

VIAC – Questionnaire for Arbitrators

1. Name: *Dr. Veit ÖHLBERGER, M. Jur.*

2. Citizenship: *Austrian*

3. Contact information:

Address: *c/o DORDA Rechtsanwälte GmbH, Universitätsring 10, 1010 VIENNA*

Telephone: *+43.1.5334795.19*

Fax: *+43.1.5334795.5019*

E-Mail: [*veit.oehlberger@dorda.at*](mailto:veit.oehlberger@dorda.at)

Website: [*www.dorda.at*](http://www.dorda.at)

LinkedIn: [*www.linkedin.com/in/veitoehlberger*](http://www.linkedin.com/in/veitoehlberger)

4. Current position:

Partner at DORDA

5. Education:

1998: *Course on English law, London School of Economics, UK*

2002: *Master of Laws (Mag. iur.), University of Vienna, Austria*

2004: *Master of European and Comparative Law (M. Jur.), University of Oxford, UK*

2004: *Doctor of Laws (Dr. iur.), University of Vienna, Austria*

2008: *Course on Chinese law, Renmin University, PR China*

6. Practiced experience in arbitration

- How many arbitrations have you participated in (domestic/international); under which Rules?
46 arbitrations (mostly international) under the Vienna Rules, ICC Rules, CIETAC Rules, DIS Rules, KCAB International Rules and UNCITRAL Rules as well as ad hoc.
- How often have you acted as Chairman?
2
- How often have you acted as Sole Arbitrator?
4
- How often have you acted as Co-Arbitrator?
3
- How often have you acted as Counsel?
28
- How often have you acted in a different function (e.g. Administrative Secretary)?
9

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

Recent publications include:

- *Enforcement of Foreign Arbitral Awards in Austria and the Form Requirements under Article IV of the New York Convention, in Klausegger et al. (eds.), Austrian Yearbook on International Arbitration 2019, 355 (together with Alexander Karl)*
- *Österreichische Schiedsinstitution weiter gestärkt, DORDA NEWS 2018/2, 6.*

- *Iura Novit Curia and the Non-Passive Arbitrator: a Question of Efficiency, Cultural Blindness and Misplaced Concerns About Impartiality*, in Klausegger et al. (eds.), *Austrian Yearbook on International Arbitration* 2016, 101 (together with Jarred Pinkston)
- *Schiedsverfahren in China: Besonderheiten und Aktuelles aus Peking und Shanghai*, in Kaminski (ed.), *Wen versus Wu – Streit und Streitschlichtung, Krieg und Frieden in der chinesischen Tradition und Gegenwart* (2016) 151 [article on recent changes in the legal arbitration framework in China]
- *Vienna Perspective*, *Mealey's International Arbitration Report* (together with Christian Dorda) [since 2010 annually published commentaries on arbitration-related Austrian court decisions; most recently in 2014/12 *Mealey's International Arbitration Report* 21].
- *Schiedsverfahren in China: Rechtliche Rahmenbedingungen, Besonderheiten und jüngste Neuerungen*, in Kaminski & Kreissl (eds.), *Mit der Dornenkrone und dem Schwert - Das chinesische Rechtswesen* (2013) 223 [article on legal framework, particularities and recent changes regarding arbitration in China].
- *Die neue Schiedsordnung der CIETAC*, 2012 *ecolex* 487 [article on 2012 CIETAC arbitration rules]
- *Durch Schiedsinstitution beglaubigte Kopie des Schiedsspruchs genügt*, 2012 *EvBl* No 9 [Case note on Austrian Supreme Court decision on requirements of enforcement of foreign arbitral award in Austria]
- *Vollstreckung ausländischen Schiedsspruchs trotz eingeschränkter Beratung der Schiedsrichter, fehlender Unterschrift und Nichtvorlage von Sondervotum*, 2011 *ecolex* 1016 [Case note on Austrian Supreme Court decision concerning the deliberations of arbitrators, missing signatures on awards and dissenting opinions]
- *How Confidential Is Arbitration in Austria? A Comparative Analysis*, in *Austrian Yearbook on International Arbitration* 2011, 65
- *Zur (Nicht-)Anwendung schiedsrechtlicher Verbraucherschutznormen in ausländischen Schiedsverfahren*, 2010 *ÖJZ* 188 [Case note on an Austrian Supreme Court decision regarding consumer protection and arbitration]
- *Zu den Formvoraussetzungen der Vollstreckung ausländischer Schiedssprüche nach dem New Yorker Übereinkommen*, 132 *JBl* 62 (2010) [Case note on an Austrian Supreme Court decision regarding the enforcement of foreign arbitral awards]
- *China-Related Contracts: What to Consider When Agreeing on CIETAC Arbitration*, in *Austrian Arbitration Yearbook* 2009, 371
- *Sind Schiedsklauseln in GmbH-Gesellschaftsverträgen noch möglich?*, 2008 *ecolex* 51 [Article on arbitration clauses in articles of association of Austrian companies]
- *Rendering of the Award by Multipartite Arbitral Tribunals - How to Overcome Lack of Unanimity?*, in *Austrian Arbitration Yearbook* 2008, 371 (together with Christoph Stippel)

Recent teaching and speaking engagements include:

- *UIA Seminar "The Death of a Transaction"*, London (UK): "The Big Debate – Arbitration Vs Court Litigation" (31 May 2019)
- *ARS – Akademie für Recht, Steuern & Wirtschaft*, Vienna, Austria (one of the largest Austrian seminar providers): regular speaker on international contracts, arbitration and enforcement issues (e.g., most recently on 1 & 2 April 2019 and 18 & 19 April 2018)
- *UIA Annual Congress 2018*, Porto (Portugal): "Expedited Arbitration Proceedings: Why, How and What – Reasons, Features and Rules Comparison" (31 October 2018)
- *IMH Konferenzen & Seminare*, Vienna, Austria: "Rahmenverträge im Einkauf" (6 June 2018 and 20 & 21 June 2017)
- *ICC*, Vienna, Austria: regular speaker arbitration-related and China-related seminars (e.g., most recently on 23 February 2017 and 16 February 2017)
- *UIA Annual Congress 2015*, Budapest, Hungary: "Conflicting Arbitral Awards and Judgments" (30 October 2016)
- *University of Applied Sciences FH Joanneum*, Graz, Austria: Lecturer on Chinese Business Law (including arbitration) (2011-2015)
- *UIA Annual Congress 2015*, Valencia, Spain: "Iura Novit Curia and Due Process in Arbitration" (29 October 2015)

- *Ministry of Justice, Vienna, Austria: "Schiedsverfahren in China: Besonderheiten und Aktuelles aus Peking und Shanghai" (20 October 2015) [presentation on arbitration in China, its special features and arbitration-related developments in Beijing and Shanghai]*
- *China Young Arbitration Group (CYAG), Beijing, PR China: "Introducing the Vienna International Arbitration Center and its Rules" (17 October 2014)*
- *VIAC Asia Roadshow: in Hong Kong SAR and Beijing (PR China) on financial disputes resolved in arbitration (14, 15 and 17 October 2014) and in Seoul (South Korea), Beijing and Shanghai (PR China) on interim measures in arbitration and enforcement of awards (8 October, 10 October and 11 October 2012).*
- *Modul University Vienna, Austria: Lecturer on International Dispute Resolution (2010-2011)*
- *ICC YAF & YAAP Conference, Vienna, Austria: "Due Process and Right to be Heard – Ensuring Enforceability of Arbitral Awards" (16 April 2011)*
- *Vienna Arbitration Days, Vienna, Austria: "State Entities in Commercial Arbitration" (12 February 2010)*
- *DORDA client seminars: regular speaker*

Other recent representative work:

- *Regularly advising clients on drafting and validity of arbitration agreements*
- *Regularly representing clients in proceedings on enforcing and challenging arbitral awards*

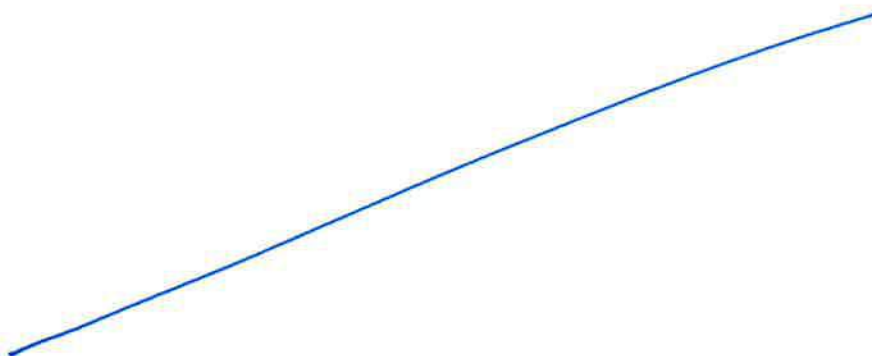
8. Membership in arbitral institutions / functions in arbitral institutions/organizations:

- *Secretary of the Steering Committee of the International Arbitration Commission of the Union Internationale des Avocats (UIA) (since 2013)*
- *Listed on various panels of arbitrators (e.g., VIAC, DIS, AIAC)*
- *Active member of various arbitral organizations, such as:*
 - *ArbAut*
 - *DIS*
 - *ASA*

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*



10. In which legal systems have you trained?

- | | | |
|--|--|--|
| <input checked="" type="checkbox"/> Civil Law | <input checked="" type="checkbox"/> Common Law | |
| <input checked="" 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 type="checkbox"/> German Law | <input type="checkbox"/> Slovakian Law | <input checked="" type="checkbox"/> European Law |
- Other Chinese Law

11. What is your main jurisdiction of practice?

Austria

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

- | | | | |
|---|---|--|---|
| <input 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 & Agency | <input type="checkbox"/> Insurance | <input type="checkbox"/> Private Intern. Law |
| <input type="checkbox"/> Banking & Finance | <input type="checkbox"/> Domain name disputes | <input 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 checked="" type="checkbox"/> CISG | <input type="checkbox"/> Energy | <input checked="" type="checkbox"/> Joint ventures | <input type="checkbox"/> Shipping |
| <input type="checkbox"/> Civil fraud disputes | <input type="checkbox"/> Engineering | <input type="checkbox"/> Licensing | <input type="checkbox"/> Sports |
| <input checked="" 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 type="checkbox"/> Technology |
| <input checked="" 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 | |
| <input type="checkbox"/> Other _____ | | | |

13. Date of birth: 3 March 1978

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 July 2019
Date