

VIAC – Questionnaire for Arbitrators

1. Name: Dr. Zdeněk Nový Ph.D. LL.M. (E.U.I.)

2. Citizenship: Czech

3. Contact information:

Address: Arménská 508/15, 625 00 Brno, The Czech Republic

Telephone: +420731617841

Fax: -

E-Mail: info@novylegal.com

Website: <https://www.novylegal.com/>

LinkedIn: [linkedin.com/in/zdeněk-nový-3a300630](https://www.linkedin.com/in/zdeněk-nový-3a300630)

4. Current position:

Academic; attorney-at-law; arbitrator.

5. Education:

- Master in Law and Legal Science (Masaryk University 2006);
- Ph.D. in Private International Law (Masaryk University 2012);
- LL.M. in International, European and Comparative Laws (Florence, Italy 2013);
- *Juris Doctor* in Public International Law (Masaryk University 2020);
- Certificate in International Commercial and Investment Arbitration (Roma Tre, Italy 2018)
- Summer Course of the Hague Academy of International Law (2008 and 2021).

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?

24

Arbitration Court attached to the Economic Chamber of the CR and Agricultural Chamber of the CR (11); ICC (3); ICSID (1); LCIA (1); PCA (1); SCC (2); UNCITRAL Arbitration Rules (3); other rules (2).

- How often have you acted as Chairman?

-

- How often have you acted as Sole Arbitrator?

-

- How often have you acted as Co-Arbitrator?

13

- How often have you acted as Counsel?

11

- How often have you acted in a different function (e.g. Administrative Secretary)?

Of counsel (5); legal expert nominated by a party (1).

7. Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):

Publications

- 40 publications concerning international arbitration, private international law, public international law, and EU law (including Hart, Intersentia, and C. H. BECK).
- 64 citations (according to Google Scholar).

The relevant legal practice

- EU law, including competition law; consumer law; international insolvency under the “old” and “new” Insolvency Regulation; the MIFID II; private international law, and the state responsibility for non-implementation of EU law; international sales under the CISG; international law of transport; international art law; legal aspect of public auctions; trade with energy; auditing and tax law; legal aspects of cryptocurrencies; international sanctions by the EU against the Russian Federation.
- *International investment arbitration* - counsel and of counsel dealing with jurisdictional and substantive issues of all kinds in 4 investment cases, including:
- Applicability of a most-favoured-nation clause to a dispute resolution provision in another investment treaty; the Achmea objection; *lis pendens* between investment arbitration and national courts; creeping and ‘judicial’ expropriation; abuse of process; quantum of damages; attribution of an act of bankruptcy trustee to a state; a denial of justice claim; police powers doctrine; shareholder claims; investor’s legitimate expectations in case of changes in the zone planning by a municipality; the legal effects of umbrella clauses;
- *International commercial arbitration – as a legal counsel, of counsel, or arbitrator:*
- Antitrust; Assignment of claims; CISG; disputes concerning financial instruments; distribution contracts; FIDIC; INCOTERMS; recognition and enforcement of arbitral awards under the New York Convention.
- *An experience with the following legal systems:*
- Austria; Canada; Cyprus; Czechia (home jurisdiction); France; Germany; Israel; Italy; Luxembourg; Netherlands; Slovakia; United Kingdom; United States.
- *Expert opinion writing in hard and high-profile cases (2014-),* including an expert report before Canadian courts and in an ICC arbitration, and co-authoring of a “rejoinder” in a preliminary ruling

procedure before the Court of Justice of the European Union concerning a definition of “consumer” in cross-border investing into financial instruments.

- An entitlement to provide observations on the cases of the Grand Chamber of the Supreme Administrative Court of the Czech Republic, which are to be published in its collection of the cases

Academic activities

- University teaching:

international commercial arbitration, international investment arbitration and public international law at Masaryk University (2009-)

- *Coach/judge/arbitrator in moot court competitions:*

The Foreign Direct Investment Moot; The Willem C. Vis Moot; The WTO Law Moot; The Phillip Jessup Moot Court (2010-).

- Active participation in more than 50 conferences, including:
- Foreign Arbitral Awards Conference, 60 Years of the New York Convention; the 10 anniversary conference of the Journal of Private International Law at the University of Cambridge (2015); and the Biennial Conference of the British branch of the International Law Association (2015).

Research visits abroad

- UNIDROIT (Independent researcher 2009);
- European University Institute (LLM 2013; Visiting Fellow 2020);
- The Hague Academy of International Law (2008 and 2021).

8. Membership in arbitral institutions / functions in arbitral institutions/organizations:

Arbitration Court attached to the Economic Chamber of the Czech Republic and Agricultural Chamber of the Czech Republic (Arbitrator);

Association Suisse d'Arbitrage (Member below 40);

Associazione Italiana per l'Arbitrato 1958 (sezione danubiana) (Member).

Court of Arbitration for Art (Arbitrator);

Czech Bar Association (Attorney-at-law);

Czech Society for European and Comparative Law (Member);

Czech Society for International Law (Member);

Deutsche Institution für Schiedsgerichtsbarkeit (Member below 40);

European Commission (Arbitrator for trade disputes);

European University Institute (Alumnus);

Transnational Institute of Arbitration (Member below 40).

9. Languages

Mother tongue: Czech

Working languages (i.e. languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language):

Czech

English

Italian

Other languages: French; German; Latin; Polish; Slovak.

In which legal systems have you trained?

- | | | |
|---|---|--|
| <input checked="" type="checkbox"/> Civil Law | <input type="checkbox"/> Common Law | |
| <input type="checkbox"/> Austrian Law | <input type="checkbox"/> Hungarian Law | <input type="checkbox"/> Swiss Law |
| <input checked="" type="checkbox"/> Czech Law | <input type="checkbox"/> Polish Law | <input type="checkbox"/> Ukrainian Law |
| <input type="checkbox"/> German Law | <input type="checkbox"/> Slovakian Law <input type="checkbox"/> | <input checked="" type="checkbox"/> European Law |

Other _____

10. What is your main jurisdiction of practice?

The Czech Republic

11. In which jurisdictions are you admitted to the bar?

The Czech Republic (2013-)

12. Special expertise or specializations (please list a maximum of five):

- | | | | |
|--|--|--|--|
| <input checked="" type="checkbox"/> Antitrust/Unfair competition | <input type="checkbox"/> Damages | <input type="checkbox"/> Insolvency | <input type="checkbox"/> Natural resources |
| <input type="checkbox"/> Aviation | <input type="checkbox"/> Distribution | <input type="checkbox"/> Insurance | <input type="checkbox"/> Power plants |
| <input type="checkbox"/> Banking & Finance | <input type="checkbox"/> Domain name disputes | <input type="checkbox"/> Intellect. property (IP) | <input type="checkbox"/> Private Intern. Law |
| <input type="checkbox"/> Capital markets | <input type="checkbox"/> Employment | <input checked="" type="checkbox"/> Investment arbitration | <input checked="" type="checkbox"/> Public Intern. Law |
| <input checked="" type="checkbox"/> CISG | <input type="checkbox"/> Energy | <input checked="" type="checkbox"/> ISDS/Foreign inves. | <input type="checkbox"/> Real estate |
| <input type="checkbox"/> Civil fraud disputes | <input type="checkbox"/> Engineering | <input type="checkbox"/> Joint ventures | <input type="checkbox"/> Shipping |
| <input type="checkbox"/> Commercial disp. / transactions | <input type="checkbox"/> Entertainment | <input type="checkbox"/> Licensing | <input type="checkbox"/> Sports |
| <input type="checkbox"/> Commodity market | <input type="checkbox"/> Healthcare & Pharmac. | <input type="checkbox"/> Life sciences | <input type="checkbox"/> State/Public contracts |

- | | | | |
|--|--|---|--|
| <input type="checkbox"/> Company/Corporate/M&A | <input type="checkbox"/> Hotel/Gastro./Tour. | <input type="checkbox"/> Maritime arbitration | <input type="checkbox"/> Technology |
| <input type="checkbox"/> Construction | <input type="checkbox"/> Inform. technology (IT) | <input type="checkbox"/> Media | <input type="checkbox"/> Telecommunication |
| <input type="checkbox"/> Contract law | <input type="checkbox"/> Infrastructure | <input type="checkbox"/> Mining | <input type="checkbox"/> Transport |
| <input type="checkbox"/> Other _____ | | | |

13. Date of birth: 29. 09. 1982

VIAC offers arbitration practitioners the possibility to present themselves on its website. VIAC reserves the right to publish any presentations submitted and to remove it as the case may be. Parties are free to nominate an arbitrator of their choice and so is the VIAC Board when appointing an arbitrator. These presentations do not constitute recommendations but may assist the parties in choosing an arbitrator willing to conduct proceedings according to the Vienna Rules. The fact that an arbitration practitioner appears on this list, does not authorize this person to use the title "VIAC-arbitrator".

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate.

I hereby consent that the data provided in this questionnaire may be processed for the appointment of arbitrators and published by VIAC. This includes in particular publication on the website of VIAC as well as use in any presentations, etc. This consent may be withdrawn at any time by contacting VIAC at our general contacts, in particular by email addressed to office@viac.eu. The consequence of any such withdrawal will be that my data will no longer be processed by VIAC. For further information, see our privacy statement at <http://www.viac.eu>.

_____ 2.9.2022 _____
Date