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*CRAIG, PARK, & PAULSSON'S*

**Annotated Guide  
to the 1998 ICC  
Arbitration Rules  
WITH COMMENTARY**

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W. Laurence Craig  
William W. Park  
Jan Paulsson



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# Craig Park And Paulssons Annotated Guide To The 1998 Icc Arbitration Rules With Commentary

**Gary Born**



## **Craig Park And Paulssons Annotated Guide To The 1998 Icc Arbitration Rules With Commentary:**

*Craig, Park & Paulsson's Annotated Guide to the 1998 ICC Arbitration Rules* International Chamber of Commerce. International Court of Arbitration, William Laurence Craig, William W. Park, Jan Paulsson, 1998 This indispensable volume provides a complete and authoritative discussion of the ICC rules and their application Organized by arbitration rules it contains an article by article analysis of the rules including a comparison with the text of the relevant section of the 1975 rules along with comprehensive indexes for tracking the rules of the court and advice for arbitrators Each annotation contains an explanation of the rationale that drove the revision or incorporation as well as the expected effect on ICC arbitration practice Where the rules are influenced by other established arbitration rules appropriate cross references appear Contents summary BL Overview of the 1998 rules BL Annotated text with commentary BL Arbitral tribunal and proceedings BL Awards BL Costs BL Conversion tables BL Appendices to the 1998 rules BL Index **Comparative**

**International Commercial Arbitration** Julian D. M. Lew, Loukas A. Mistelis, Stefan Michael Kröll, Stefan Kröll, 2003-01-01 This treatise describes the practice of international commercial arbitration with reference to the major international treaties and instruments arbitration rules and national laws It provides an analysis of the interaction between party autonomy and arbitration practice *International Commercial Arbitration: Commentary and Materials* Gary Born, 2021-11-15

International Commercial Arbitration contains detailed commentary case analyses and practice pointers Full annotations and footnotes provide invaluable research assistance while clearly written analyses identify and discuss critical issues Representative international arbitral awards and national court decisions are excerpted and detailed reference is made to leading institutional rules Detailed appendices an easy to use Table of Contents and an extensive index to aid research and provide ready access to key materials Co publication with Kluwer Law International North American sales rights only Published under the Transnational Publishers imprint For class adoption a student edition is available for 85 00 978 1 5710 5175 2 Please contact the Brill sales department to arrange an order **The Chamber of Arbitration of Milan Rules: A**

**Commentary** Ugo Draetta, Riccardo Luzzatto, 2012-04-01 The Chamber of Arbitration of Milan Rules A Commentary is a Guide to the 2010 revision of the Arbitration Rules of the Arbitration Chamber of Milan CAM The Guide consists of article by article commentary on the Rules made by prominent scholars and arbitrators both Italians and non Italians CAM started its activities in the administration of domestic and international arbitrations more than 20 years ago It has a case load of about 150 new cases per year Additional information on CAM can be found on its website [www.camera.arbitrale.it](http://www.camera.arbitrale.it) Courts' Inquiry into Arbitral Jurisdiction at the Pre-Award Stage Sandra Synková, 2013-06-14 International arbitration has become the favored method of resolving disputes between business partners in almost every aspect of international trade commerce and investment The resolution of a dispute by means of international arbitration provides the parties with an opportunity to resolve their disputes in a private confidential cost and time efficient manner before a neutral tribunal of their choice

However challenges to arbitral jurisdiction have become a common practice in the field Resolution of such challenges may significantly delay the resolution of the parties primary substantive dispute increase overall dispute resolution costs and even whittle down the benefits of the parties bargain to arbitrate Accordingly adopting a proper approach to the resolution of such disputes becomes crucial to the efficacy of international arbitration as a system of dispute resolution The present book provides a comparative analysis of the practice of three carefully selected legal orders the English German and Swiss and outlines possible ways forward As the work strikes a balance between theory and practice it will appeal to practitioners researchers but also students looking to develop their understanding of the international arbitration field

International Commercial Arbitration Gary Born, 2009 International Commercial Arbitration Third Edition is an authoritative treatise providing the most complete available commentary and analysis on all aspects of the international commercial arbitration process This completely revised and expanded edition of Gary Born's authoritative work is divided into three main parts dealing with the International Arbitration Agreement International Arbitral Procedures and International Arbitral Awards The Third Edition provides a systematic framework for both current analysis and future developments as well as exhaustive citations from all leading legal systems

INTERNATIONAL ARBITRATION AGREEMENTS Legal Framework for International Arbitration Agreements International Arbitration Agreements and the Separability Presumption Choice of Law Governing International Arbitration Agreements Formation Validity and Legality of International Arbitration Agreements International Arbitration Agreements and Competence Competence Effects and Enforcement of International Arbitration Agreements Interpretation of International Arbitration Agreements

INTERNATIONAL ARBITRAL PROCEDURES AND PROCEEDINGS Legal Framework for International Arbitral Proceedings Selection Challenge and Replacement of Arbitrators in International Arbitration Rights and Duties of International Arbitrators Selection of Arbitral Seat in International Arbitration Procedures in International Arbitration Disclosure and Discovery in International Arbitration Provisional Measures in International Arbitration Consolidation Joinder and Intervention in International Arbitration Choice of Substantive Law in International Arbitration Confidentiality in International Arbitration Legal Representation and Professional Conduct in International Arbitration

INTERNATIONAL ARBITRAL AWARDS Legal Framework for International Arbitral Awards Form and Content of International Arbitral Awards Correction Interpretation and Supplementation of International Arbitral Awards Annulment of International Arbitral Awards Recognition and Enforcement of International Arbitral Awards Preclusion Lis Pendens and Stare Decisis in International Arbitral Awards

*Fouchard, Gaillard, Goldman on International Commercial Arbitration* Philippe Fouchard, Berthold Goldman, 1999-09-02 Based on and includes revisions to *Trait de l'arbitrage commercial international* Ph Fouchard E Gaillard B Goldman 1996 Cf foreword

International Commercial Arbitration in New York James H. Carter, John Fellas, 2013 International Commercial Arbitration in New York focuses on the distinctive aspects of international arbitration in New York Serving as an essential strategic guide this book allows practitioners to represent

clients more effectively in cases where New York is implicated as either the place of arbitration or evidence or assets are located in New York Each chapter elucidates a vital topic including the existing New York legal landscape drafting considerations for clauses designating New York as the place of arbitration and material and advice on selecting arbitrators The book also covers a series of topics at the intersection of arbitral process and the New York courts including jurisdiction enforcing arbitration agreements and obtaining preliminary relief and discovery Class action arbitration challenging and enforcing arbitral awards and biographical materials on New York based international arbitrators is also included making this a comprehensive valuable resource for practitioners

*International Commercial Arbitration and International Maritime Law from a German and Russian Perspective* Alexander Trunk, V. A. Musin, 2004 This book contains contributions to two joint seminars organized by the Universities of Kiel and St Petersburg Both international commercial arbitration and maritime law are characterized by a mixture of international and national sources The two subjects are brought together here in one volume as maritime disputes often go to arbitration and both areas show from a theoretical perspective a number of interesting parallels and differences Germany and Russia have ratified the major conventions in these fields but many issues are left to domestic law and deserve a comparative evaluation

**A Practical Guide to International Commercial Arbitration** Richard Garnett, 2000 This concise in depth guide explores the pros and cons of arbitration the role of national laws key elements of the arbitration agreement and includes a detailed analysis of arbitration procedures Standards of conduct of the arbitrator enforceability challenges modification of awards and awards and remedies are covered The Appendices include BL UNCITRAL Arbitration Rules BL Arbitration Rules of the International Chamber of Commerce BL The UNCITRAL Model Law on International Commercial Arbitration BL Texts of the New York and Panama Conventions BL Model UNCITRAL and ICC arbitration clauses BL Information about the major arbitral centers throughout the world

*Comparative Law of International Arbitration* Jean-François Poudret, Sébastien Besson, 2007 Guides practitioners through the international arbitration process from beginning to end This work covers each step of arbitral procedure from the conclusion of the arbitration agreement to the enforcement of the arbitral award from a comparative standpoint helping practitioners decide which jurisdiction's rules they wish to be bound by

*International Trade and Business Law Review* Gabriel Moens, 2013-03-04 The ITBLA is the official publication of the Australian Institute of Foreign and Comparative Law

**Rules of Evidence in International Arbitration** Nathan D. O'Malley, 2013-06-19 Rules of Evidence in International Arbitration An Annotated Guide is a valuable reference for practitioners arbitrators and in house counsel involved in cross border dispute resolution Filled with examples drawn from arbitration case precedent the book considers common issues and questions relating to evidentiary procedure Features Benefits Focuses on evidentiary procedure with extensive case based commentary and examples addressing common issues in international arbitration related to evidence Extensive annotations which allow the reader to locate key precedents for use in practice Practitioner focused meaning common misconceptions

and questions arising from the international arbitration procedure are addressed Organised in an easy to use style for quick reference This book will be an essential reference guide on evidence for practitioners of international arbitration Filled with examples drawn from arbitration case precedent the book considers common issues and questions relating to evidentiary procedure Arbitrators and counsel will gain from this publication a better view of the best practices accepted solutions to difficult procedural issues and fundamental due process considerations which arise in connection with the use of evidence in international arbitration

Arbitration of International Business Disputes William W. Park, 2012-09-20 Arbitration of International Business Disputes 2nd edition is a fully revised and updated anthology of essays by Rusty Park a leading scholar in international arbitration and a sought after arbitrator for both commercial and investment treaty cases This collection focuses on controversial questions in arbitration of trade financial and investment disputes The essays address some of the most interesting topics in cross border business dispute resolution many of which have endured over several decades and remain subject to radically different views Examples include the proper role of judicial review the allocation of jurisdictional tasks evolution of arbitration s statutory and treaty framework free trade and bilateral investment agreements and the balance between fixed rules and arbitral discretion The book is structured around three themes arbitration s legal framework the conduct of arbitral proceedings and a comparison of arbitration in specific fields such as finance intellectual property and taxation In each of these areas analysis includes the tensions between fairness and efficiency and the accurate application of substantive law as well as the implications of mandatory procedural norms Augmented by more than a dozen new contributions and a revised introduction this 2nd edition retains all of its earlier practical and scholarly relevance and includes a Foreword by V V Johnny Veeder QC

**EU and US Antitrust Arbitration** Gordon Blanke, Phillip Louis Landolt, 2011-01-01 EU and US Antitrust Arbitration is the first book that deals with how both of the world s leading antitrust systems US and EU law are treated in international arbitration In forty nine chapters written by renowned experts this book provides an in depth examination of all relevant topics from drafting arbitration clauses to arbitrability provisional measures the applicability of antitrust law in arbitrations dealing with economic evidence and experts in relation to antitrust law to relations with courts and regulators remedies and recognition and enforcement of arbitration awards dealing with antitrust issues Both antitrust and merger control are covered The perspectives of the arbitrator and the in house andquot userandquot of arbitration are included Two chapters outline and explain US antitrust law and EU antitrust law with special reference to matters particularly likely to arise in arbitration One chapter is devoted to ICC antitrust arbitrations and another to the emerging area of EU State aids in arbitration There are industry specific chapters such as on telecommunications and pharmaceuticals and much else In this substantial book practitioners will find helpful and easy to understand guidance to their questions on antitrust arbitrations

Procedure and Evidence in International Arbitration Jeffrey Waincymer, 2012-05-23 Central to the book s purpose is the procedural challenge facing arbitrators at each and every stage

of the arbitral process when fairness arguments conflict with efficiency concerns and trade offs must be determined Some key themes include how can a tribunal be fair and in particular be neutral if parties are so diverse How can arbitration be made efficient and cost effective without undue inroads into fairness and accuracy How does a tribunal do what is best if the parties are choosing a suboptimal process When can or must an arbitrator ignore procedural choices made by the parties The author thoroughly evaluates competing arguments and adds his own practical tips expertly synthesizing and engaging with the conference literature and differing authors views He identifies criteria that offer a harmonized approach to each stage of the arbitral process with particular attention to such aspects of international arbitration as appropriate trade offs between flexibility and certainty the rights duties and powers of arbitrators appointment and challenge of arbitrators responses to guerilla tactics drafting of arbitration agreements including specialty clauses drafting of required commencement notices and response documents set off fast track arbitration and other efficiency options strategic use of preliminary conferences and timetabling online arbitration multi party multi contract class arbitration amicus and third party funders pre arbitral referees and interim relief witness evidence both factual and expert documentary evidence production obligations and challenges to production identifying applicable law and remedies and costs

*Post-Hearing Issues In International Arbitration* Devin Bray, Heather L. Bray, 2013-10-01 *Post Hearing Issues in International Arbitration* includes articles that originally appeared in the Stockholm Arbitration Report SAR and the Stockholm International Arbitration Review SIAR All of the articles have been extensively revised and updated for this publication The authors and articles selected include a wide range of perspectives and include judges arbitrators seasoned practitioners and well respected scholars that can account for the first hand practice orientated developments of international arbitration The book is set out in three parts In Part I the authors discuss three significant issues related to the conclusion of an international arbitral award arbitrator deliberations punitive damages and post award interest Part II attempts to navigate the interesting and often daunting review processes of an international arbitration award Part III considers a blend of international arbitration recognition and enforcement issues including jurisdictional hurdles public policy concerns primary defences and the practical requirements of a successful claim Contributors Include Eunice Bai Jonas Benedictsson Gordon Blanke Thomas E Carbonneau Christopher R Drahozal Jessica Jia Fei Laurent Hirsch Vladimir Khvalei Peter Krikstr m Emma Lindsay Finn Madsen Damien McDonald Katarina Mild Charles Poncet Christopher Sepp l Robert H Smit Alexander Vesselinovitch Martin Wallin

**Goode and McKendrick on Commercial Law** Roy Goode, Ewan McKendrick, 2021-03-25 The sixth edition of the authoritative and acclaimed commercial law text A great book will be equally useful to legal practitioners students and business people Financial Times This sixth edition of Goode on Commercial Law now retitled Goode and McKendrick on Commercial Law remains the first port of call for the modern day practitioner with its theoretical and practical coverage of commercial law in both a national and an international context Now updated to cover the most recent legal and technical changes this highly acclaimed and

authoritative text which is regularly cited by all courts from the Supreme Court downwards combines a deep theoretical analysis of foundational principles with a practical approach in the context of typical commercial and financial transactions. It is also replete with diagrams and specimen forms covering a wide range of transactions. Searching analysis and meticulous exposition coupled with a lucid clarity of style and a relaxed lightness of touch combine to make the book not only compulsory but compulsive reading for anyone interested in its field. *Law Quarterly Review*. A work of immense scholarship. Professor Goode's work must be as nearly exhaustive as can be possible and as produced by Penguin is a triumph of paperback publishing. *Solicitor's Journal*. Clear and comprehensive. The student and practitioner will find it indispensable; the interested layperson too will benefit from it as a work of reference. *British Business*. A veritable tour de force. *Business Law Review*.

**L'arbitrato nel commercio e negli investimenti internazionali** Piero Bernardini, 2008

**International Commercial Arbitration** Gary B. Born, 2014-10-01. The second edition of Gary Born's *International Commercial Arbitration* is an authoritative 4,408 page treatise in three volumes providing the most comprehensive commentary and analysis on all aspects of the international commercial arbitration process that is available. The first edition of *International Commercial Arbitration* is widely acknowledged as the preeminent commentary in the field. It was awarded the 2011 Certificate of Merit by the American Society of International Law and was voted the International Dispute Resolution Book of the Year by the Oil Gas Mining and Infrastructure Dispute Management list serve in 2010. The first edition has been extensively cited in national court decisions and arbitral awards around the world. The treatise comprehensively examines the law and practice of contemporary international commercial arbitration thoroughly explicating all relevant international conventions, national arbitration statutes and institutional arbitration rules. It focuses on both international instruments, particularly the New York Convention and national law provisions in all leading jurisdictions including the UNCITRAL Model Law on International Commercial Arbitration. Practitioners, academics, clients, institutions and other users of international commercial arbitration will find clear and authoritative guidance in this work. The second edition of *International Commercial Arbitration* has been extensively revised, expanded and updated to include all material legislative, judicial and arbitral authorities in the field of international arbitration prior to January 2014. It also includes expanded treatment of annulment, recognition of awards, counsel ethics, arbitrator independence and impartiality and applicable law. Overview of volumes. Volume I covering *International Arbitration Agreements* provides a comprehensive discussion of international commercial arbitration agreements. It includes chapters dealing with the legal framework for enforcing international arbitration agreements, the separability presumption, choice of law, formation and validity, nonarbitrability, competence-competence and the allocation of jurisdictional competence, the effects of arbitration agreements, interpretation and non-signatory issues. Volume II covering *International Arbitration Procedures* provides a detailed discussion of international arbitral procedures. It includes chapters dealing with the legal framework for international arbitral proceedings, the selection, challenge and replacement of



arbitrators the rights and duties of international arbitrators selection of the arbitral seat arbitration procedures disclosure and discovery provisional measures consolidation joinder and intervention choice of substantive law confidentiality and legal representation and standards of professional conduct Volume III dealing with International Arbitral Awards provides a detailed discussion of the issues arising from international arbitration awards It includes chapters covering the form and contents of awards the correction interpretation and supplementation of awards the annulment and confirmation of awards the recognition and enforcement of arbitral awards and issues of preclusion lis pendens and stare decisis

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