Douglas Clark
Partner, Tanner De Witt



Dawn Tan
Managing Director,
ADTLaw LLC



Moses W. Park
Barrister, Liberty Chambers



Shinji Ogawa
Case Manager, Arbitration &
Mediation, Japan Commercial
Arbitration Association (JCAA)



David MacArthur
Co-head of International
Dispute Resolution, Yulchon



Peter Harris
Partner, Clifford Chance



Yoko Maeda
Partner, City-Yuwa Partners



Yuko Nitta
Partner, Utsunomiya Chuo
Attorneys at Law



Haruka Matsumoto
Attorney at Law, Tokyo
International Law Office



Takuro Awazu
Partner, City-Yuwa Partners

9:25 – 9:35	Welcome Message & Opening Thoughts on Arbitration in 2024 by Chairman Tony Andriotis Partner, DLA Piper; Professional & Institutional Relations Officer, Japan Commercial Arbitration Association (JCAA)
9:35 – 9:50	Opening Address – 2024 Updates in Japanese Arbitration from Japan Commercial Arbitration Association (JCAA) Mitsuru Tamura, Coordinator, Japan Commercial Arbitration Association (JCAA)
9:50 – 10:15	Keynote Session: Conflicts of Interest – Arbitrator Disclosure: A Glimpse into the Future for Arbitration Adrian Cole, Independent Arbitrator
10:15 – 10:40	M&A & JV Disputes in Asia – Current Trends in 2024 Wilson Wei Huo, Partner, Zhong Lun Law Firm; Arbitrator and General Secretary, China Forum of Financial and Investment Disputes (CFFID)
10:40 – 11:05	IP in Arbitration – Enforcement in Challenging Times Douglas Clark, Partner, Tanner De Witt
11:05 – 11:30	Networking Break & Morning Refreshment
11:30 – 12:30	1st Grand Panel: Med v Arb v Negotiation – The Arbitrators/Mediators Toolbox in 2024. Different Regions & Industries = Different Best Outcomes? Moderator: • Hisako Matsuda, Registered Foreign Lawyer, Oh-Ebashi LPC & Partners Panellists: • Dawn Tan, Managing Director, ADTLaw LLC • Peter Harris, Partner, Clifford Chance • Wilson Wei Huo, Partner, Zhong Lun Law Firm; Arbitrator and General Secretary, China Forum of Financial and Investment Disputes (CFFID) • Yuko Nitta, Partner, Utsunomiya Chuo Attorneys at Law
12:30 – 13:35	Networking Lunch
13:35 – 14:25	2nd Grand Panel: Speeding Up the Process in Arbitration: Expedited & Emergency Arbitration: Who Benefits Most, Choice of Seats & What are the Pitfalls for General Counsels Moderator: • Yi-Shun Teoh, Partner, RPC Panellists: • Shinji Ogawa, Case Manager, Arbitration & Mediation, Japan Commercial Arbitration Association (JCAA) • Moses W. Park, Barrister, Liberty Chambers • Adrian Cole, Independent Arbitrator
14:25 – 14:45	Technology's Role in Internal Investigations and Issues to Consider Haruka Matsumoto, Attorney at Law, Tokyo International Law Office
14:45 – 15:05	Anti-Trust Law: Merger Control – Compliance & Regulatory Issues with Japan & Foreign Companies & The Emergence of Digital Takuro Awazu, Partner, City-Yuwa Partners
15:05 – 15:50	3rd Grand Panel: Third Party Funding in Asia & Japan – Recent Trends, Understanding Situations for TPF & When To have Second Thoughts, Conflicts of Interests and Jurisdictional Regulations Moderator: • Daniel Allen, Partner, Mori Hamada & Matsumoto Panellists: • David MacArthur, Co-head of International Dispute Resolution, Yulchon • Dawn Tan, Managing Director, ADTLaw LLC • Yoko Maeda, Partner, City-Yuwa Partners
15:50 – 16:00	Closing Remarks & Lucky Draw
16:00 – 16:30	Networking Refreshments & Drinks

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The above are inclusive of networking lunch

Tony Andriotis, Partner, DLA Piper; Professional & Institutional Relations Officer, Japan Commercial Arbitration Association (JCAA)

Tony Andriotis is a Partner with DLA Piper, where his primary practice focuses on international dispute resolution, and he leads the Tokyo based international arbitration group. He currently also serves as President of the Greek Chamber of Commerce in Japan and as a Board Member of the European Business Council. Tony is an Adjunct Professor at the Tokyo campus of Temple Law School, and a Part-time Lecturer at both Keio Law School (Tokyo) and Humboldt University (Berlin). He is a graduate of Cornell University and the Fordham University School of Law. Though residing in Japan for over a decade, Tony is a native of New York City, where he previously clerked for a federal judge at the United States Court of International Trade.

Tony has recently been cooperating with the Commercial Law Development Program of the U.S. Department of Commerce in his capacity as an expert in International Arbitration and Negotiations in conducting Rule of Law Capacity Building Projects throughout Asia.

Mitsuru Tamura, Coordinator, Japan Commercial Arbitration Association (JCAA)

Mr. Mitsuru Tamura is Coordinator for Japan Commercial Arbitration Association in charge of its public relations. He worked for Mitsui & Co., Ltd. for more than thirty years. During his services in Mitsui, he stationed in Tokyo, Osaka, Bangkok, Los Angeles and New York and was involved in various international and domestic commercial and labor litigations, arbitration, mediations and other dispute resolutions. After Mitsui, he joined BIPROGY Inc. (former Nihon Unisys, Ltd.) as General Manager of Legal Division, Chief Compliance Officer and Executive Officer (Shikko Yakuin) responsible for legal, compliance and corporate governance until the end of March, 2022. He is currently the Audit & Supervisory Board Member (Kansayaku) for Uniadex, Ltd., BIPROGY group of companies.

Adrian Cole, Independent Arbitrator

Adrian Cole is an Independent Arbitrator, Mediator and Dispute Board member and a specialist in energy, real estate and infrastructure development and formerly led King & Spalding's highly rated Middle East Dispute Resolution Practice. Mr Cole is listed by Who's Who Legal as one of the top 25 construction dispute resolution lawyers in the World and ranked tier one by Chambers Global and Legal 500.

As arbitrator, Mr Cole has decided over 90 significant and complex cases sitting with some of the world's leading arbitrators and is listed by Chambers Global as one of the most in demand arbitrators. He has recently successfully mediated a complex commercial dispute between a major Japanese trading house and four European companies. Mr Cole is a member of the Commission on Arbitration and ADR at the ICC and was a task force leader on a project to widen awareness and use of ADR. Mr Cole is an international Judge in the Court of Cassation, in the Kingdom of Bahrain.

Hisako Matsuda, Registered Foreign Lawyer, Oh-Ebashi LPC & Partners

Ms. Hisako Matsuda is a Fellow of the Chartered Institute of Arbitrators (FCIArb) and CEDR Accredited Mediator. She is a Solicitor, admitted in Hong Kong and England & Wales, and a Registered Foreign Lawyer (Gaikokuho Jimu Bengoshi) in Japan at Oh-Ebashi LPC & Partners.

Her practice focuses on cross-border matters. She has been involved in various cross-border dispute settlement in overseas court proceedings and international commercial arbitration and mediation including construction, intellectual property, license, sales, distributorship, joint venture, M&A and other commercial disputes.

Ms. Matsuda is a member of ICC Japan Arbitration Committee, Resident Mediator of The Japan International Mediation Center in Kyoto (JIMC-Kyoto), and a Specialist Mediator of Singapore International Mediation Centre (SIMC). She teaches at graduate and law schools. Also, she has been serving as a corporate auditor of global companies.

Yi-Shun Teoh, Partner, RPC

Yi-Shun Teoh is a partner in the Commercial Disputes team at RPC in Hong Kong. His practice focuses on international arbitration and commercial litigation. Yi-Shun represents private equity firms, financial institutions, insurers, technology, hospitality, major corporates and high net worth individual clients in complex Hong Kong court litigation proceedings and international arbitrations under the leading institutional rules (including ICC, HKIAC, SIAC, CIETAC and UNCITRAL) seated in Hong Kong, Singapore, London, Beijing, Shenzhen and Jakarta. He has acted in some of the most high-profile and landmark set aside / enforcement cases in the Hong Kong courts over the past decade. Yi-Shun is a Fellow of the Chartered Institute of Arbitrators (FCIArb), and a member of the Arbitration Committee of the Law Society of Hong Kong and the Arbitration and ADR Committee of the International Chamber of Commerce (ICC) Hong Kong. He has spoken and published widely on international arbitration, and was a visiting lecturer at the Tsinghua University School of Law in Beijing. Yi-Shun is a Solicitor Advocate with Higher Rights of Audience in civil proceedings before the Hong Kong High Court and Court of Final Appeal, and triple-qualified in Hong Kong, England and Wales and New South Wales (Australia). He read law at the University of Sydney and clerked for Justice Richard Edmonds of the Federal Court of Australia.

Daniel Allen, Partner, Mori Hamada & Matsumoto

Daniel Allen is an international arbitration specialist, recognized for his leadership in the Japanese market by Chambers and Partners, Who's Who Legal, and The Legal 500. He is an experienced advocate, and has represented both companies and States in all types of disputes, including international commercial arbitrations, investor-State disputes, and construction matters. He has represented clients in arbitrations under the ICSID, UNCITRAL, ICC, SIAC, and JCAA rules, among others. In addition to his work as counsel, he accepts appointments as arbitrator, and is a member of the JCAA Panel of Arbitrators.

Wilson Wei Huo, Partner, Zhong Lun Law Firm; Arbitrator; General Secretary, China Forum of Financial and Investment Disputes (CFFID)

Wilson is a partner of Zhong Lun Law Firm based in the firm's Beijing headquarters. His practice focus includes resolution of foreign-related/overseas disputes and banking/financing disputes as well as white collar crime and criminal compliance. Wilson is an arbitrator of the China International Economic and Trade Arbitration Commission (CIETAC) and numerous on-shore arbitration institutions, International Commercial Dispute Prevention and Settlement Organization (ICDPASO), Hong Kong International Arbitration Centre (HKIAC, also listed as HKIAC Panel of Arbitrators for Financial Services Disputes, i.e., the FSD Panel), the American Arbitration Association-International Dispute Resolution Center (AAA-ICDR), the Asian International Arbitration Centre (AIAC) and numerous off-shore arbitration institutions and etc. Wilson is the General Secretary of China Forum of Financial and Investment Disputes (CFFID). He is also the Founding Member and Country Convenor of ARIAS, a non-profit organization that promotes improvement of the insurance and reinsurance arbitration and mediations process for the international and domestic markets. He has been recommended in the dispute resolution area by both Chambers Global and Chambers Asia Pacific as "Leaders in Their Field" and by Chambers Global, Chambers Asia Pacific and Chambers Greater China Region with high ranking for consecutive years. Also, he has been highly recommended by The Legal 500 in the area of Dispute Resolution in the Asia-Pacific region, as well as Dispute Resolution: Arbitration and Banking and Finance in China and included on the Legal 500 Private Practice Powerlist Arbitration: China, 2023. He has also been rated repetitively by EuroMoney as the Benchmark Asia-Pacific Local Dispute Star, and as the Best in Financial Service Disputes - China.

Douglas Clark, Partner, Tanner De Witt

Douglas Clark is an intellectual property partner with Tanner De Witt, an independent firm based in Hong Kong. He commenced practice in Hong Kong in 1993. He was based in Shanghai from 2000 to 2010 where he founded and was managing partner of the office of a large international firm. He handled contentious and non-contentious IP matters in Mainland China including patent litigation, technology transfer and international arbitrations. He moved back to Hong Kong in 2011 and practiced as a barrister until 2020 when he moved to become head of Global Dispute Resolution for an IP boutique firm. He joined Tanner De Witt this year. He has been appointed an arbitrator and acted as counsel in numerous technology disputes involving China. He regularly advises clients on IP issues related to de-risking and digitisation.

Doug is the author of a number of legal texts, including Patent Litigation in China, as well as a history of extraterritoriality in China and Japan, Gunboat Justice. He speaks both Japanese and Mandarin fluently.

Dawn Tan, Managing Director, ADTLaw LLC

Dawn Tan is the founder of established commercial firm ADTLaw LLC, which is in a joint venture with international firm Ashurst LLP through Ashurst ADTLaw. She is an experienced disputes lawyer and has represented clients in complex commercial disputes before all levels of the Singapore Courts. She has been appointed as arbitrator and acted as lead counsel in international arbitrations, and also has a significant strategic advisory practice.

Dawn graduated from the National University of Singapore Law School with a Bachelor of Laws Degree (First Class Honours), and again achieved academic distinction at the Harvard Law School. She is qualified in Singapore, New York State and England & Wales. She is a Fellow of the Chartered Institute of Arbitrators and Singapore Institute of Arbitrators. Outside practice, she is Chairwoman of the Singapore International Chamber of Commerce and a Council member of Singapore's apex business association, the Singapore Business Federation. She has published papers on a range of subjects including the use of Singapore law in cross-border commercial transactions.

Moses W. Park, Barrister, Liberty Chambers

Moses W. Park is a dispute resolution lawyer practicing as a barrister (trial advocate) based in Hong Kong. His practice mainly focuses on conduct and resolution of cross-border and international commercial arbitration and litigation. He has handled a broad spectrum of commercial work with an emphasis on civil fraud, asset tracing /recovery, enforcement of foreign arbitral awards/judgments, family office as well as shareholder disputes. Moses has expertise concerning recovery strategies and emergency relief measures related to fraud including Mareva injunctions, Norwich Pharmacal orders and asset tracing proceedings. He is well versed in the enforcement of foreign judgments and arbitral awards process in Hong Kong. His clients have included multi-national corporations and businesses as well as high and ultra-high net worth individuals.

Moses specialises in multi-jurisdictional financial crime and regulatory matters. He advises financial institutions on cross-border fraud and asset recovery related issues and has particular expertise in conducting complex multi-jurisdictional asset tracing. His experience spans a wide range of industry sectors, particularly, financial services, family offices and private equity funds. His work extends to regulatory fields (providing advice on matters governed by securities and banking legislation). Lately, he has been advising international clients on regulatory issues relating to overnance and regulation of family offices.

He is currently serving in the Committee of Arbitration at the Hong Kong Bar, the Committee of Commercial Law & Practice at the International Chamber of Commerce (ICC) Hong Kong.

Shinji Ogawa, Case Manager, Arbitration & Mediation, Japan Commercial Arbitration Association (JCAA)

Shinji is dedicated to facilitating fair and quick resolution processes as he oversees all arbitration and mediation cases filed with the JCAA. With a wealth of experience managing over 80 international arbitration cases, he brings valuable insights to his work. Shinji actively contributes to the refinement of JCAA Rules and serves as a member of the Study Group on the Steady Promotion of the Use of International Arbitration in Japan, a governmental initiative aimed at fostering the growth of international arbitration in the country.

David MacArthur, Co-head of International Dispute Resolution, Yulchon

David MacArthur is Co-head of the International Dispute Resolution group at Yulchon, based in Seoul, having recently returned to Korea after spending three years in Tokyo, Japan, where he developed and led a dedicated international arbitration practice for one of the major Japanese law firms. Originally from a US commercial litigation background, David has practiced almost exclusively in international arbitration for the better part of two decades, based in Asia. He has represented clients in dozens of large, complex disputes around the world, under most major arbitration rules and in a variety of industries. David is also active as an arbitrator and has been certified as a Fellow of the Chartered Institute of Arbitrators. He is conversationally proficient in Japanese and Korean.

Peter Harris, Partner, Clifford Chance

Peter Harris is an English qualified lawyer and a Partner of Clifford Chance. Based in Tokyo, Peter specialises international arbitration, mediation and other forms of alternative dispute resolution.

Peter has worked on disputes across multiple sectors with a particular focus on energy, infrastructure, natural resources, commodities, shipping, technology and construction. Peter regularly assists clients in resolving cross-border disputes as well disputes between investors and governments. Peter is an experienced advocate who regularly appears before international tribunals and also sits as arbitrator.

Peter has degrees from the universities of Oxford and SOAS and has lived and worked in the UK, Singapore, Australia and Japan.

Yoko Maeda, Partner, City-Yuwa Partners

Yoko Maeda is a partner of the Dispute Resolution Practice of City-Yuwa Partners in Tokyo, Japan, 7th largest business law firm in Japan.

She has an active practice in both arbitration and litigation across a wide spectrum of matters such as construction, energy, life sciences, pharmaceuticals, automotives, etc. She regularly represents parties or serve as an arbitrator in major arbitration institutional rules, including AAA/ICDR, ICC, KCAB, JCAA, SIAC, etc.

Besides being an alternate court member of ICC Court of Arbitration from Japan since 2018, she is a Fellow of the Chartered Institute of Arbitrators since 2019.

She is regularly selected as a leading lawyer by publications such as Chambers Global, Who's Who Legal, and Legal 500.

Ms. Maeda is qualified both in Japan and New York. She received an LL.M. from the University of Pennsylvania Law School, and an LL.B. from Tokyo University.

Yuko Nitta, Partner, Utsunomiya Chuo Attorneys at Law

Yuko Nitta is a Partner of Utsunomiya Chuo Attorneys at Law. She is admitted to practice in Japan and the State of New York. In her practice, she manages a comprehensive portfolio of corporate legal matters, encompassing litigations, arbitrations, and mediations as well as advising on various transactional contracts and labor issues and M&A, with a particular focus on assisting small and mid-sized enterprises. Yuko also serves as Japan representative for the Singapore International Mediation Centre (SIMC) and is actively introducing international mediation as a dispute resolution mechanism in Japan. She is also a part-time lecturer at Keio University Law School.

Haruka Matsumoto, Attorney at Law, Tokyo International Law Office

Haruka leads dispute resolution and internal investigation practice at Tokyo International Law Office. For dispute resolution, she represents both Japanese and overseas companies in litigation, international arbitration and mediation in various sectors including construction, medical devices, and real estate. Being a certified fraud examiner, Haruka has extensive experience in internal investigations of Japanese companies and overseas subsidiaries located in Asia, Europe and the U.S. She is also a committee member of the tender monitor committee of Tokyo Metropolitan Government.

Takuro Awazu, Partner, City-Yuwa Partners

Takuro Awazu is a Partner at City-Yuwa Partners. He is an Attorney-at-law in Japan (active), New York (inactive) and California (inactive). Takuro practices includes investments, M&A, IP transactions and other corporate matters in China, Vietnam and other foreign countries for Japanese clients as well as for foreign clients in Japan; anti-dumping, export/import control, economic security and other trade law matters in Japan and foreign countries; and IPO in foreign stock exchanges in China (mainland and Hong Kong) and the United States.

He has assisted many in-bound and out-bound M&A projects between Japan and foreign countries since 1999 in the languages of Japanese, English, Chinese and Vietnamese. Regarding the anti-trust laws, he often assist filings to relevant competition authorities in Japan and foreign countries with respect to such M&A projects.

Takuro graduated from The University of Tokyo (LL.B.). He is currently a Member of the Japanese Society of International Law, Adviser of the Hong Kong Trade Development Council and Lecturer of International Laws in Kanagawa University.

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