SHIN&KIM 法務法人(有) 世宗



Robert Wachter

Senior Foreign Attorney

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Robert Wachter co-heads Shin & Kim's International Dispute Resolution Practice Group together with Mr. Young Suk Park. He has acted as counsel or arbitrator in international arbitration cases brought under all of the major arbitration rules, including the ICC, KCAB, VIAC, Swiss Chambers, SIAC, LCIA, SCC, JCAA and UNCITRAL arbitration rules.

Mr. Wachter has lectured as an adjunct professor at Seoul National University School of Law, the Supreme Court of Korea (Judicial Research and Training Institute), and Ewha Womans University. He served as the Lex Mundi Asia-Pacific Vice Chair for the Litigation, Arbitration and Dispute Resolution Group from 2018 to 2021 and the Global Chair Elect for the same group from 2021 to 2024. He regularly participates in conferences and seminars on international arbitration. He has published various academic articles about international arbitration and Korean law.

経歴

2024-Present	Shin & Kim LLC
2015-2024	Lee & Ko
2014-2015	Kim & Chang
2012-2014	Graf & Pitkowitz Rechtsanwälte GmbH, Vienna
2005-2011	Yulchon LLC
1998-2004	O'Melveny & Myers LLP, San Francisco
1997-1998	Ashford &Wriston, Honolulu
1996-1997	Law Clerk to the Hon. Samuel P. King (D. Haw.)

主な実績

Infrastructure and Construction

- Represented a nuclear power producer in an intellectual property dispute over the right to export nuclear power plants (KCAB Rules)
- Represented an investor in a public private partnership (PPP) infrastructure dispute against a Korean regional government (ICC Rules)
- Represented a Korean municipal government in a public private partnership (PPP) construction dispute brought by the investor (ICC Rules)
- Represented a rolling stock producer in a joint venture and intellectual property licensing dispute against an Indian manufacturer (ICC Rules)
- Represented a Korean supplier in a construction dispute against a Russian contractor for an electricity generation plant in India (SCC Rules)
- Represented an American subcontractor against the Korean contractor in a construction defects dispute involving a collapsed structure (ICC Rules)
- Represented a European party in a dispute against its Korean consortium partner in connection with the construction of a steel production plant (KCAB Rules)
- Represented a Korean insurance company in a dispute over refurbishment of a nuclear power plant reactor (UNCITRAL Rules)
- Represented a Korean power producer in a defects dispute with a foreign steam turbine manufacturer (KCAB Rules)
- Represented a Korean construction company in a costs and delay dispute for an infrastructure project in Thailand
- Represented a Korean construction company against a US supplier in a dispute related to the construction of a refinery in the UAE (ICC Rules)

Life Sciences

- Represented a Korean biotechnology company in a dispute related to its patent licensing contract with a Swiss pharmaceutical company (Swiss Rules)
- Represented a Korean pharmaceutical company in a drug development and licensing dispute against a Russian pharmaceutical company (LCIA Rules)
- Represented a European pharmaceutical company in a dispute with one of its former distributors (Vienna Rules)
- Represented a foreign pharmaceutical company in a licensing dispute with a Korean company concerning a development-stage therapy under consideration by the US FDA (ICC Rules)
- Represented a Swiss implant company in an IP technology transfer dispute against a Korean company (ICC Rules)

Intellectual Property

- Represented a nuclear power producer in an intellectual property and export control dispute over the right to

export nuclear power plants (KCAB Rules)

- Represented a Korean licensor in a software licensing dispute with the US licensee (ICC Rules)
- Represented a Chinese online gaming company in a licensing dispute against a Korean gaming company (ICC Rules)
- Represented a Korean energy company in a software licensing dispute against a European ERP software publisher (UNCITRAL Rules)
- Represented a Korean broadcasting company in a dispute against one of its encryption software providers (UNCITRAL Rules)
- Represented a Korean party against a German party in a joint venture and intellectual property rights dispute where the joint venture company produced products used in the semiconductor manufacturing process (ICC Rules)

Offshore, Shipping and Shipbuilding Disputes

- Represented a Korean shipbuilding company in a dispute against a European components supplier for vessels to be supplied under a military procurement contract (ICC Rules)
- Represented an offshore engineering and construction company in a dispute concerning relating to a single-point mooring (SPM) anchoring and undersea pipeline installation project (ICC Rules)
- Represented a Korean steel pipes producer in a dispute against a Norwegian shipping company over a long term contract of affreightment (SIAC Rules)

Telecommunications

- Represented a Korean telecommunications company in a dispute against a US supplier under a defense procurement contract (KCAB Rules)
- Represented a U.S. telecommunications company in a shareholders dispute against an Indonesian media company (ICC Rules)

Distributorship and Franchising

- Represented a Korean telecommunicating company in a contract dispute with a European software publisher (ICC Rules)
- Represented a European distributor in a termination compensation dispute against a Korean optical components manufacturer (KCAB Rules)
- Represented a European pharmaceutical company in a dispute with one of its Scandinavian distributors (Vienna Rules)
- Represented a Korean medical device manufacturer in a distributorship dispute with its former European distributor (ICC Rules)
- Represented a Japanese restaurant franchisor in a dispute against its Korean franchisee (ICC Rules)

- Represented a Korean restaurant franchisor in a dispute against its Vietnamese franchisee (KCAB Rules)

M&A and Tax

- Represented a US company in an M&A dispute in connection with the sale of its Korean subsidiary to another Korean company (ICC Rules)
- Represented a Korean company in a post-closing M&A dispute against a European luxury brand company (KCAB Rules)
- Represented a Swiss implant company in debt-to-equity conversion dispute against a Korean company (ICC Rules)
- Represented a Korean company in a tax indemnity dispute with a U.S. technology company (ICC Rules)

Financial Services

- Represented the majority shareholder against minority shareholders in a dispute over the exercise of a put option (ICC Rules)
- Represented a Hong Kong Company in the enforcement of a guaranty against a Korean company (HKIAC Rules)

Shareholders and Joint Venture

- Represented a Korean steel slag producer in a joint venture dispute with its Canadian partner (ICC Rules)
- Represented a European industrial liquid logistics company in a joint venture dispute with its Korean partners (ICC Rules)
- Represented a Korean telecommunications company in a shareholders dispute against an Indonesian media conglomerate (ICC Rules)
- Represented a German automotive company in a shareholders dispute with the controlling shareholder in a Korean automotive company (JCAA Rules)

Long Term Supply Contracts

- Represented a Korean subsidiary of a European industrial gas supplier in a dispute against a Korean steel producer arising under a long term supply contract (ICC Rules)
- Represented an Eastern European electricity producer in a long term supply agreement dispute brought by a Swiss energy company (Vienna Rules)

Art and Sports

- Represented a group of heirs in a dispute over compensation paid for a Klimt painting looted during WWII (UNCITRAL Rules)

- Represented Korean Olympic gold medalist Tae Hwan Park is a dispute with the Korean Olympic Committee and the Korean Swimming Federation concerning qualification to participate in the 2016 Summer Olympics (CAS Rules and Korean court)

CISG and Trade in Goods

- Represented a Korean energy company in a CISG dispute against a Chinese energy company (KCAB Rules)
- Represented a Korean trading company in a CISG dispute against a Singaporean trading company (SIAC Rules)
- Represented a Swedish logistics company in a dispute over logistics services for a Korean manufacturer (ICC Rules)

学歴

1996	University of Hawaii (J.D.)
1993	University of California San Diego (B.A., *summa cum laude*)

資格

1999	Admitted to bar, California

言語

English, Korean

主な活動

Publications

- South Korea, in Handbook on Third Party Funding in International Arbitration, Second Edition (Juris 2024) (co-author)
- Res Judicata: Claims that could have been brought in a first proceeding, but were not brought until a second proceeding, in in Austrian Yearbook of Int'l Arb (Klausegger et al., eds. 2023)

- Expert insights: A roundtable on arbitration trends in Korea, Burford Quarterly (2023 Issue #1) (contributor)
- Toward a codified evidentiary attorney-client privilege in Korea (Lexology 2022) (co-author) Court allows lessee to terminate commercial lease as COVID-19 force majeure (Lexology 2021) (co-author)
- Court allows lessee to terminate commercial lease as COVID-19 force majeure (Lexology 2021) (co-author)
- Arbitration agreement survives franchise law challenge, ILO Newsletter (Lexology 2021) (co author)
- Another imaginary arbitral institution, ILO Newsletter (Lexology 2021) (co-author)
- Korea, in Asia Arbitration Guide – 7th Extended and Revised Edition (Respondek, ed. 2021) (co-author)
- Confidentiality in International IP Arbitration, in Global Arbitration Review: The Guide to IP Arbitration (Pierce and Gunter, eds. 2020) (co-author)
- Korea, in Lex Mundi Global Attorney-Client Privilege Guide (2020) (co-author)
- Korea, in Asia Arbitration Guide – 6th Extended and Revised Edition (Respondek, ed. 2019) (co-author)
- South Korea, in The Baker McKenzie International Arbitration Yearbook (12th ed. 2019) (co-author)
- South Korea, in The Baker McKenzie International Arbitration Yearbook (11th ed. 2018) (co-author)
- South Korea, in The Baker McKenzie International Arbitration Yearbook (11th ed. 2018) (co-author)
- South Korea, in Handbook on Third Party Funding in International Arbitration (Juris, 2018) (co-author)
- Introduction to the KCAB International Rules and Practice, in Dispute Resolution Journal (Vol. 17, Juris 2017) (co-author)
- South Korea, in International Encyclopedia of Agency & Distribution Agreements (Augustín Jausas ed., supp. 32, Kluwer Law International) (co-author) (2017)
- South Korea, in GAR Know how: Investment Treaty Arbitration 2016 (co-author)
- South Korea, in Corporate Laws of the World: A Handbook (Wegen, Barth & Spahlinger, eds. 2013) (co-author)
- On the Inherent Powers of Arbitral Tribunals in International Commercial Arbitration, in Austrian Yearbook of Int'l Arb 65 (Klausegger et al., eds. 2012)
- Ethical Standards in International Arbitration: Considering Solutions to Level the Playing Field, 24 Geo. J. Legal Ethics 1143 (Fall 2011)
- Confidentiality in International Arbitration: Including a Korean Law Perspective, 1 Dong-A J. of Intl. Bus. Trans. L. 63 (2010) (co-author)
- Hedge Funds in Korea, in Hedge Funds and the Law 398 (Richard Frase ed. 2010) (co-author)
- Real Estate Law, in Korean Business Law: The Legal Landscape and Beyond 251 (Jasper Kim ed. 2010) (co-author)
- Development and Taxation of Real Estate Investment Trusts: South Korea, Asia-Pacific Tax Bulletin, Vol. 11 No. 6 (2005) (co-author)
- An Analysis of the Standing and Jurisdiction Prerequisites for Direct Appeal of Agency Action to the Circuit Court after Bush v. Hawaiian Homes Commission, 17 U. Haw. L. Rev. 375 (1995)

Speaking Engagements

- Speaker, Beijing Arbitration Commission Summit, Seoul (November 2024)
- Speaker, UNCITRAL Conference, Seoul ADR Festival, Seoul (October 2024)
- Speaker, IPBA International Arbitration Day, Shenzhen (September 2024)
- Speaker, CILS International Arbitration Symposium, Salzburg (June 2024)
- Discussion Leader, Asian Forum for Arbitration Counsel, Seoul (Feb 2024)
- Speaker, Lex Mundi North America LADR Meeting (November 2022)
- Speaker, Seoul ADR Festival, Seoul (Oct 2023)
- Speaker, Legal Plus Arbitration Summit, Shanghai (Sep 2023)
- Speaker, Seoul ADR Festival, Seoul (Oct 2022)
- Speaker, Lex Mundi European LADR Meeting (June 2022)
- Organizer, Lex Mundi Asia-Pacific LADR Meeting (June 2022)
- Speaker, CILS International Arbitration Symposium, Salzburg (June 2022)
- World Café Moderator, Vienna Arbitration Days, Vienna (Feb 2022)
- Speaker, Seoul ADR Festival, Seoul (Oct 2021)
- Organizer, Lex Mundi Asia-Pacific LADR Meeting (Oct 2021)
- Speaker, UNCITRAL Asia-Pacific ADR Conference, Seoul (Oct 2020)
- Debater, GAR Interactive Hong Kong, Hong Kong (Oct 2020)
- Organizer, Lex Mundi Asia-Pacific LADR Meeting (Sep 2020)
- Speaker, SIAC Virtual Congress, Singapore (Sep 2020)
- Speaker, SCL-CIArb International Conference, New Delhi (Dec 2019)
- Speaker, Seoul ADR Festival, Seoul (Nov 2019)
- Speaker, Asset Recovery Asia, Singapore (May 2019)
- World Café Moderator, Vienna Arbitration Days, Vienna (Feb 2019)
- Speaker, CILS International Arbitration Symposium, Salzburg (June 2018)
- Faculty, SIAC Academy, Seoul (June 2018)
- Moderator, Wolters-Kluwer International Arbitration Summit, Shanghai (April 2018)
- Speaker, ArbAut KCAB Coffeehouse Debate, Vienna (March 2018)
- Speaker, Training Program for Judges in Vietnam, JRTI International Judicial Cooperation Center (Nov 2017)
- Faculty, Seoul Academy for International Arbitration, Seoul ADR Festival (Nov 2017)
- Speaker, ICC Conference, Seoul ADR Festival (Nov 2017)
- Speaker, VIAC-KCAB Viennese Breakfast, Seoul ADR Festival (Nov 2017)
- Moderator, Wolters-Kluwer International Arbitration Summit, Seoul (Oct 2017)
- Speaker, SIAC Seminar in Seoul, Korea (June 2017)
- Speaker, WIPO-LESK ADR Seminar (June 2017)

- Speaker, Wolters-Kluwer International Arbitration Summit, Seoul (Oct 2016)
- Speaker, ABA International Section, Tokyo (Oct 2016)
- Speaker, CILS International Arbitration Symposium, Salzburg (June 2016)
- Speaker, KCAB-SHIAC Conference, Shanghai (April 2016)
- Speaker, SKK University Arbitration Program, Seoul (Dec 2015)
- Discussant, AP Transparency Observatory Inaugural Conference, Seoul (Dec 2015)
- Speaker, YSIAC Advocacy Workshop, Seoul (Nov 2015)
- Speaker, Korea In-house Counsel Association Annual Seminar, Seoul (Nov 2015)
- Speaker, SIDRC Korea Arbitration Festival, Seoul (Nov 2015)
- Discussant, Korean Society of International Investment Law, Seoul (Oct 2015)
- Speaker, CILS International Arbitration Symposium, Salzburg (May 2014)
- Speaker, Austria-Turkey Joint Conference, Istanbul (May 2012)

外部評価

- "Leading Individual" for Arbitration, Chambers Global/Chambers Asia (Band 1), 2020-2026
- "Leading Individual" for International Arbitration, Legal 500, 2019-2026
- "Leading Lawyer" for Dispute Resolution, Asialaw Profiles, 2020-2024, 2026
- "Thought Leader" for Arbitration, Lexology Index, 2020-2025
- "Korea’s Top Lawyers: A-List", Asia Business Law Journal, 2021-2025
- "Leading Lawyer" for Arbitration, Lexology, 2019-2024
- "Litigation Star", Benchmark Litigation, 2020-2024
- "Lawyer of the Year" for International Arbitration, Asia Legal Awards, 2023
- "Client Choice Award", Lexology, 2020

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