

WELCOMING REMARKS

Professor Hi-Taek Shin: Chairman, KCAB INTERNATIONAL



Professor Hi-Taek Shin is the Chairman of KCAB INTERNATIONAL. He currently teaches international arbitration and investment disputes at Seoul National University School of Law, where he was a full-time faculty member until retiring in 2018. Before that, he was a partner at Kim & Chang specializing in cross-border investments and resolution of related disputes. He regularly sits as an international arbitrator and is on the ICSID, HKIAC, ICDR, KCAB INTERNATIONAL and SIAC panels of arbitrators. He is a member of the International Commercial Expert Committee, Supreme People's Court of China. He was a key figure in the special commissions organized by the Ministry of Justice of the Republic of Korea for the enactment of the Arbitration Promotion Act and amendment of the Arbitration Act of Korea. He also served as the Chairman of the Korea Trade Commission for three years until August 2019.

Lester Schiefelbein: CEO, Silicon Valley Arbitration and Mediation Center



Les Schiefelbein serves as an independent commercial Arbitrator and Mediator in domestic and international disputes. Les founded Schiefelbein Global Dispute Resolution to bring his more than 30 years of industry and government experience, as Vice President and Deputy General Counsel at Lockheed Martin and as an Air Force Judge Advocate Reserve (Colonel), in resolving international and domestic legal and business matters to the practice of dispute resolution. Les has handled over 300 cases in the course of his career and has gained particular expertise as a sole or panelist arbitrator in commercial and government contracts to include aerospace, aviation, satellites, cybersecurity, national security, information technology, trade secrets, intellectual property, software licensing, energy and construction. In 2018, Les and his wife Linda provided an endowment to the Sandra Day O'Connor College of Law at Arizona State University to establish the Schiefelbein Global Dispute Resolution Program.

Panel 1: Arbitrating IP and Tech Disputes: *Advantages and Innovative Approaches*

Panel 1 will discuss the advantages of using arbitration instead of litigation to resolve IP and tech disputes. It will also offer practical advice on innovative approaches that can increase those advantages and result in benefits that could not be achieved in litigation.

John Kim: Panel 1 Moderator, Lee & Ko, Seoul



John is a trial lawyer specializing in Cross-Border Litigation and International Dispute Resolution. He has broad experience handling intellectual property and antitrust disputes. Prior to joining Lee & Ko, he was a partner resident in the Silicon Valley office of Quinn Emanuel Urquhart & Sullivan and served as Assistant General Counsel of IP for Samsung Electronics in Seoul, Korea. John has negotiated patent licenses in the semiconductor, consumer electronics, and software industries, and he has represented clients regarding standard-essential patent licensing issues before tribunals and competition authorities around the world. John combines his corporate background with law firm experience to provide a wide range of clients with legal advice and counseling grounded in the practical realities of global businesses.

Sherman Kahn: Panel 1 Speaker, Mauriel Kapouytian Woods, New York



Sherman Kahn is an arbitrator and mediator and represents clients in proceedings presenting complex technical and commercial issues. He arbitrates technology issues from patent issues to IT outsourcing and handles highly technical cases raising mining, construction and commercial issues. Sherman has litigated patent matters regarding technologies ranging from computers to biotechnology and IT outsourcing, trade secret, trademark, copyright, and antitrust matters. Sherman is a member of the ICDR Panel of Arbitrators, the AAA Roster of Commercial Arbitrators and the CPR Distinguished Panel of Neutrals and a Fellow of the Chartered Institute of Arbitrators (FCI Arb). He is a member of the Silicon Valley Arbitration and Mediation Center Tech List and is co-chair of the Technology Committee of the New York International Arbitration Center. Sherman is with Mauriel Kapouytian Woods LLP in New York. He practiced with Morrison & Foerster for seventeen years including five years in its Tokyo office.

Grant Kim, Panel 1 Speaker, LimNexus, San Francisco



Grant L. Kim is a partner at LimNexus in San Francisco, which he joined after working for 25 years at Morrison & Foerster in San Francisco and 5 years at Kim & Chang in Seoul. He has over 30 years of experience with international arbitration and IP litigation. He has served as an arbitrator or counsel in numerous arbitrations of the International Chamber of Commerce, International Centre for Dispute Resolution, American Arbitration Association, and Korean Commercial Arbitration Board. He has also handled numerous patent, copyright, and trade secret lawsuits in the U.S. courts. He serves on the Boards of the Silicon Valley Arbitration and Mediation Center, the North American Branch of the Chartered Institute of Arbitrators, and the California International Arbitration Council. Mr. Kim's grandparents immigrated to the U.S. in the early 1900's. He learned Korean while working in Korea as an English teacher and later as a lawyer.

Kathleen Paisley: Panel 1 Speaker, AMBOS Lawyers, Brussels



Kathleen Paisley is an international arbitrator with over thirty years' experience in both commercial and investor-State arbitration. She has a truly international approach given her US nationality and training, European and US presences and significant experience in Asia and Africa. Kathleen's industry expertise includes biotech, pharmaceuticals, semiconductors, construction, energy and hospitality, and her substantive experience spans intellectual property, data protection, cybersecurity, complex damages, competition/antitrust, EU and public international law. Kathleen has the honor of serving on the task forces established by ICCA and others on damages, data protection (co-chair), and cybersecurity, the Sedona Conference and the Mixed Mode Task Force (enforcement). She is triple-qualified with degrees from the Yale Law School, an MBA in Finance, and the CPA exam, and she is a member of the New York and DC Bars (as well as working under the laws of England, Belgium and other civil jurisdictions).

Dan Tan: Panel 1 Speaker, Dan Tan Law, San Francisco/Singapore/New York



Dan Tan is principal of Dan Tan Law, a boutique law firm based in New York and San Francisco that has been repeatedly ranked amongst the top 100 of all arbitration practices in the world (Global Arbitration Review 100, 2012-2020). Dan is an associate member of 36 Stone, a commercial barristers chambers in London and Singapore. Dan's practice focuses on international litigation and arbitration. Chambers Global calls him "a phenomenal lawyer" and "a star in the international arbitration world." "[A]n extraordinary legal talent and is extremely creative in the legal theories he uses" with the ability to "combine a strategic approach with persuasive advocacy." Dan is Lecturer on Law at Harvard Law School and Lecturer in Law at Stanford Law School (international arbitration and international investment law). His articles in leading academic journals have been cited in prominent commentaries and by US Federal courts, and have been called "ground-breaking thinking."

Panel 2: Arbitrating IP and Tech Disputes: *Regional Challenges and Alternatives*

This panel will address challenges to arbitrating IP and tech disputes, such as whether the validity of patents can be arbitrated in Europe, North America, and different jurisdictions in Asia. It will also discuss innovative approaches in specific jurisdictions, such as specialized IP courts.

David MacArthur: Panel 2 Moderator, Bae, Kim & Lee, Seoul



David MacArthur is a partner at BKL in Seoul, Korea, specializing in international arbitration. With 15 years of experience, David has represented clients in dozens of international commercial and investor-state arbitrations seated across Europe, Asia, North America and Africa, as well as in many collateral proceedings. He is known best for his acumen in handling IP-related and other highly technical disputes. In addition to his work as arbitration counsel, David has been appointed to the panels or has acted as an arbitrator in disputes under the HKIAC, KCAB, WIPO and AIAC. He also serves in leadership and influence positions, including as founding co-chair of KCAB Next, a professional development group composed of the next generation of arbitrators and practitioners. David publishes, teaches and lectures in the field of arbitration and is regularly listed in industry and peer-reviewed rankings including Chambers & Partners, Who's Who Legal and Asia500.

Chiann Bao: Arbitration Chambers, Hong Kong



Chiann Bao is an arbitrator and member of Arbitration Chambers. Chiann has served as chairman, party-appointed arbitrator, sole arbitrator and emergency arbitrator on international arbitral tribunals arbitrations under the ICC, HKIAC, SIAC, UNCITRAL, and KCAB rules. Chiann currently serves as a Vice President of the ICC Court of Arbitration. From 2010 to 2016, Chiann served as Secretary-General of the Hong Kong International Arbitration Centre. As a New York-qualified Mandarin-speaking attorney, Chiann has practiced international law firms in Hong Kong and New York, acting as counsel for corporates and state-owned enterprises in a range of disputes in sectors including technology, pharmaceutical, shareholder and joint venture disputes, finance, real estate, construction, and general contractual disputes. In 2019, she was appointed as an Honorary Senior Fellow to the British Institute of International and Comparative Law. She is also a Global Advisory Board member of the New York International Arbitration Center.

Sue Hyun Lim: Panel 2 Speaker, KCAB INTERNATIONAL, Seoul



Sue Hyun Lim is the Secretary General of KCAB INTERNATIONAL, where she oversees international arbitration case management to ensure an efficient and cost-effective process. She is also responsible for promoting KCAB INTERNATIONAL and Seoul as a seat of arbitration. A Korean licensed attorney, and also licensed in New York, Ms. Lim was previously a partner at Bae, Kim & Lee, where she represented clients in numerous international arbitrations and litigations. She obtained an LL.M at New York University School of Law and worked as a visiting lawyer at Debevoise Plimpton. Featured in *Who's Who Legal: Arbitration Future Leaders 2019* and *WWL Korea 2019*, Ms. Lim has spearheaded efforts to promote international arbitration in Korea. She is a contributing author to *Arbitration Law in Korea: Practice and Procedure* (Juris 2012), the 2016 edition of *Arbitration, Practice and Law* (Parkyoungsa 2016), and *the Global Practice Guide for Litigation in South Korea* (Chambers and Partners, 2017).

Claire Morel de Westgaver: Panel 2 Speaker, Bryan Cave Leighton Paisner, London



Claire Morel de Westgaver is a dual qualified (UK/New York) lawyer with 12 years of experience in international arbitration in London. Having completed her legal education in Belgium and in the US, Claire has a mixed common / civil law background. She has particular experience with disputes relating to technology, corporate transactions, licenses, cross-border sale or service agreements, as well as disputes involving secrecy or intellectual property issues. Her practice covers industries such as IT, cloud computing, engineering, energy, hospitality, media, commodities and defence. Claire has experience of Asia-related disputes and Korean parties.

In addition to her work as counsel and advocate, Claire sits as an arbitrator. She is on the List of Arbitrators for the WIPO Arbitration and Mediation Center. Claire is a co-chair of the Young Professionals group of the Silicon Valley Arbitration and Mediation Center (SVAMC-YP) and she sits on the Steering Committee of CEPANI 40.

Hiroyuki Tezuka: Panel 2 Speaker, Nishimura & Asahi, Tokyo



Hiroyuki heads N&A's international dispute resolution practice group. He specializes in international commercial litigation and arbitration. He serves as a court member of the ICC and SIAC, and serves as arbitration counsel and an arbitrator in numerous countries. Additionally, Hiroyuki serves as an executive director of the Japan Association of Arbitrators, was a vice-chair of the Arbitration Committee of the IBA Legal Practice Division, and is a committee co-chair of the Dispute Resolution and Arbitration Committee at the IPBA. He is also a member of the ICC for Japan and since 2018 he is a Council member of the ICC Institute of

World Business Law. Hiroyuki graduated from the University of Tokyo (LL.B., 1984) and Harvard Law School (LL.M., 1992). He is admitted as an attorney in Japan (1986) and in New York (1993).

Lunch In-House Counsel Roundtable

Do in-house counsel view arbitration as a better way of resolving IP and tech disputes than litigation? Why or why not?

Samuel Seungmok Lee: Panel 2 Moderator, Yulchon, Seoul



Samuel Lee is a U.S. attorney at Yulchon, where he specializes in intellectual property disputes, IP transactions, and technology due diligence in the electrical, chemical (including pharmaceutical), and software arts. Mr. Lee previously served as senior legal counsel at Samsung Electronics, where he managed patent litigation throughout the world. He has hands-on experience with every aspect of US litigation. He has also negotiated patent licenses and acquisitions. As a partner at Dergosits & Noah and associate at Baker Botts, Mr. Lee advised both Fortune 500 and medium-sized companies on all aspects of intellectual property.

In one case, he obtained a preliminary injunction on a patent he had prosecuted.

As in-house counsel for Procter & Gamble, Mr. Lee advised on patent portfolio management, litigation, and freedom-to-operate opinions. He also drafted and prosecuted patents. Mr. Lee utilizes his in-house and law firm experience to provide clients with real-world legal advice.

Panel 3: *Dealing with Common Issues in Tech and IP Licensing Disputes*

This panel will discuss licensing issues that are often disputed and the best way to avoid or plan for such disputes. Examples include license scope, indemnity, termination, choice of law, SEPs and “split” dispute resolution clauses.

DuckSoon Chang: Panel 3 Moderator, Kim & Chang, Seoul

As an IP litigator and counsellor, Duck-Soon Chang has extensive experience in all areas of intellectual property law and in a wide range of industries. His main areas of interest include IP litigation, antitrust and technology licensing. Mr. Chang has handled numerous landmark cases and, in particular, was the lead counsel in the two largest patent lawsuits in Korean history. He has also been actively involved in IP-related policy making and served as an advisor to both the Korea Fair Trade Commission and the Korea Trade Commission (an equivalent to the U.S. ITC) on IP policy issues. He is currently a Neutral, WIPO Arbitration and Mediation Center. Since 2009, he has also been leading the Intellectual Property Training Institute of the Seoul Bar Association. Mr. Chang graduated from Seoul National University with an LLB degree and received an LLM degree from Harvard Law School. He is admitted to the Korean Bar and the New York and California Bars. He worked at Latham & Watkins from 1999 to 2000.



David Llewelyn: Panel 3 Speaker, David Llewelyn & Co, LLC, Singapore

David Llewelyn is a practising lawyer, academic and arbitrator. He is Managing Director of David Llewelyn & Co LLC; Professor (Practice) at Singapore Management University’s School of Law and Professor of Intellectual Property Law at King’s College London; and sits as an arbitrator in international commercial disputes. He is an IP Adjudicator at the Intellectual Property Office of Singapore and author of leading texts on UK and EU trade marks and intellectual property law, as well as *Cases, Materials and Commentary on Singapore Intellectual Property Law* (2018) and business book *Invisible Gold in Asia: Creating Wealth through Intellectual Property* (2010). He has been appointed by the Singapore Court of Appeal as amicus curiae in cases involving trade marks, copyright and patents.



Yoshimi Ohara: Panel 3 Speaker, Nagashima, Ohno & Tsunematsu, Tokyo



Yoshimi Ohara is a Partner at Nagashima Ohno & Tsunematsu, Tokyo office. She has represented both domestic and foreign clients in international arbitration in various seats under the rules of the ICC, ICSID, AAA/ICDR, SIAC and JCAA. Before launching her international arbitration practice, she was active in the area of corporate transactions and IP disputes. With a strong corporate and IP background, she has extensive experience in dealing with disputes covering a wide range of subjects, including M&A, joint ventures, investment, infrastructure, energy, construction, insurance, joint development, technology transfer, license, procurement, sales and distribution. Yoshimi served as sole arbitrator and presiding arbitrator in international arbitration under auspices of the ICC, SIAC, JCAA, KCAB and UNCITRAL rules in various seats. Ms. Ohara is currently serving as a Vice President of ICC Court and a Governing Board member of the ICCA.

Sarah Thomas: Panel 3 Speaker, Morrison & Foerster, Hong Kong



Sarah Thomas is a partner in Morrison & Foerster's Hong Kong office. Her practice focuses on international arbitration throughout the Asia-Pacific region, particularly China, Hong Kong, India, Singapore, Malaysia and Japan. Sarah received her LL.B. from the London School of Economics and her J.D. from Columbia Law School. She is admitted in New York, England & Wales and Hong Kong. Sarah represents clients in a variety of industries, including technology, engineering, manufacturing, healthcare/pharmaceuticals and telecoms, among others. She has represented clients in ad hoc and administered proceedings under a variety of procedural rules, including ICC, LCIA, HKIAC, SIAC, CIETAC, AAA, and UNCITRAL. In 2019, Sarah was recognized by Benchmark Litigation as a "Dispute Resolution Star" for International Arbitration in Asia-Pacific.

Anton Ware: Panel 3 Speaker, Arnold & Porter, Shanghai



Anton Ware is a partner at Arnold & Porter in Shanghai, China, where he acts as counsel for private sector companies, sovereign states, and government-owned entities in commercial and investment treaty arbitration proceedings around the world, with a particular focus on the Asia Pacific region. He has extensive experience handling arbitration of licensing and other intellectual property disputes in the high-tech and life sciences industries. Mr. Ware is "a widely acclaimed advocate" (*Who's Who Legal: Arbitration*, Future Leaders 2018) who clients praise for his "skills as a presenter and cross examiner" during arbitration hearings (*Who's Who Legal: Arbitration*, Future Leaders 2017). He also speaks and reads Mandarin Chinese and is skilled in handling disputes involving Chinese parties. Mr. Ware is on the Hong Kong International Arbitration Centre's List of Arbitrators.

Panel 4: Enforcing Arbitral Awards In Cross-Border IP and Tech Disputes

This panel will provide practical advice on how to maximize the likelihood of enforcing an arbitral award in cross-border IP and tech disputes, including issues that arise at both the contract drafting and enforcement phases.

Amita Haylock: Panel 4 Moderator, Mayer Brown, Hong Kong



Amita Haylock is a counsel in the IP & TMT group of Mayer Brown. Amita's practice focuses on litigating intellectual property, competition and commercial disputes across a range of industries. Amita also advises on telecommunications, broadcasting and information technology matters. Amita advises on a range of commercial and IP disputes including breach of commercial contracts and licensing agreements, infringement of IP rights and for breach of confidence. She represents clients before the Telecommunications (Competition Provisions) Appeal Board, High Court, Court of Appeal, Court of Final Appeal and Hong Kong International Arbitration Centre. She has acted in high-profile judicial reviews concerning broadcasting and telecommunication issues. A strong advocate of pro-bono work, Amita was the recipient of the Individual Gold Award at the Law Society Pro-Bono and Community Service Awards 2018. *Asia Pacific Legal 500 2019* describes Amita as "well-known in the market for handling IP and TMT-related disputes, and 'excellent'."

Seungmin Lee: Panel 4 Speaker, Shin & Kim, Seoul



SeungMin Lee is a partner at Shin & Kim and a member of the firm's International Dispute Resolution Practice Group. Ms. Lee has provided advocacy for Shin & Kim's major clients in arbitration cases under the rules of ICC, KCAB, SIAC, HKIAC, LCIA and UNCITRAL. Ms. Lee is qualified in Korea, England and Wales, and is admitted as a Fellow of the Chartered Institute of Arbitrators (CIArb). In the past, Ms. Lee has served as (i) the National Representative for South Korea of the Young Lawyer's Committee of the IBA and (ii) the Regional Ambassador for Korea to the HK 45 of the HKIAC. Ms. Lee now serves as (i) the director of the international affairs at the Seoul Bar Association, (ii) the Regional Representative for Korea to the Young International Arbitration Group of the LCIA, (iii) Member of the SIAC Users Council for South Korea National Committee, (iv) Panel of arbitrators for Asian International Arbitration Centre and (v) Specialist Mediator of Singapore International Mediation Centre. Ms. Lee was seconded by Shin & Kim to serve as a registered foreign lawyer at Oon & Bazul LLP in Singapore in 2016 and as counsel to the LCIA Secretariat in 2010.

Hu Ke: Panel 4 Speaker, Jingtian & Gongcheng, Beijing



Mr. Hu Ke is a partner in Jingtian & Gongcheng's dispute resolution group, specializing in litigation and arbitration (in commercial and IP-related matters), cyber-security and data protection. He has represented domestic and international clients in 100+ court proceedings in China and arbitration proceedings under CIETAC, BAC, HKIAC, ICC, SIAC, SCC and UNCITRAL rules. His experience covers disputes in relation to general commercial contracts, corporate and JV matters, PE/VC investment, energy, carbon finance, entertainment and culture, technology licensing, IP protection, and recognition and enforcement of oversea arbitral awards and court judgments. He is recognized by Who's Who Legal as a "Future Leader" in arbitration in 2018 and 2019, and by Chambers Asia Pacific as an "up-and-coming" practitioner in arbitration for its 2019 edition. Mr. Hu is a member of SVAMC, the Steering Committee of IBA Arb-40 and SIAC Users Council. In 2015-2018, he served as a member of the inaugural YSIAC Committee.

Nad Segaram: Panel 4 Speaker, Shearn Delamore & Co., Kuala Lumpur



Nad Segaram was called to the Bar in London in 1997. He has since practiced with the firm of Shearn Delamore & Co, one of the oldest and largest law firms in Malaysia and was made a partner of the firm in 2004. He has practiced in the Intellectual Property and Dispute Resolution departments of the firm and has appeared as counsel and co-counsel in several large litigation matters in the High Court and the Appellate courts as well as in domestic and international arbitrations, including arbitrations in Malaysia, Singapore, Hong Kong and the United Kingdom. Nad is a member of the International Bar Association and the ASEAN Law Association of Malaysia. He is also an Accredited Advocacy Trainer conducting training sessions for the Malaysian Bar teaching advocacy skills for pupils and young lawyers of the Malaysian Bar. Nad is a recommended lawyer for domestic and international arbitration by the Legal 500 Asia-Pacific (2019).

Tushna Thapliyal: Panel 4 Speaker, Khaitan & Co., Mumbai



Tushna Thapliyal is with Khaitan & Co, Mumbai, India. She is from Rishi Valley School and National Law School of India University, Bengaluru. She is practicing in the High Court of Bombay. She represents Indian and foreign companies in complex commercial disputes in domestic and international arbitrations. She regularly advises on various Indian law issues in international arbitration. Her articles on international arbitration include “The Court’s Approach to Interim Reliefs”, 2003 IBA Arb. & ADR New LEXIS 28, “Exercising Jurisdiction to set aside a foreign award: the Supreme Court of India in Venture Global Engineering LLC v Satyam Computer Services Ltd and Another”, (2011) 8:5 Transnational Dispute Management 43, and “Living with the Ghosts of Bhatia International and Venture – The Effect of Bharat Aluminium on the Role of Indian Courts in International Arbitration”, (2013) 53:2 Indian Journal of International Law 277.