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INDIA & SE ASIA: 4TH ANNUAL INTERNATIONAL ARBITRATION, REGULATORY & COMPETITION LAW SUMMIT

Thursday, 13 June 2019, 9:00am – 4:30pm

Shangri-La's – Eros Hotel, New Delhi



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SPEAKERS



Ajay Thomas
Independent Arbitrator &
Vice Chair,
ICC India Arbitration Group
Opening Address



Richard Wilmot-Smith Q.C.
39 Essex St Chambers, London
Keynote Speaker



Vivekananda N
Partner (Foreign Law), Allen &
Gledhill LLP
Moderator – 1st Grand Panel



Dr. Derek Ritzmann. Expert
Economics Partners,
Adjunct Associate Professor,
Faculty of Law,
University of Hong Kong
Moderator – 2nd Grand Panel



Ravi Shankar
Senior Partner, Law Senate



Jessica Delbaum
Partner, Shearman & Sterling



Aditi Gopalakrishnan
Partner, AZB & Partners



Kalyani Singh
Partner, Chandhiok & Mahajan



Karan Singh Chandhiok
Partner, Chandhiok & Mahajan



Sapna Jhangiani
Partner, Clyde & Co



Julian Cohen
Barrister, Gilt Chambers



Moses W. Park, Barrister
Liberty Chambers



Hiroo Advani
Senior Partner, Advani & Co.

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This conference will be conducted in English

Venue: Shangri-La's – Eros Hotel, New Delhi

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SCHEDULE

8:50 – 8:55	Opening Welcome by Chairman	12:40 – 13:55	Networking Lunch
8:55 – 9:15	Opening Address Ajay Thomas, Independent Arbitrator & Vice Chair, ICC India Arbitration Group	13:55 – 14:00	Opening Welcome by Chairman
9:15 – 9:40	Keynote Session – Issues Which Prey on the Minds of Arbitrators and Clients Alike. Plus An Update Richard Wilmot-Smith Q.C., 39 Essex St Chambers, London	14:00 – 14:30	Cartels – A Global Not Local Issue? Jessica Delbaum, Partner, Shearman & Sterling
9:40 – 10:05	A Guide for In-House Counsel to the Top 10 Tips for Managing Cross-Border Disputes Sapna Jhangiani, Partner, Clyde & Co	14:30 – 14:55	Merger Control – What to Watch Out for in 2019 Aditi Gopalakrishnan, Partner, AZB & Partners
10:05 – 10:30	Offshore Disputes – India Overview for 2019	14:55 – 15:20	Staying Compliant, Vertically: CCI's Approach to Exclusivity, Resale Price Maintenance, and Distribution Karan Singh Chandhiok, Partner, Chandhiok & Mahajan
10:30 – 10:50	Investor related Disputes	15:20 – 15:40	Short Break & Afternoon Refreshment
10:50 – 11:10	Networking & Morning Refreshment	15:40 – 16:00	Anti-Bribery and Corporate Fraud in 2019 – What is in Store for Companies in India
11:10 – 11:30	3rd Party Funding in Arbitration & Litigation – Outlook for 2019	16:00 – 16:40	2nd Grand Panel – Hipster Anti-Trust – How Will This Effect Competition Law in India & SE Asia Moderator • Dr. Derek Ritzmann. Expert, Economics Partners, Adjunct Associate Professor, Faculty of Law, University of Hong Kong Panellists: • Jessica Delbaum, Partner, Shearman & Sterling • Kalyani Singh, Partner, Chandhiok & Mahajan
11:30 – 11:55	Understanding the tools & structure of International Arbitration Ravi Shankar, Senior Partner, Law Senate		
11:55 – 12:40	1st Grand Panel – Arbitration Clauses – Best Remedies and Avoiding Pitfalls in Different Regions Moderator • Vivekananda N, Partner (Foreign Law), Allen & Gledhill LLP Panellists: • Julian Cohen, Barrister, Gilt Chambers • Moses W. Park, Barrister, Liberty Chambers • Sapna Jhangiani, Partner, Clyde & Co • Hiroo Advani, Senior Partner, Advani & Co.		

Ajay Thomas, Independent Arbitrator & Vice Chair, ICC India Arbitration Group

Ajay is an independent arbitrator based in New Delhi. He is on the panel of arbitrators of SCOPE, the apex body of Indian public sector enterprises, and also serves as the Vice Chairman of the ICC's India Arbitration Group. Ajay was a member of the expert committee constituted by the Law Commission of India to assist in the preparation of its 246th Report on 'Amendments to the Arbitration and Conciliation Act, 1996'. He has had the unique privilege of working with three of the world's leading arbitration institutions and has over 15 years of experience as arbitration administrator, arbitrator and advocate.

From 2009-2016, he was Director and Registrar with the Indian subsidiary of the London Court of International Arbitration (LCIA), and also a member of the LCIA India Board of Directors. Prior to joining the LCIA, Ajay was Counsel with the Singapore International Arbitration Centre (SIAC). He also served as Assistant Counsel with the Singapore Chamber of Maritime Arbitration (SCMA).

Ajay is on the International Editorial Board of the Brazilian Journal of Alternative Dispute Resolution (RBADR). He is also a guest faculty at the Indian Society of International Law (ISIL), New Delhi, where he teaches international commercial arbitration.

Richard Wilmot-Smith Q.C., 39 Essex St Chambers, London

Richard Wilmot-Smith Q.C. has been practicing as a barrister in the field of construction and engineering and arbitration for thirty four years and has been a QC for 25 years. He has acted as counsel in many domestic and international arbitrations both ad hoc and under rules. He has also served as joint arbitrator, sole arbitrator and chairman in international arbitrations under rules, particularly ICC, LCIA and DIAC. As arbitrator his arbitrations have involved involve food franchises, energy projects, telecommunications, intellectual property disputes, agency agreements, PFI projects and construction and engineering. He was author and now editor of the OUP publication Construction Contracts, Law and Practice; first edition 2006, third edition 2014. He was joint head and then head of 39 Essex Street Chambers 2003-2011.

Vivekananda N, Partner (Foreign Law), Allen & Gledhill LLP

Vivek's areas of practice include international arbitration and commercial litigation, with a focus on India. Prior to joining Allen & Gledhill in 2014, Vivek was Deputy Registrar and Head (South Asia) at the Singapore International Arbitration Centre (SIAC), where he was responsible for SIAC's case management team and also headed SIAC's India initiatives and its first overseas office in Mumbai. As part of SIAC's case management team, Vivek has administered and handled over 100 Singapore seated arbitrations including emergency arbitrations, appointments of arbitrators and India related arbitrations. Vivek was in private practice in India prior to joining SIAC. From 2006 to 2011, he worked with a senior counsel in the Supreme Court of India and thereafter, as a senior associate in the dispute resolution team of a top-tier Indian law firm in New Delhi.

Dr. Derek Ritzmann, Expert, Economics Partners, Adjunct Associate Professor, Faculty of Law, University of Hong Kong.

Dr. Derek Ritzmann is an Economic Expert at Economics Partners, working across the Asia-Pacific region based in Hong Kong. He is also an Adjunct Associate Professor at the University of Hong Kong, teaching competition law.

Dr. Ritzmann has been practicing as an economist for over 20 years, specializing in the economics of competition, regulation, and arbitration. He has served as expert on a wide range of matters, including many mergers, anti-competitive agreements, abuse of dominance, and economic regulation cases.

Dr. Ritzmann spent over a decade as a senior economist at competition and regulatory agencies and consequently has significant expertise in dealing with agencies on such matters. He was the first Chief Economist of the Hong Kong Competition Commission, served in the Chief Economist Team at the European Commission's Competition Directorate, and the Principal Economist (for both competition and telecommunications regulation) at the Australian Competition and Consumer Commission. Most recently, he headed the Asia-Pacific practice based in Hong Kong of a large economic consulting firm; previously, he worked in private practice as an economist at two leading consulting firms in Europe, and as a competition lawyer in Australia.

He is listed in the Who's Who Legal Directory as a Competition Economist and is a recent winner of a Concurrences Antitrust Writing Award.

He holds a Ph.D. in Economics from Oxford University, an M.Sc. in Economics from the London School of Economics, and is a qualified lawyer in the USA, the UK, and Australia.

Ravi Shankar, Senior Partner, Law Senate

S. Ravi Shankar is an International arbitration lawyer practising in the field of arbitration and corporate dispute resolution. He is a Senior partner in the New Delhi based Lawsenate law firm. He is a qualified Advocate on Record in the Supreme Court of India. He is also the president of "Arbitration Association of India" which is a national body of practitioners, arbitrators and users. He is holding a Post graduate degree in Business Administration and a degree in the field of law.

He is having about 20 years of experience in the field of dispute resolution and has travelled across the globe on various assignments. He has published various publications in the field of law particularly in the field of Arbitration. He also has addressed various international and domestic conferences in the field of Dispute resolution. He has handled various high value arbitrations and litigations in India and outside India. He is an active member of various international professional organisations including IBA, ICCA, IAA, IAI, AAI etc.

Jessica Delbaum, Partner, Shearman & Sterling

Jessica Delbaum is a partner in the Antitrust practice of Shearman & Sterling's New York office. Jessica focuses on defending multi-national companies' mergers and acquisitions before the Federal Trade Commission and the Department of Justice as well as coordinating the multi-jurisdictional antitrust defense of transactions. She also counsels clients on an extensive array of antitrust issues such as competitor collaborations, cartel leniency applications, and Hart-Scott-Rodino Act compliance, including integration planning. Jessica has also defended substantive merger investigations involving a wide variety of industries, including health care, agriculture, technology, chemicals and finance.

Prior to joining Shearman & Sterling, Jessica was an Attorney General's Honors Program Attorney in the Antitrust Division of the Department of Justice. While at the Division, she investigated possible violations of the antitrust laws involving mergers and acquisitions, the reporting and waiting requirements of the Hart-Scott-Rodino Act and civil price-fixing.

Aditi Gopalakrishnan, Partner, AZB & Partners

Aditi is a Partner in the competition team at AZB & Partners and is based in New Delhi. She has been involved in several investigations into cartels and abuse of dominance issues, as well as merger control proceedings before the CCI, COMPAT/NCLAT, the European Commission and the UK's (erstwhile) Office of Fair Trading.

Aditi routinely advises clients in the technology, pharmaceutical, e-commerce and airline sectors. Some of her key mandates include: (i) successfully defending Google at the CCI against a complaint on its advertising practices (and now representing Google on appeal in this case), (ii) successfully defending Indus Towers Limited (a leading telecom service provider) in an abuse of dominance complaint filed by the Indian state-owned telecom operator, BSNL; (iii) negotiating divestments and assisting in the divestment process for the ChinaChem/Syngenta merger; and (iv) securing a phase I clearance for AT&T/ Time Warner. In 2018, Aditi represented the CCI as a Non-Government Agency (NGA) in the International Competition Network (ICN) workshop on merger control held in Tokyo. Aditi has also been actively involved in the merger control working group of the Competition Law Review Committee including attending meetings of the working group and drafting and presenting proposed changes to the merger control provisions of the Competition Act. In addition to contributing regularly to newspapers and leading international publications on competition law issues, she has assisted the IBA, the Competition Law Bar Association and the Confederation of Indian Industry to make representations to the CCI on proposed amendments to the Competition Act and associated Regulations. Aditi has also prepared a module on competition law for mylaw.net and has been invited to give lectures on competition law including at Indian Institute of Corporate Affairs and Campus Law Centre (Delhi). She has been recognised as a ranked competition law practitioner in the 2019 edition of Expert Guides - Rising stars.

Aditi received her B.A. in Economics followed by LL.B. (Hons) from the University of Delhi in 2010 and her Masters in Law (LL.M.) in Trade Regulation with an antitrust specialization in 2011 from New York University (NYU). At NYU, Aditi was a research assistant to Professor Eleanor Fox, one of the leading global experts in antitrust law.

Kalyani Singh, Partner, Chandhiok & Mahajan

Kalyani is a Partner at Chandhiok & Mahajan. She has successfully represented companies in cartel investigations and allegations of abuse of dominance before the Competition Commission of India, the National Company Law Appellate Tribunal, and the Competition Appellate Tribunal. Her core focus is unilateral conduct and merger control. She advises and represents clients across various sectors including hi-tech, automobiles and financial institutions. She has extensive experience in advising on complex competition law specific issues in the, pharmaceutical, manufacturing, and e-commerce sectors.

Kalyani's merger control experience includes advising on Indian and multi-jurisdictional merger control filings. She advises clients on notification and approval process. She has represented clients across various sectors including chemicals, healthcare, payment, energy, private equity and strategic acquisitions.

Kalyani regularly contributes to various journals like the ABA, Concurrences, and Competition Policy International. She is also currently co-authoring a chapter for the ABA multijurisdictional handbook.

Kalyani completed her Masters in Law from Georgetown University, Washington D.C. in 2012. Between 2010 and 2011, she worked as a legislative assistant to a Member of the Parliament of India. She also holds a Bachelors of Arts degree in Economics and a Bachelors of Law degree, from University of Delhi. Between September 2014 and February 2015, she worked with Latham & Watkins, Brussels, where she gained experience in EU competition law.

Karan Singh Chandhiok, Partner, Chandhiok & Mahajan

Karan Singh Chandhiok heads the competition law practice group at Chandhiok & Mahajan. Ranked amongst the Top 100 lawyers in India by the Indian Business Law Journal, Karan is recognised as one of the leaders of the competition bar in India; and finds mention as leading lawyer by various international publications and directories such as Chambers & Partners, Global Competition Law Review, International Financial Law Review, Who's Who Legal and Asialaw Leading Lawyers. Chambers 2017 describes Karan as "[h]e thinks outside the box, is imaginative, and has an unbelievable ability to get things done." While Chambers 2016 recommended him as "a strategic thinker who comes out with creative solutions that are not always obvious to others." Who's Who Legal recommends him for his "outstanding work" and "ability to stay very focused on what matters to the client."

Karan's practice focuses on all aspects of antitrust law. He has extensive experience in advising and representing clients on mergers, commercial arrangements, strategic alliances, behavioural (cartel and dominance) cases before the CCI, the National Company Law Appellate Tribunal, the (former) Competition Appellate Tribunal, High Courts and the Supreme Court of India. He advises and represents clients in hi-tech and information technology, auto and auto components, aviation, cement, steel, pharmaceutical and medical devices, real estate, chemicals, media, telecom and retail industries. He has extensive experience in cartel investigations and has represented clients in India's first two leniency cases. Karan also counsels clients on commercial agreements especially on issues relating to rebates, discounts, licensing, distribution and regulatory compliance.

Karan is a non-governmental advisor to the International Competition Network (ICN). In 2011, as part of the Law Firm Working Group, Karan advised the CCI on the draft merger control regulations; and went on to take an active role in the Committee on the National Competition Law Policy.

Karan is the Co-Chair of the Assocham - National Council on Competition Law; Chair of the Indian National Bar Association's Young Lawyer Division; and Treasurer of the Competition Law Bar Association. Karan secured his bachelor in civil law (BCL) from the University of Oxford with a specialisation in competition law. He is dual-qualified in India and UK. Prior to moving to India, Karan worked at the London offices of Allen & Overy LLP.

Sapna Jhangiani, Partner, Clyde & Co

Sapna is a Partner at the Singapore office of Clyde & Co, specialising in international arbitration. She is recognised as a leader in her field, and was recently named as one of Singapore's Top 100 lawyers for 2018, in the A List (Asia's Top Lawyers) published by the Asia Business Law Journal. She was also included by Who's Who Legal in their list of leading arbitration partners under 45 in Asia-Pacific for 2018 & 2019.

Chambers and Partners Asia Pacific 2019 describe her as being a "good listener" with "great knowledge" who is able to "identify the core issues, potential options and best approach to reach a solution which is favourable to the client". Sapna is also recognised as "a top name for international arbitration in Singapore", and peers describe her as "a charming advocate, who is well respected within the arbitration fraternity". Proclaimed by various leading legal directories as being "tenacious in the pursuit of her clients' interests", "very easy to get on with and always open to new ideas", possessing "excellent advocacy skills" and "a leader in India", Sapna is a force to be reckoned with in the practice of international arbitration in Asia Pacific.

She has managed arbitrations spanning a wide range of industries, and governed by all the main institutional rules, including the SIAC, ICC, HKIAC, SCMA, LCIA, UNCITRAL and DIAC. She practised in London, New York and Dubai, before relocating to Singapore in 2011. She has substantial advocacy experience and has represented clients in trials and applications before arbitral tribunals, the UK Civil Courts (including the Supreme Court), and the Courts of the DIFC. In addition, Sapna has several appointments as an arbitrator.

She is a member of the SIAC Users' Council and the Vice Chair of the Chartered Institute of Arbitrators' Singapore branch. She holds an undergraduate degree from Oxford University and a diploma in international commercial arbitration from Queen Mary University, in which she graduated with distinction. Sapna was called to the Bar of England & Wales in 1999 and admitted as an Advocate and Solicitor in Singapore in 2019.

Julian Cohen, Barrister, Gilt Chambers

Julian has nearly 25 years of specialist experience of heavyweight international commercial arbitration in Asia Pacific, the Middle East and Europe. In addition to acting as counsel, he also acts sits regularly as an arbitrator. His areas of practice include a wide range of company and commercial disputes as well as construction and engineering arbitrations. He was called to the Bar in England in 1990, became a solicitor in 1993, and moved to Hong Kong in 1998. He was a Partner in the Construction and Engineering Disputes practice of Pinsent Masons before moving to the Hong Kong Bar in 2010. Julian has been recognised as one of the world's leading construction disputes lawyers (Expert Guides 2013 and 2015) and lectures and writes regularly on arbitration related topics.

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 successfully handled a broad spectrum of commercial work with an emphasis on civil fraud, asset-tracing/recovery, enforcement of foreign arbitral awards and judgments, securities and investment products as well as shareholder disputes. His clients have included international corporations and businesses as well as high and ultra-high net worth individuals.

Moses' work extends to regulatory fields (providing advice on matters governed by securities and competition legislation) often involving a mix of private and public law elements. He has recently contributed a chapter in Construction Contract Essentials in Hong Kong published by the University of Hong Kong Press. He is currently serving in the Committee of Arbitration and the Committee of International Law at the Hong Kong Bar.

Hiroo Advani, Senior Partner, Advani & Co.

Mr. Advani completed his schooling from Cathedral & John Connon High School, Bombay and graduated with a Gold Medal from Bombay University in 1970. He obtained his Masters Degree in Law from the University of Cambridge, UK.

Advani & Co. has also evolved as a leading name in arbitration law practice. Mr. Advani is a specialist both domestic and international arbitration. He has been a lead counsel in large number of international arbitrations under different arbitration rules such as the LCIA, Swedish Arbitration Association, the ICC, Singapore Association of Arbitration (SIAC) and Zurich Chamber of Commerce.

Advani & Co. under the aegis of Mr. Hiroo Advani has been recognized in the International Who's Who of Commercial Arbitration 2014. The firm was also awarded the "Best Dispute Resolution Firm" by Global Law Experts and by the India Business Law Journal. Advani & Co. has also been featured in the Chambers Global - Leaders in the Field of arbitration.

Mr. Advani is known as the arbitration guru and is placed in Band I - Dispute Resolution, India of the Chambers Directory 2013 which mentions "peers concur that Hiroo Advani of Advani & Co is a good opponent and among the best choices as arbitration counsel in India." Mr. Advani is also the first President of the newly formed Indian Arbitration Forum, an association of legal professionals aiming to streamline the process of arbitration in India.

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