


ARIE EERNISSE

Senior Foreign Attorney
B.A. J.D. LL.M.



Bar admissions: New York, 2013;
Solicitor in England & Wales, 2022
Nationality: USA
Languages: English, Korean, Chinese

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AREAS OF EXPERTISE

- > Arbitration / Litigation
- > Cross-Border Litigation
- > Investments & BITs

INDUSTRY SECTORS

- > Construction
- > Distribution Agreements
- > Heavy Industry
- > Insurance
- > Intellectual Property
- > Military Procurement / National Defence
- > Nuclear Power / Renewable Energy
- > Product Liability
- > Services

PROFESSIONAL PRACTICE

Arie Eernisse is a senior foreign attorney at Peter & Kim and has been practicing international arbitration in Asia for the past decade. According to Who's Who Legal, he is "a distinguished practitioner with a wealth of experience in international arbitration proceedings, known for his 'clarity and precision in communication' and 'diligence and dedication to his clients.'"

Arie acts as counsel in commercial and investment arbitration matters governed by the rules of various arbitral institutions, such as the International Chamber of Commerce (ICC), Korean Commercial Arbitration Board (KCAB), Hong Kong International Arbitration Centre (HKIAC), Singapore International Arbitration Centre (SIAC), London Court of International Arbitration (LCIA), as well as in ad hoc arbitration matters.

Arie is also available to act as arbitrator. He is a Fellow of the Chartered Institute of Arbitrators (CI Arb), the Hong Kong Institute of Arbitrators (HKI Arb) and the Singapore Institute of Arbitrators (SI Arb) and is listed as a panelist of the KCAB, HKIAC and SIAC.

Prior to joining Peter & Kim, Arie practiced arbitration at another law firm in Korea and served as a law clerk to a federal judge at the U.S. Court of International Trade in New York City. At Duke University School of Law, Arie was a staff editor of the Duke Journal of Comparative & International Law.

AWARDS AND RECOGNITION

- > Chambers Global/Asia: "Up and Coming" for Dispute Resolution: Arbitration (2022 - 2023)
- > Who's Who Legal (WWL): "Future Leader – Partner" for Arbitration (2023)
- > Chambers Global/Asia: "Associates to watch" for Dispute Resolution: Arbitration (2020 - 2021)
- > The Legal 500: "Rising Star" for International Arbitration (2020 - 2021)
- > The Legal 500: "Next Generation Lawyer" for International Arbitration (2018 - 2019)
- > Finalist, 19th annual Kyung-Hee University Korean for Foreigners Speech Contest (2016)
- > Finalist, 2nd annual Young SIAC Essay Competition (2016)

CAREER

- > Senior Foreign Attorney, Peter & Kim (2023 - Present)
- > Member, YSIAC Council (2023 - Present)
- > Member, SIAC Reserve Panel of Arbitrators (2023 - Present)
- > Fellow, Singapore Institute of Arbitrators (2023 - Present)
- > Associate Editor, Kluwer Arbitration Blog (2022 - Present)
- > Regional Ambassador, HK45 (2022 - Present)
- > Member, HKIAC List of Arbitrators (2022 - Present)
- > Fellow, Hong Kong Institute of Arbitrators (2022 - Present)
- > Member, KCAB INTERNATIONAL Panel of International Arbitrators (2021 - Present)
- > Member, KCAB Next Steering Committee (2021 - Present)
- > Assistant Editor (East and Central Asia), Kluwer Arbitration Blog (2019 - 2021)
- > Specialist Mediator of Singapore International Mediation Centre (SIMC) (2018 - Present)
- > Fellow, Chartered Institute of Arbitrators (2017 - Present)
- > Shin & Kim LLC (2014 - 2023)
- > Law Clerk, U.S. Court of International Trade, New York, New York (2012 - 2013)

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EDUCATION

- > Wesleyan University (B.A., with honors and phi beta kappa, in East Asian Studies) (2007)
- > Duke University, School of Law (J.D./LL.M. in International & Comparative Law) (2012)

PROFESSIONAL ASSOCIATIONS

- > American Society of International Law (ASIL)
- > Chartered Institute of Arbitrators (CIArb)
- > HK45
- > Hong Kong Institute of Arbitrators (HKIArb)
- > International Bar Association (IBA)
- > International Council for Commercial Arbitration (ICCA)
- > KCAB Next
- > The Law Society of England & Wales
- > Singapore Institute of Arbitrators (SIArb)
- > YSIAC

REPRESENTATIVE CASES

Construction

- > Represented a construction conglomerate against a Middle Eastern construction company relating to a delay and disruption claim (English law; ICC arbitration; London seat)
- > Represented a quasi-governmental ocean research organization in a dispute against a Swiss deep-sea exploration company regarding liability for delay (Korean law; ICC arbitration; Singapore seat)

Distribution Agreements

- > Represented a Kuwaiti cosmetics distributor in a contract termination dispute against a Korean cosmetics company (Korean and Kuwaiti law; KCAB arbitration; Seoul seat)
- > Represented a Korean home goods entrepreneur in defense of contractual claims brought by a U.S. contractual counterpart (Korean law; KCAB arbitration; Seoul seat)

Finance

- > Represented a chemical and auto parts manufacturer in a dispute against a finance company based in Saudi Arabia in a dispute relating to payment of amounts allegedly due under a financial agreement (English law; LCIA arbitration; London seat)
- > Represented a Malaysian car dealership in defense of claims brought by a Korean conglomerate regarding liability under credit facility agreements (Korean law; two KCAB arbitrations; Seoul seat)

Heavy Industry / Sale of Goods

- > Represented a manufacturer of polysilicon used for semiconductors and solar cells in a payment dispute against a Chinese company relating to a consignment agreement (Hong Kong law; HKIAC arbitration; Hong Kong seat)
- > Represented an importer/exporter of vehicles and vehicle parts in a dispute against a North Macedonian company (Korean law; ICC arbitration; Seoul seat)

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Insurance

- > Represented a leading Korean private equity fund in a post-M&A dispute against a European insurance major relating to life insurance liabilities (Korean law; ICC arbitration; Hong Kong seat) (co-counsel)

Intellectual Property

- > Represented a Korean video game company in separate disputes against Chinese companies regarding intellectual property infringement and other issues (Korean law or Singapore law; three ICC or SIAC arbitrations; Singapore seat) (co-counsel)
- > Represented a Norwegian music technology company in a dispute with a Korean IT company over breach of contract (California law; ICDR arbitration; Norway seat)

International Litigation

- > Represented Korean conglomerates and other clients in litigations throughout the world; represent foreign (non-Korean) clients in litigation matters in Korea

Investor-State Arbitration

- > Represented a Korean electric power generation public utility in an investment treaty dispute against the Government of India relating to the power plant in which it invested (international law; UNCITRAL arbitration; Singapore seat)
- > Represented investors in the first two investor-state treaty disputes involving Korea (international law; ICSID arbitration; Washington, DC seat) (co-counsel)

Mergers & Acquisitions

- > Represented a U.S. dealmaker in a dispute over a Hong Kong entity's failure to pay a success fee following the closing of an M&A deal (Korean law; KCAB arbitration; Seoul seat)
- > Represented a U.S. individual in a post-divestiture payment dispute (Korean law; KCAB arbitration; Seoul seat)
- > Represented a Mauritian investor against a Korean clothing company regarding in a dispute relating to a share purchase agreement (Korean law; SIAC arbitration; Singapore seat)

Military Procurement and National Defense

- > Represented a European defense industry client in aircraft procurement dispute against governmental entity (Korean law; KCAB arbitration; Seoul seat)
- > Represented a Korean government agency against a major European manufacturer in a naval procurement dispute involving an allegedly defective motor (Korean law; KCAB arbitration; Seoul seat)

Nuclear Power / Renewable Energy

- > Represented a state-owned nuclear energy company in defense of claims relating to payment for replacement parts (Korean law; two KCAB arbitrations; Seoul seat)
- > Represented a wind-power generation system manufacturer in dispute against a major European component manufacturer (Swiss law; ICC arbitration; Seoul seat)

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- > Represented a Korean photovoltaic inverter manufacturer in a dispute against a Thai company relating to liability for destruction of goods (Korean law; KCAB arbitration; Seoul seat)

Product Liability

- > Represented a leading Korean metals manufacturer in defense of a product liability and indemnity claim brought by a U.S. company (CISG and U.S. state law; ICC arbitration; Geneva seat)

Services

- > Represented a government agency against two U.S. companies in a dispute relating to breach of a retainer agreement (Korean law; KCAB arbitration; Seoul seat)
- > Represented a Korean real estate investment entity in a dispute over hotel management (Korean law; KCAB arbitration; Seoul seat)

Note: Representative cases include work performed prior to joining Peter & Kim.

PUBLICATIONS

- > Interviews with Our Editors: In Conversation with Ban Jiun Ean, Chief Executive of Maxwell Chambers, Kluwer Arbitration Blog (August 2023)
- > Korea, GAR Know-how Commercial Arbitration 2023 (June 2023) (co-authored)
- > Interviews with Our Editors: Professor Hi-Taek Shin, Chairman of KCAB INTERNATIONAL, Kluwer Arbitration Blog (May 2022)
- > The Path Forward for IP Arbitration in Korea (with Lessons from Hong Kong and Others), Korean Arbitration Review (May 2022)
- > Arbitration Tech Toolbox: Interview with Dr. Gordon Blanke on the New CIArb Technology Guideline, Kluwer Arbitration Blog (January 2022)
- > A Tale of Two Maritime Hubs: The Rise of Regional Maritime Arbitration Centers in Asia, Kluwer Arbitration Blog (November 2021) (co-authored)
- > The Use of Virtual Hearings in Korea-Seated Arbitration Proceedings: Are There Risks to Enforcement, Korea Arbitration Review (April 2021) (co-authored)
- > Arbitration Tech Toolbox: What's in Your Toolbox?, Kluwer Arbitration Blog (April 2021)
- > 2020 in Review: Reflections on a Year of Steady Progress in East and Central Asia, Kluwer Arbitration Blog (January 2021) (co-authored)
- > International Law Talk Podcast and Arbitration: In Conversation with Chiann Bao, Kluwer Arbitration Blog (December 2020)
- > Interviews of Our Editors: "What Does Kluwer Arbitration Blog Mean to You?", Kluwer Arbitration Blog (May 2020) (co-authored)
- > Interviews with Our Editors: China Insights from Dr. Li Hu of CIETAC, Kluwer Arbitration Blog (April 2020)
- > Innovating arbitration through technology, IBA Arbitration News (March 2020)
- > Is it true that enforcing an international arbitral award under the New York Convention is easier than enforcing a judgment, IBA Arbitration News (March 2020)

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- > 2019 in Review: Noteworthy Developments in East and Central Asia, Kluwer Arbitration Blog (January 2020) (coauthored)
- > Legal finance in Korea: Lawyers weigh in, Burford Quarterly, (Autumn 2019) (interview)
- > Korea, Getting the Deal Through - Investment Treaty Arbitration 2019 (October 2018) (co-authored)
- > Seoul IDRC Lecture Series: "Arbitration in the Time of One Belt One Road", Arbitration Review of the Korean Commercial Arbitration Board (2017) (co-authored)
- > SIAC Investment Arbitration: Rule Innovations Are Only the First Step (2016 YSIAC Essay Competition)
- > Banking on Cooperation: The Role of the G-20 in Improving the International Financial Architecture, 22 Duke Journal of Comparative & International Law 239 (2012)
- > The Great Currency Debate, China Business Review, at 36 (May-June 2008) (co-authored)

LECTURES AND SPEAKING ENGAGEMENTS

Speaking Engagements

- > Facilitator, "Young Practitioners and our Future" (focus on digital technology) (ICCA Congress, Edinburgh, September 2022)
- > Presenter, "Overview and Comparison of Litigation and Arbitration in South Korea" (British Chamber of Commerce of Korea Breakfast Panel, Seoul, July 2022)
- > Moderator, "AMCHAM Fireside Chat Webinar with Barbara Weisel, Former Assistant USTR for Southeast Asia and the Pacific" (AMCHAM Korea event hosted by the Trade & Customs Committee, Online, January 2022)
- > Presenter, "Enforceability of Awards for Cases Involving Virtual Hearings in Korea" (CI Arb Korea Chapter Monthly Breakfast Series, Online, April 2021)
- > Panelist, "ADR World Tour: Asian Perspectives on ISDS Reform" (CI Arb YMG, Online, January 2021)
- > Panelist, "IBA Arb40 Workshop: Arbitrator Challenges and Conflicts of Interest" (IBA Annual Conference, Seoul, September 2019)
- > Presenter, "Time to Be More Open? Adopting a More Proactive Approach to Publication of Awards" (Inaugural CI Arb Asia-Pacific Regional Conference, Singapore, April 2019)
- > Discussant, "Current Mediation Developments in the Asia Pacific Region" (2nd Asia Pacific Mediation Conference, Seoul, November 2018)
- > Facilitator, "Drafting and Handling Early Dismissal Applications" (SIAC Academy, Seoul, June 2018)
- > Presenter, "To be or not to be: Publication of Arbitral Awards" (ICC Young Arbitrators Forum (YAF), Seoul, May 2018)
- > Discussant, "Investment Treaty Protections" (ISD Masterclass Seminar co-hosted by Shin & Kim LLC, Seoul, May 2018)

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Community Involvement

- > Moot Arbitrator, Pre-Vis East Moot Arbitration Competition (Seoul, February 2016, 2018, 2022, 2023)
- > Reviewer, PwC / Maxwell Chambers Expert Witness Cross Examination Moot (September 2020)
- > Rapporteur for Arbitration Committee Panels, IBA Annual Conference 2019 (Seoul, September 2019)
- > Rapporteur, SIAC-KCAB Seoul Conference 2019: "Cross-Border Construction Disputes in 21st Century Asia" (Seoul, September 2019)
- > Participant/Actor, KCAB International Arbitration Tutorial Video (Seoul, August 2016)
- > Moot Arbitrator, FDI Moot Asia-Pacific Regional Rounds (Seoul, August 2016, 2019)

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