

VIAC – Questionnaire for Arbitrators

1. **Name:** Tobias Zuberbühler

2. **Citizenship:** Swiss

3. **Contact information:**

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4. **Current position:**

Owner, Zuberbühler Arbitration

5. **Education:**

- 1999: Zurich Bar, admitted to all Swiss courts
- 1996: LL.M. International Legal Studies, Golden Gate University, San Francisco
- 1994: lic. iur., University of Zurich

6. **Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?
84 (Swiss Rules, ICC, DIS, VIAC, CEPANI, HKIAC, UNCITRAL)
- How often have you acted as Chairman?
13
- How often have you acted as Sole Arbitrator?
14
- How often have you acted as Co-Arbitrator?
12
- How often have you acted as Counsel?
35
- How often have you acted in a different function (e.g. Administrative Secretary)?
10

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

Publications:

- Zuberbühler/Müller/Habegger (eds.), Swiss Rules of International Arbitration, Commentary, 3rd ed, Zurich 2023
- Zuberbühler/Hofmann/Oetiker/Rohner, IBA Rules of Evidence, 2nd ed, Zurich 2022
- Commentary on Art. 38-41 and Appendix B Swiss Rules, in: Manuel Arroyo (ed.), Arbitration in Switzerland – The Practitioner's Guide, 2nd ed., Kluwer 2018, p. 808-841
- Zuberbühler/Schreggenberger, Corruption in Arbitration - The Arbitrator's Duty to Investigate, in: New Developments in International Commercial Arbitration 2016 (eds. Christoph Müller/Sébastien Besson/Antonio Rigozzi), Schulthess 2016, p. 1-38
- World Intellectual Property Organisation (WIPO), in: Gola/Götz Staehelin/Graf (eds.), Institutional Arbitration, Tasks and Powers of Different Arbitration Institutions, Zurich/Basel/Geneva 2009, 293-310

- Signatory or Not? Groups, Affiliates and MBOs, Case Note on Swiss Supreme Court Decision of 22 January 2008, 4A_244/2007, ASA Bulletin 3/2008, 559-564
- Non-Signatories and the Consensus to Arbitrate, ASA Bulletin 1/2008, 18-34
- Zuberbühler/Oetiker (eds.), Practical Aspects of Arbitrating EC Competition Law, Zurich 2007

Recent Presentations:

- Swiss Innovation Conference: "Arbitration 3.0 – Dispute Resolution in the Metaverse" (Co-Chair, Zurich, 2 February 2023)
- "The IBA Rules on the Taking of Evidence – Best Practice Tools revised" (ASA below 40, Bern, 16 September 2022)
- "Batman vs Superman: Experts and the battles they fight. Supporting role: the judge/arbitrator" (AIJA Construction disputes, Vienna, 15 October 2021)
- "Virtuelle und hybride Hearings: War Stories aus der Praxis" (ASA Local Group Basel, 22 June 2021)
- The art of persuasion: how to present, persuade and prevail" (ASA below 40, Special Guest, Zurich, 2 October 2020)
- "IBA Rules on the Taking of Evidence" (EIZ – 4. Tagung zur Schiedsgerichtsbarkeit: Hot Topics, Panellist, Zurich, 29 August 2019)
- "International Arbitration and Insolvency Proceedings" (DRI – Hot Topics in International Dispute Resolution, Panellist, London, 15 June 2018)
- "Arbitrating Future Damage - New ideas on how to best avoid costly expert battles?" (SCIA Innovation Conference – Arbitrating the Future, Panel Moderator, Zurich, 1 February 2018)

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

- Zurich and Swiss Bar Associations (ZBA/SBA)
- Swiss Arbitration Centre – Member of the Arbitration Court
- Swiss Arbitration Association (ASA)
- German Institution of Arbitration (DIS)
- American Bar Association Section of International Law (ABA SIL)
- Association International des Jeunes Avocats (AIJA), Past President International Arbitration Commission
- Legalmondo

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): German/English

Other: French

10. In which legal systems have you trained?

Civil Law (Switzerland) and Common Law (USA)

11. What is your main jurisdiction of practice?

Switzerland

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

Construction, transport, commodity trading, pharma, international sales

13. Date of birth:

21 October 1969

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>.

10 April 2023