

**Philipp HABEGGER**

Partner

Stampfenbachplatz 4
PO Box 212
8042 Zurich
Switzerland
phabegger@lalive.ch
Phone: +41 58 105 2100
Fax: +41 58 105 2160

Admission

Switzerland, 1992

Nationality

Swiss

Languages

German

English, French

Areas of practice

International Commercial Arbitration

Sectors

Energy

Construction, Real Estate and Infrastructure

Pharma and Biotechnology

Philipp Habegger joined LALIVE in 2014. His main area of practice is international commercial arbitration. He has acted as counsel and arbitrator in more than one hundred and seventy international arbitral proceedings under a variety of arbitration rules, including ICC, Swiss Chambers' Arbitration Institution (Swiss Rules), LCIA, SIAC, Vienna, AAA/ICDR, Stockholm Arbitration Institute and UNCITRAL, involving the substantive laws of Switzerland, Germany, Austria, France, England, Russia, India, Turkey, Panama, Liechtenstein, Italy, Romania, Slovakia, Serbia, Estonia, Egypt and New York, as well as the UN Sales Convention and the UNIDROIT Principles. He has been involved in disputes arising, inter alia, out of joint ventures, mergers and acquisitions, shareholders' agreements, international sales and related transactions, agency and distribution, licensing, franchising, construction and engineering projects, across a wide range of industries including telecommunications, pharmaceutical and biotechnology, food, defence, machinery, power and energy, and commodity trading.

Philipp Habegger currently presides the Arbitration Court of the Swiss Chambers' Arbitration Institution (which administers the Swiss Rules). He is a former court member of the ICC International Court of Arbitration (2009-2015) and a former vice chair of the Arbitration Committee of the International Bar Association and vice president of the LCIA European Users' Council.

Philipp Habegger has been ranked for several years by Chambers Europe and Chambers Global for Dispute Resolution: Arbitration in Switzerland and The International Who's Who of Commercial Arbitration.

Before joining LALIVE, Philipp Habegger was for many years a partner at a leading Swiss law firm in Zurich. He was educated at Zurich University (lic iur 1989, Dr iur 1996) and at University of Chicago Law School (LLM 1994). He has also practised law in New York. He currently teaches international arbitration and international sales at the Faculty of Law of the University of Zurich and acts as a course director for the Swiss Arbitration Academy.

Publications

Saving Time and Costs in Arbitration

Philipp Habegger, 2013

In: Manuel Arroyo (Ed.), *Arbitration in Switzerland - The Practitioner's Guide: Commentary*, Wolters Kluwer, The Hague, 2013

Article 43 of the Swiss Rules: Emergency Relief

Philipp Habegger, 2013

In: Manuel Arroyo (Ed.), *Arbitration in Switzerland - The Practitioner's Guide: Commentary*, Wolters Kluwer, The Hague, 2013

Introduction: ICC Rules

Philipp Habegger, 2013

In: Manuel Arroyo (Ed.), *Arbitration in Switzerland - The Practitioner's Guide: Commentary*, Wolters Kluwer, The Hague, 2013

Swiss Rules of International Arbitration – Commentary

Philipp Habegger, 2013

In: Tobias Zuberbühler, Christoph Müller, Philipp Habegger (Eds.), *Swiss Rules of International Arbitration: Commentary*, Schulthess Verlag, Juris, 2nd ed. 2013.

The Revised Swiss Rules of International Arbitration

Philipp Habegger, 2012

New York Dispute Resolution Lawyer, Fall 2012, Vol. 5, No. 2, pp. 61-63

The Revised Swiss Rules of International Arbitration

Philipp Habegger, Anna Masser, 2012

Praxis des Internationalen Privat-und Verfahrensrechts (IPRax), 5/2012, pp. 459-464

The Revised Swiss Rules of International Arbitration

Philipp Habegger, Anna Masser, 2012

Anwalts Revue, 4/2012, pp. 175-180

The Revised Swiss Rules of International Arbitration – An Overview of the Major Changes

Philipp Habegger, 2012

ASA Bull. 2/2012, pp. 269-311

The UNCITRAL Notes on organizing Arbitral Proceedings – Time for an Update?

Philipp Habegger, Anna Masser, 2011

In: Kröll/ Mistellis/ Rogers/ Perales Viscasillas (Eds.), *Liber Amicorum Eric Bergsten. International Arbitration and International Commercial Law: Synergy, Convergence and Evolution*, Alphen a/d Rijn 2011, pp. 207-223

(No) forfeiture of right to challenge an award when previous partial award was not challenged?

Philipp Habegger, 2010

ASA Bull. 2/2010, pp. 130-136

Commentary on Art. 360-362, 364-366, 370-380 ZPO (domestic arbitration)

Philipp Habegger, 2010

In: Karl Spühler/ Luca Tenchio/ Dominik Infanger (Eds.), *Basler Kommentar, Schweizerische Zivilprozessordnung*, Basel, 2010

Introduction to Art. 353-399 ZPO (domestic arbitration)

Philipp Habegger, 2010

In: Karl Spühler/ Luca Tenchio/ Dominik Infanger (Eds.), *Basler Kommentar, Schweizerische Zivilprozessordnung*, Basel, 2010

Switzerland

Philipp Habegger, Micha Bühler, 2009

In: *Guide to National Rules of Procedure for Recognition and Enforcement of New York Convention Awards*, Paris, 2009, pp. 279-285

Dissolution of corporations – Commentary on Art. 736-751 CO

Philipp Habegger, Benedick Giles, 2007

In: *Handkommentar zum Schweizer Privatrecht*, Zurich 2007

Document Production – An Overview of Swiss Court and Arbitration Practice

Philipp Habegger, 2006

In: ICC International Court of Arbitration Bulletin, 2006 Special Supplement, *Document Production in International Arbitration*, 2006, pp. 21-34

Case Note on DFT 129 III 727: Extension of arbitration agreements to non-signatories and requirements of form

Philipp Habegger, 2004

ASA Bull. 2/2004

Transfer of a prorogation clause in case of assignment – Note on a decision of the Zurich Commercial Court of 13 September 2001

Philipp Habegger, 2002

ASA Bull. 4/2002

Arbitration and Groups of Companies – The Swiss Practice

Philipp Habegger, 2002

European Business Organization Law Review (EBOR), 3/2002, Vol. 3

Switzerland: Appointment and Challenge of Arbitrators

Philipp Habegger, 1997

Newsletter of Committee D (Arbitration and ADR) of the International Bar Association Section on Business Law, 2/1997, Vol. 2

Involuntary dissolution suits in Swiss corporate law

Philipp Habegger, 1996

Bern 1996

The 1995 Rules of the International Commercial Arbitration Court at the Chamber of Commerce and Industry of the Russian Federation

Philipp Habegger, 1995

Journal of International Arbitration, 4/1995, Vol. 12

Conferences

ASA jointly with BAC & CIETAC in Beijing; SHIAC in Shanghai

Swiss-Chinese Arbitration Seminar & Workshops

Shanghai and Beijing, 14-18 June 2016

Speakers: Marc Veit and Philipp Habegger

Global Arbitration Review (GAR)

3rd Annual GAR Live Frankfurt

Frankfurt, 2 June 2016

Moderator: Post-Award proceedings in a cross-border context – When is an award really “annulled”?

Swiss Chambers' Arbitration Institution (SCAI) / Tehran Regional Arbitration Centre (TRAC)

Swiss Rules of International Arbitration in a Comparative Perspective

Tehran, 27 April 2016

Moderator: International Arbitration Rules of the Swiss Chambers' Arbitration Institution (SCAI) in comparison with the Rules of the Tehran Regional Arbitration Centre (TRAC)

Russian Arbitration Association (RAA)

3rd RAA Conference

Moscow, 20 April 2016

Speaker: Outside View: Leading Arbitration Institutions

University of Belgrade, Faculty of Law

VII Belgrade Arbitration Conference

Belgrade, 11 March 2016

Panelist: Is Harmonization of the Arbitral Process at the Roots of Avoidable Costs and Delay?

ICC/Jagiellonian University

International Dispute Resolution - Diversity towards Convergence

Krakow, 15-16 October 2015

Speaker: Tailor-made dispute management and resolution to fit the business needs

American Bar Association (ABA)

Moscow Dispute Resolution Conference

Moscow, 18 September 2015

Speaker: Joinder and Consolidation in International Arbitration

Zurich Moot Alumni Association (ZMAA)

Dritter Fachvortrag

Zurich, 26 August 2015

Speaker: Der Vergleich im Verfahren vor staatlichen Gerichten und vor Schiedsgericht: SCHIEDSGERICHT

Chartered Institute of Arbitrators

Centenary Speech

Zurich, 20 August 2015

Speaker: Too many cooks spoil the broth – Is harmonization of the arbitral process at the roots of avoidable costs and delay?

Russian Arbitration Association (RAA)

II Annual RAA Conference

Moscow, 23 April 2015

Speaker: Arbitration Court of the Swiss Chambers' Arbitration Institution

Arbitration Court at Nowy Tomysl Chamber of Commerce

Arbitration and Mediation in Theory and Practice: State and ADR

Nowy Tomysl, 17 April 2015

Speaker: Commercial Arbitration involving states and state entities in Switzerland and under the Swiss Rules of International Arbitration

ICC Advanced Arbitration Academy for Central and Eastern Europe

Workshop IV on procedural Orders

Prague, 12 December 2014

Speaker: Provisional Remedies, Securities for Costs

Gruppo ASA della Svizzera Italiana

Richieste di edizione, discovery e produzione di documenti nella fase allegatoria e probatoria della procedura civile e arbitrale

Lugano, 20 November 2014

Speaker: Document Production

Swiss Chamber of Commerce in Turkey / Swiss Chambers' Arbitration Institution

Seminar on the Swiss Rules of International Arbitration

Istanbul, 21 May 2014

Speaker: Roots, Revision and Experiences in a Nutshell / Multi-party and Multi-contract Scenarios under the Swiss Rules

International Chamber of Commerce (ICC) Young Arbitrators Forum (YAF)

Paper, paper, everywhere...

London, 6 May 2014

Speaker: Written presentation of case – views from an international arbitrator and counsel

Centro de Arbitragem Comercial, Portuguese Chamber of Commerce

2nd Intensive Course for Arbitrators

Lisbon, 21-22 March 2014

Speaker: Module V – The Arbitral Award

International Chamber of Commerce (ICC)

2nd Annual MENA Conference: Roundtable on the impact of the place of arbitration

Dubai, 11 March 2014

Speaker: Lis pendens in international arbitration

Swiss Arbitration Association (ASA)

10 Years of Swiss Rules of International Arbitration

Basel, 31 January 2014

Speaker: The workings of the Special Committee and the Arbitration Court

Lithuanian Arbitration Association (LAA)

Arbitration: The Experience Of Its Application In The Member States Of The European Union And Its Future Developments In Lithuania

Vilnius, 21-22 November 2013

Speaker: Choosing the right seat of arbitration and the right institutional rules

DIS and Swiss Chambers' Arbitration Institution

Workshop

Stuttgart, 20 November 2013

Speaker: Wie funktioniert die Swiss Chambers' Arbitration Institution

70. Anniversary Dr. Hans Nater

Zurich, 18 November 2013

Speaker: Decision-making in arbitration – the arbitrator's perspective

DIS and Swiss Chambers' Arbitration Institution

Workshop

Munich, 6 November 2013

Speaker: Wie funktioniert die Swiss Chambers' Arbitration Institution

ASA Below 40

Visiting the Institutions – A visit to the Swiss Chambers' Arbitration Institution

Zurich, 19 September 2013

Speaker: The Arbitration Court's perspective: institutional powers and role of Case Administration Committee; appointment of arbitrators and challenges; dealing with jurisdictional issues, multi-party issues and consolidation; scrutiny of costs and other cost issues

Austrian Arbitration Association (ARB AUT), Liechtenstein Arbitration Association (LIS) and Swiss Arbitration Association (ASA)

Dreiländer Konferenz: Schiedsverfahren in Österreich, Liechtenstein und der Schweiz

Innsbruck, 13 September 2013

Speaker: Bildung des Schiedsgerichtes in Mehrparteienverfahren

Europa Institut – Universität Zurich

Arbitration in Finance Symposium

Zurich, 3 July 2013

Speaker: Switzerland as a place for arbitration: fit for the future?

Court of Arbitration LEWIATAN

Dispute Resolution in M&A

Warsaw, 6-7 June 2013

Speaker: To bifurcate or not to bifurcate?

deutsche Institution für Schiedsgerichtsbarkeit (DIS)

Frühjahrsversammlung

Munich, 25 April 2013

Speaker: Administrative Konsequenzen einer Änderung in der Besetzung des Schiedsgerichts

University of Neuchâtel – Faculty of Law

New Developments in International Arbitration

Neuchâtel, 19 November 2012

Speaker: The revised Rules of International Arbitration

Swiss Arbitration Association (ASA)

Annual Conference

Bern, 28 September 2012

Speaker: Formerfordernis, Ausdehnung der Schiedsklausel

ICC Russia

Advanced Arbitration Seminar

Moscow, 11 September 2012

Instructor

ICC Germany

Case Management Conference, PIDA Seminar

Berlin, 1-2 June 2012

Speaker: Enforcement of Awards

Zurich Chamber of Commerce

The revised Swiss Rules of International Arbitration

Zurich, 7 May 2012

Speaker: The revised Swiss Rules of International Arbitration

Geneva Chamber of Commerce (CCIG)

The revised Swiss Rules of International Arbitration

Geneva, 26 April 2012

Speaker: The revised Swiss Rules of International Arbitration

UNCITRAL / VIAC

Joint Conference

Vienna, 29-30 March 2012

Speaker: The UNCITRAL Rules as Institutional Rules: A few examples from the Swiss Rules of International Arbitration

Academic Positions

Lecturer

Faculty of Law, University of Zurich

International Arbitration and International Sales

2008 to date

Course Director

Swiss Arbitration Academy

2009 to date
