

ICC Institute Conference: Jurisdictional Choices in Times of Trouble

MAY 23, 2014

The choice of jurisdiction is undoubtedly one of the most important provisions of a contract. Indeed this clause determines the judicial court, and its rules of conflict, or the arbitral tribunal, whose role will be to give effect to the parties' agreement on the substance and on the applicable law. Yet, the jurisdiction clause is currently in a state of flux. Suffice that it be written in asymmetrical terms or perceived as such by the parties for some courts to declare it unenforceable or annul it outright, contrary to the principle of equal treatment of the parties or to the European law on jurisdiction. Ruling in identical circumstances, other courts have validated it without restriction.

To examine international contracts, corporate counsel, academics, lawyers and arbitrators from both sides of the Atlantic will take part in an unprecedented gathering to address the challenges facing the jurisdiction clause, while comparing syndromes and proposed solutions in both arbitration and court proceedings.

WilmerHale Special Counsel Dr. Maxi Scherer will be a featured speaker on the panel entitled, "The Validity of Unilateral Optional Clauses."

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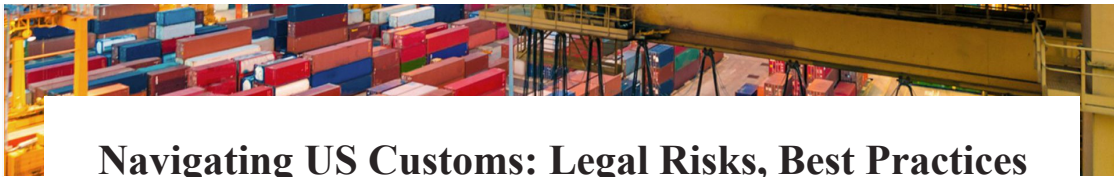


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