

Quisumbing Torres with PIArb and CIArb Conduct Arbitration Fellowship

Manila, Philippines, February 2018 - Quisumbing Torres in cooperation with the Philippine Institute of Arbitrators (PIArb) and Chartered Institute of Arbitrators (CIArb) East Asia Branch, Philippine Chapter held its first Joint Monthly Fellowship for 2018 last 25 January. Led by QT's Dispute Resolution Practice Group Head and PIArb president Donemark Calimon, the fellowship was attended by some of the country's key arbitration practitioners and counsels. During his opening remarks, Donemark explained PIArb's various committees and their respective plans for 2018 - 2019. He emphasized, addressing in particular the younger members of the audience, that active membership in PIArb provides young lawyers and arbitration practitioners many opportunities to meet colleagues from other jurisdiction which can help them as they try to build their own arbitration practice.

The meeting featured James Kwan, Partner of Hogan Lovells as guest speaker. The former Baker & McKenzie Hong Kong Partner's discussion focused on the effects of cultural differences in international arbitration as well as recent updates on Hong Kong's International Arbitration scene.

"Cultural misunderstandings continue to play a material role in many international arbitrations. Even subtle cultural differences arising out of correspondence and documents can have a material impact on the proceeding. International arbitration counsel must ensure that the tribunal understands the cultural differences," said James.

The fellowship's second session covered the Hong Kong international arbitration updates which included the sector's 2017 overview, Arbitrability of Intellectual Property (IP) disputes and the passing of the Arbitration and Mediation Legislation (Third Party Funding) (Amendment) Bill 2016. The law allows a third party to fund the proceedings for a percent of the award or some other financial benefit from any proceeds recovered in the case. Meanwhile, key amendments to the Arbitration Ordinance came into effect last 01 January 2018 confirming that disputes involving IP Rights are now arbitrable in Hong Kong law. Any awards in arbitration proceedings involving IPRs will only be binding between the parties.

The audience also benefited from James' discussion on the five most significant Hong Kong and PRC cases for 2017 during the talk.

James is a member of the ICC Arbitration Commission, Asia Pacific Forum for International Arbitration- Hong Kong representative and former co-chair, Fellow of the Chartered Institute of Arbitrators and former Committee member of East Asia branch, Hong Kong Institute of Arbitrators - Fellow and former Council Member, ICC Hong Kong Arbitration Committee and Hong Kong Law Society's Arbitrators' Appointment Committee.

QT and PIArb

QT joins PIArb in its efforts to spur arbitration as a preferred form of alternative dispute resolution in the country. The firm supports the institute's advocacies and activities which include monthly fellowships and several of its arbitration courses. In the past year, QT also hosted events for, or collaborated events with, the CIArb East Asia Branch, including the "Symposium on Emerging Issues in International Arbitration" and the "Accelerated Route to Membership Course", both conducted in March 2017.

The firm's dispute lawyers continue to promote PIArb's initiatives through active leadership in its various working committees: Jared Amoroso (Senior Vice President for Advocacies); Grace Ann Lazaro (Corporate Secretary); Bianca Gatmaitan-Santos (Treasurer), and Jason Rudolf Arteché (Assistant Corporate Secretary).



"In joining PIArb, you get to meet lawyers not just from the Philippines but from other countries. When I was a young lawyer, I became exposed to the wider world of legal practice that's not just limited to appearing in court or arguing your case before Philippine government agencies, but also dealing with highly trained and impressive foreign lawyers," said Donemark Calimon, QT's Dispute Resolution Practice Group Head and PIArb president.



During his session on the Hong Kong international arbitration updates, James Kwan explained the benefits of the Third Party Funding bill. He noted that the law levels the playing field for settlement discussions and allows for an objective assessment of claims. It also enables companies to manage financial risks.



The PI Arb Handbook and a Plaque of Appreciation was presented to James Kwan during the PI Arb and CI Arb Joint Monthly Fellowship for 2018, from left to right: Teodoro Kalaw IV (Chairman, PI Arb), Donemark Calimon (Partner and Dispute Resolution Practice Group head of Quisumbing Torres and President , PI Arb), Eduardo Ceniza (Chairman Emeritus, CI Arb, FHKI Arb, FSI Arb, FPI Arb), James Kwan (Partner, Hogan Lovells), Mario Valderrama (President Emeritus, FCI Arb, FHKI Arb, FPI Arb) and Anna Therese Cruz (Chair, Young PI Arb and Vice-President for Chapters).



Newly elected PI Arb president Donemark Calimon with guest speaker James Kwan. James is widely recognized as a leading individual in International Arbitration by major legal directories such as Asia Pacific Legal 500, Chambers Asia Pacific and Global as well as the Euromoney's Guide to the World's Leading Arbitration Lawyers, and specializes in international commercial arbitration, with a focus on life sciences, chemicals, technology, infrastructure and energy disputes.

For more information



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