

# VIAC – Questionnaire for Arbitrators

**1. Name:** Erik Schäfer

**2. Citizenship:** German

**3. Contact information:**

Address:

COHAUSZ & FLORACK  
Patent- und Rechtsanwälte  
Bleichstrasse 14  
D-40211 Düsseldorf  
Germany

Telephone: +49 (0) 211-90 490-0

Fax: +49 (0) 211-90 490-49

E-Mail: [eschaefer@cohausz-florack.de](mailto:eschaefer@cohausz-florack.de)

Website: [www.cohausz-florack.de](http://www.cohausz-florack.de)

LinkedIn: <https://www.linkedin.com/in/erik-sch%C3%A4fer-1456322/>

**4. Current position:**

Attorney-at-Law, Partner, COHAUSZ & FLORACK Patent- und Rechtsanwälte

**5. Education:**

Referendarexamen, Universität Freiburg - 1983;

Assessorexamen (bar), Justizprüfungsamt Hessen – 1987.

**6. Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?
- How often have you acted as Chairman? 9
- How often have you acted as Sole Arbitrator? 12
- How often have you acted as Co-Arbitrator? 23
- How often have you acted as Counsel? 4
- How often have you acted in a different function (e.g. Administrative Secretary)?

More than 160 as Counsel at the ICC International Court of Arbitration 1988 - 1992

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

Schäfer/Arnaldez "Le règlement de Référé pré-arbitral de la CCI" Rev.d.l'Arbitrage 1990, 835 ;

Schäfer "Terms of Reference in the past and at present" ICC Arb. Bull. 1992, 8;  
 Schäfer "Überlegungen zu vier Aspekten der SchO der ICC", ZVerglRWiss. 1992, 11;  
 Schäfer "Die Schlichtungs- und Schiedsgerichtsordnungen der WIPO, BB/RPS 1996, 10;  
 Schäfer "Der Entwurf der WIPO Emergency Relief Rules" BB/RPS 1997;  
 Franzen/Schäfer "Technologietransfer", Handbuch der europäischen Rechts- und Wirtschaftspraxis, Hrsg. Salger, Herne/Berlin 1996);  
 Koch/Schäfer „Can it be sinful for an arbitrator actively to promote settlement?“ ADRLJ 09/ 1999;  
 Lazareff/Schäfer "The 1992 Practical Guide on Terms of Reference Revisited", ICC International Court of Arbitration Bulletin, Vol. 10/No 2 - Fall 1999;  
 Schäfer „ADR – Schiedsgerichtsbarkeit und Mediation im gewerblichen Rechtsschutz“ Mitteilungen der deutschen Patentanwälte, 2001/3 p. 109s;  
 Schäfer/Verbist/Imhoos „Die ICC Schiedsgerichtsordnung in der Praxis“, Economica Verlag, 2000;  
 Schäfer/Verbist/Imhoos „L’arbitrage CCI en pratique“, Stämpfli Verlag, 2002;  
 Schäfer „Die ICC ADR Rules“, Zeitschrift für Konfliktmanagement, 10/2002, p. 188-194;  
 Schäfer „Videoconferencing in Arbitration“ ICC International Court of Arbitration Bulletin, Vol. 14/No. 1 – Spring 2003, p. 35-45;  
 Schäfer "The Use of Arbitration and Mediation for protecting Intellectual Property Rights: A German Perspective", TMR Vol. 94 May-June 2004 N° 3, p. 695-723;  
 Schäfer "Inhaber- und Verwertungsrechte an den Ergebnissen von Entwicklungs- /Forschungskooperationen und Aufträgen" in "Forschungs- und Entwicklungsverträge in Wissenschaft und Technik, Hrsg. Fritz Nicklisch, München 2004, p. 59-67;  
 Schäfer "IT in Arbitration: The work of the ICC Task Force", Special Supplement - ICC International Court of Arbitration Bulletin ICC Pub. No. 667), 2004), Paris 2004;  
 Schäfer/Verbist/Imhoos „ICC Arbitration in Practice", Kluwer Law International, 2004, 2nd Ed. 2015;  
 Schäfer "Zusammenarbeit zwischen Experten und Juristen bei unterschiedlichen Fach- und Denkstrukturen II" in "Der Experte im Verfahren – Erkenntnisse aus nationalen und internationalen Verfahren vor Schiedsgerichten und staatlichen Gerichten“, Hrsg. Fritz Nicklisch, München 2006;  
 Schäfer "Die Behandlung von Streitigkeiten über gewerbliche Schutzrechte in internationalen Schiedsverfahren vor dem Hintergrund divergierender Rechtsordnungen", DIS-Materials XII (2006), p. 85-103;  
 Schäfer „Schiedsgerichtsbarkeit und Mediation“ in Torggler (Ed.) „Praxishandbuch Schiedsgerichtsbarkeit“, Wien 2007, 9-36;  
 Schäfer „Arbitration of Intellectual Property Law Disputes in Germany“ in Prof. Dr. Karl Heinz Böckstiegel, Dr. Stefan Kröll, Dr. Patricia Nacimiento (Editors)„Arbitration in Germany“ 2007 [2nd ed 2014];  
 Schäfer „Elección y nombramiento de los árbitros. Desde el punto de vista de las partes“ Revista Peruana de Arbitraje 6/2008, p. 89-99;  
 Schäfer "Using Information Technology Efficiently in International Arbitration" in A. W. Rovine (Ed.) "The Fordham Papers 2008", Leiden 2009;  
 Nacimiento/Schäfer "Institutionelle Schiedsgerichtsbarkeit in Lateinamerika", in Paschke et al. (Hrsg.) „Hamburger Handbuch des Exportrechts“ 2009;  
 Schäfer "Schiedsgerichtsbarkeit in IT/IP-Prozessen" in Kilian/Heussen (Ed.) "Computerrechtshandbuch", Loosleaf N°28/2010,  
 Schäfer „Quick and ‘Dirty’ Alternatives to Mediation“ in p. 31-36 IBA e-Book Mediation Techniques (Ed. Patricia Barkley) 2010.  
 Schäfer Chapter "Institutional View" in Piers/Aschauer (ed.) "Arbitration in the Digital Age The Brave New World of Arbitration", Cambridge 2018.  
 Schäfer " Inforamtionstechnologie in Schiedsverfahren", SchiedsVZ Juli/August 2019, p. 195-216

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

ASA - Swiss Arbitration Association ;  
 DIS - German Arbitration Association ;

Club Español de Arbitraje (past chair German & Austrian Regional Chapter);  
 CEPANI – Belgian Arbitration Association ;  
 ICC Commission on International Arbitration (past Chairman Task Force ‘IT & Arbitration’, past Co-Chair Task Force “Expertise Proceedings”, past Member Task Force eDisclosure);  
 List of Arbitrators of the International Arbitral Center of the Austrian Federal Economic Chamber;  
 List of Arbitrators of the Düsseldorf Chamber of Commerce and Industry;  
 List of Arbitrators Camara Argentina de Comercio;  
 List of Arbitrators KLRCA;  
 List of Arbitrators in IP matters SIAC;  
 List of Arbitrators in IP matters HKIAC.

## 9. Languages

Mother tongue: German

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):

English, Spanish, French

## 10. 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 type="checkbox"/> Czech Law             | <input type="checkbox"/> Polish Law                             | <input type="checkbox"/> Ukrainian Law           |
| <input checked="" type="checkbox"/> German Law | <input type="checkbox"/> Slovakian Law <input type="checkbox"/> | <input checked="" type="checkbox"/> European Law |

Other: Comparative Law

## 11. What is your main jurisdiction of practice?

Germany

## 12. In which jurisdictions are you admitted to the bar?

## 13. 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"/> Power plants           |
| <input type="checkbox"/> Aviation                                | <input checked="" type="checkbox"/> Distribution | <input type="checkbox"/> Insurance                           | <input type="checkbox"/> Private Intern. Law    |
| <input type="checkbox"/> Banking & Finance                       | <input type="checkbox"/> Domain name disputes    | <input checked="" type="checkbox"/> Intellect. property (IP) | <input type="checkbox"/> Public Intern. Law     |
| <input type="checkbox"/> Capital markets                         | <input type="checkbox"/> Employment              | <input type="checkbox"/> ISDS/ Foreign invest.               | <input type="checkbox"/> Real estate            |
| <input type="checkbox"/> CISG                                    | <input type="checkbox"/> Energy                  | <input type="checkbox"/> Joint ventures                      | <input type="checkbox"/> Shipping               |
| <input type="checkbox"/> Civil fraud disputes                    | <input type="checkbox"/> Engineering             | <input checked="" type="checkbox"/> Licensing                | <input type="checkbox"/> Sports                 |
| <input type="checkbox"/> Commercial disp. / transactions         | <input type="checkbox"/> Entertainment           | <input type="checkbox"/> Life sciences                       | <input type="checkbox"/> State/Public contracts |
| <input type="checkbox"/> Commodity market                        | <input type="checkbox"/> Healthcare & Pharmac.   | <input type="checkbox"/> Maritime arbitration                | <input checked="" type="checkbox"/> Technology  |
| <input type="checkbox"/> Company/Corporate/M&A                   | <input type="checkbox"/> Hotel/Gastro./Tour.     | <input type="checkbox"/> Media                               | <input type="checkbox"/> Telecommunication      |
| <input type="checkbox"/> Construction                            | <input type="checkbox"/> Inform. technology (IT) | <input type="checkbox"/> Mining                              | <input type="checkbox"/> Transport              |
| <input type="checkbox"/> Contract law                            | <input type="checkbox"/> Infrastructure          | <input type="checkbox"/> Natural resources                   |   |

Other \_\_\_\_\_ Please note that the above include contract law, media and IT law, engineering, R&D projects (technology) as may be seen from our website.

**14. Date of birth: 12.07.1957**

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".

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

x 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](mailto: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>.

Düsseldorf, 30.09.2020

\_\_\_\_\_ and \_\_\_\_\_

Date

and

Signature