

1. Record Nr.	UNINA9910494723303321
Titolo	Contemporary issues in international arbitration and mediation : the Fordham papers (2013) / / [edited by Arthur W. Rovine]
Pubbl/distr/stampa	Leiden : , : Brill, , 2014 c2015
ISBN	90-04-27494-4
Descrizione fisica	1 online resource (579 p.)
Collana	Contemporary issues in international arbitration and mediation : the Fordham papers ; ; 7
Altri autori (Persone)	RovineArthur W
Disciplina	347.09
Soggetti	International commercial arbitration Arbitration (International law) Mediation, International Electronic books.
Lingua di pubblicazione	Inglese
Formato	Materiale a stampa
Livello bibliografico	Monografia
Note generali	Description based upon print version of record. Includes index.
Nota di contenuto	Preliminary Material -- Multiple Proceedings—New Challenges for the Settlement of Investment Disputes / Gabrielle Kaufmann-Kohler -- 1 Constraints on Power and Authority in International Investment Arbitration / Andrea K. Bjorklund -- 2 Domestic Conformity Clauses in Investment Agreements: Their Role and Their Limits / Rudolf Dolzer -- 3 Investment Treaty Protections, Political Risk, and Tribunal Decision-Making / Abby Cohen Smutny -- 4 When the BIT Hits the FAA: U.S. Courts Confront Conditions Precedent in Bilateral Investment Treaties / John M. Townsend -- 5 FRAND Royalty Disputes: A New Challenge for International Arbitration? / James H. Carter -- 6 Mass Claims in Practice—The Eritrea-Ethiopia Claims Commission / John R. Crook -- 7 The Supreme Court and Class Arbitration: There and Back Again / Christopher R. Drahozal -- 8 Aristotle's Statistics: Consistency and Accuracy in International Mass Claims / Veijo Heiskanen and Sandrine Giroud -- 9 Why is Class Arbitration Unpopular across the Pond? / Roman Khodykin -- 10 Limits of Autonomy in International Investment Arbitration: Are Contractual Waivers of Mass Procedures Enforceable? /

Place of publication not identified Strong -- 11 Gas Pricing Disputes: Final and Binding Uncertainty / Arif Hyder Ali -- 12 Energy Investment Disputes in Latin America: A Historical Perspective / Nigel Blackaby -- 13 Energy Disputes in Times of Civil Unrest: Transitional Governments and Foreign Investment Protections / Caline Mouawad and Sarah Vasani -- 14 The Objections of Developed and Developing States to Investor-State Dispute Settlement, and What They Are Doing about Them / O. Thomas Johnson and Catherine H. Gibson -- 15 Investor-State Arbitration: Striking a Balance Between Investor Protections and States' Regulatory Imperatives / Mark S. McNeill -- 16 For Better or Worse, Is There a Common Law of Investment Arbitration? / Laurence Shore and Robert Rothkopf -- 17 Who, Then, Shall Judge? The Interpretation of International Investment Agreements and the Rule of International Law / Todd Weiler -- 18 The Android Wars: International Technology Arbitration in an Alternate Universe A Case Study of Apple volume Samsung / Gary L. Benton and Rachel Koch -- 19 Arbitration, Antitrust and Intellectual Property: A Perfect Storm? / Thomas D. Halket -- 20 The Impact of Technology on International Arbitration and the Nature of Substantive Claims Asserted in International Arbitration / John A.M. Judge -- 21 Technical Expertise of Advocates and Arbitrators in International Technology Arbitrations: Benefit or Burden? / Paul B. Klaas -- 22 The Arbitrability of Patent Infringement Disputes / Steven H. Reisberg -- 23 Practical and Cultural Aspects of International Mediation / Elizabeth Birch -- 24 Preparing for Mediation in a Multiparty Construction Dispute / David I. Bristow -- 25 Conciliation at the Administrative Tribunal of Québec / Hélène de Kovachich -- Index.

---

#### Sommario/riassunto

The 2013 volume of Contemporary Issues in International Arbitration and Mediation: The Fordham Papers is a collection of important works in the field written by the speakers at the 2013 Fordham Law School Conference on International Arbitration and Mediation. The 25 papers are organized into the following six parts: Keynote Presentation by Gabrielle Kaufmann-Kohler Part 1: Investor-State Arbitration by Andrea K. Bjorklund, Rudolf Dolzer, Abby Cohen Smutny, John Townsend Part 2: Class Actions and Mass Claims by James Carter, John Crook, Christopher Drahozal, Veijo Heiskanen, Sandrine Giroud, Roman Khodykin, Place of publication not identified Strong Part 3: Arbitration of International Disputes on Energy Issues by Arif Ali, Nigel Blackaby, Caline Mouawad, Sarah Vasani Part 4: Investor-State Arbitration (2) by O. Thomas Johnson, Catherine H. Gibson, Mark McNeill, Laurence Shore, Robert Rothkopf, Todd Weiler Part 5: The Arbitration of International Technology Disputes by Gary L. Benton, Rachel Koch, Thomas Halket, John Judge, Paul Klaas, Steven Reisberg Part 6: Mediation by Elizabeth Birch, David Bristow, Hélène de Kovachich

---