

INTERNATIONAL ARBITRATION

AT A GLANCE

McDermott Will & Emery's International Arbitration Practice regularly represents both U.S. and non-U.S. clients in international arbitrations throughout the globe. Our lawyers are dedicated to forging creative and efficient solutions to all types of transnational commercial disputes.

Experience

McDermott Will & Emery's International Arbitration Practice is comprised of an integrated team of lawyers spread across three continents. Whether in North America, Europe, China or elsewhere, our lawyers are able to provide coordinated solutions to the most complex cross-border disputes.

- **International Arbitration** - The group has extensive experience resolving international commercial disputes under the rules of all the major international arbitration institutions. We have a substantial track record both prosecuting and defending against international arbitration claims.
- **Litigation in Aid of International Arbitration** – The group also regularly prosecutes and defends against litigations related to international arbitration, including actions to compel arbitration, actions to enforce arbitral awards and actions for injunctive relief in aid of international arbitration. Our lawyers are no strangers to the courtroom and they are prepared to seek judicial relief if resorting to the courts is necessary to the success of an international arbitration.
- **Drafting of International Arbitration Clauses** – The group routinely coordinates with McDermott's transactional lawyers to help negotiate and draft the most effective and protective arbitration clauses for our clients' international contracts. Our lawyers are familiar with all of the provisions required to make an international arbitration clause not only enforceable, but also practical and workable, in case a dispute arises. Our goal is to structure international arbitration clauses in a manner that provides our clients with maximum leverage in case an arbitration arises.

Industry Experience

- Aeronautics
- Automotive
- Aviation
- Biotech
- Construction
- Energy
- Gaming
- Healthcare
- Hospitality
- Manufacturing
- Private Equity
- Pharmaceutical
- Retail
- Satellite
- Software

Our Team

Over 20 lawyers in 6 countries

Contact

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Experience Under All the Leading International Arbitral Institutions and Rules

Our lawyers have experience resolving international commercial disputes under all of the major international arbitration institutions and rules, including:

- International Chamber of Commerce (ICC)
- London Court of International Arbitration (LCIA)
- American Arbitration Association/International Centre for Dispute Resolutions (ICDR)
- Stockholm Chamber of Commerce (SCC)
- Singapore International Arbitration Centre (SIAC)
- Hong Kong International Arbitration Centre (HKIAC)
- China International Economic and Trade Arbitration Commission (CIETAC)
- German Institution of Arbitration (DIS)
- UNCITRAL Rules of Arbitration

Why Choose McDermott Will & Emery for International Arbitration?

We do not approach international arbitration as an academic exercise. As soon as a dispute arises, we work side-by-side with our clients to analyze the strength of their claims and defenses in conjunction with their economic imperatives. We provide our clients with unvarnished advice that does not over-promise results. We seek to tailor an arbitration strategy that is determined by reality rather than wishful thinking. Mindful of the cost of arbitration, we avoid over-lawyering a case, and we never lose focus on the possibility of early resolution through settlement.

When an international arbitration requires full firepower, we do not hesitate to use it and aggressively advocate for our clients. On the other hand, if a more subtle approach is required, perhaps because of cultural sensitivities, we adjust our approach accordingly. Whichever path is required, our global team distinguishes itself from many other firms by our singular focus on clients' business needs and our ability to translate that perspective into creative legal solutions. For McDermott, international arbitration is not just about scoring points against an opposing legal team on an inevitable march to a final hearing; rather, it is about partnering with our clients to achieve results that are consistent with their business goals and objectives.

Recent Successes

The following is a representative sample of our international arbitration experience:

- Represented a Texas private equity company against a Chinese horticultural company in an HKIAC arbitration arising out of the breach of a stock purchase agreement (location Hong Kong)
- Represented a Massachusetts-based ethanol plant developer against a marketer and distributor of petroleum products in an ICDR arbitration involving commodity markets and future pricing, and obtained an award in excess of US\$230 million (location Boston)
- Advised a major Russian investment group in an LCIA arbitration subject to English law arising out of a dispute with a high-wealth Russian individual as to their competing ownership claims with respect to a Russian energy company worth approximately US\$750 million (location London)
- Represented a German glass manufacturing company and its U.S. subsidiary against a U.S. company in an ICDR arbitration arising out of a dispute over an indemnification agreement (location New York)
- Represented a Korean company against a major U.S. clothing retailer in an ICC arbitration arising out of a dispute over the termination of a distributorship agreement (location London)
- Represented a French avionics company and its U.S. subsidiary against a Delaware company in an ICC arbitration arising out of the breach of a merger agreement (location Paris)
- Represented a U.S. manufacturer of medical diagnostic products against its Spanish distributor in an LCIA arbitration arising out of a dispute over a distribution agreement (location London)
- Represented an Australian gaming company against a U.S. gaming company in an ICDR arbitration arising out of a dispute over a patent licensing agreement (location Reno, Nevada)

Our Firm

McDermott Will & Emery is a leading international law firm with a diversified business practice. We represent a wide range of commercial, industrial and financial enterprises, both publicly and privately held. Our clientele include some of the world's largest corporations, small and medium-sized businesses, and individuals.

Currently numbering 1,100 lawyers, we have offices in Boston, Brussels, Chicago, Düsseldorf, Houston, London, Los Angeles, Miami, Milan, Munich, New York, Orange County, Paris, Rome, Silicon Valley and Washington, D.C. McDermott Will & Emery has a strategic alliance with MWE China Law Offices (Shanghai).