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RICHARD C LEVIN

(C Arb and FCIArb)

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Education:

J.D. Georgetown Law Center

Georgetown Law Journal,

Law and Policy in International Business

B.A. Tulane University

Bar Membership:

Texas (1975 to present)



Richard Levin is an independent international and domestic arbitrator specializing in complex disputes, with a special focus on competition, antitrust, and IP cases. International arbitration has always been a substantial part of Richard's practice throughout his career during his time with international law firms. With over 35 years of experience in cross cultural disputes, first as counsel and then as arbitrator, Richard became a full time arbitrator in 2018.

Richard started his career after serving as a law clerk to the Hon. John C Godbold (United States Court of Appeals, Fifth Circuit) later joining Sullivan & Cromwell in New York. It was here that he worked on complex international cases, mainly competition related.

Richard came back home to Dallas, Texas to work at Akin Gump Strauss Hauer & Feld joining as an Associate and later becoming a Partner in their litigation department for almost four decades. While at Akin Gump he been involved in cases at the cutting edge of the law.

Richard was counsel in one of the first disputes under Chapter 11 of the NAFTA Treaty, and one of the first competition related international arbitrations. His career has included experience as counsel representing companies in nationwide and global criminal antitrust/competition matters, as well as follow-on treble damage claims.

Richard has been appointed as sole arbitrator and as a panel of three in numerous arbitrations under a range of arbitral and ad-hoc rules involving most legal systems globally. He is a Fellow of the Chartered Institute of Arbitrators, and due to his truly international presence globally he was named to and made a member of CIArb's Presidential Panel of Arbitrators and later selected to be a Chartered Arbitrator in 2018, the highest designation by the Chartered Institute (C Arb). He is also a panel member of most international institutions around the world and has an exceptional reputation as counsel and arbitrator. He is a member of Newman's Row in London to assist his practice.

While Richard exclusively concentrated on his arbitrator and mediator practice since 2018, he has continued to maintain his pro bono practice representing children with learning disabilities with their legal issues during their school careers.

Career History:

- Richard Levin Arbitration LLC (2018-present)
- Named Fellow of the Chartered Institute of Arbitrators (FCIArb);
- Chartered Arbitrator in 2018 (C Arb, highest designation of the CIArb)
- CIArb's Presidential Panel of Arbitrators (2018)
- Akin Gump Strauss Hauer & Feld (1975-2018)
Partner (1978-2018), Associate (1975-1977)
- Sullivan & Cromwell, New York (1971-1974)
- Judicial Clerk, Hon John C. Godbold, United States Court of Appeals, Fifth Judicial Circuit (1970-1971)

Other positions held:

- Member, Institute Pour L'Arbitrage International (IAI)
- Member Association Suisse De L'Arbitrage (ended 2020)
- Member, International Council for Commercial Arbitration (ICCA)
- Member, Arbitration Commission of the International Chamber of Commerce (ICC 2005 to 2007);
- Task Force on Arbitrating Competition Disputes (2008)
- Task Force on Reducing Time and Expense in Complex Arbitrations (2009 to 2010)

International Arbitration

Richard's practice has involved all phases of international and domestic arbitration. He has been instructed or appointed in numerous arbitrations under ICC, UNCITRAL, AAA/ICDR, and ICSID rules, both as counsel and as member of three-person arbitration tribunals (AAA/ICDR and ICC), as well as sole arbitrator. Richard has been appointed or counsel in over 150 arbitrations of which he has made more than 100 awards.

Recent arbitrations include:

- Sole arbitrator in complex dispute between online retailer and third party seller regarding competition, IP, and breach of contract issues.
- Sole arbitrator in complex consumer dispute alleging unconscionability and other claims against internet and telecommunications company.
- Member of three person AAA tribunal alleging breach of several multi-party contracts relating to the exploitation of patent rights (Large, Complex Commercial Procedures).

- Consultant to a major law firm in Paris in connection with potential ICC arbitration claims relating to competition and copyright issues under EC and French law.
- Sole arbitrator in complex ICDR/AAA (Large, Complex Commercial Procedures) case involving multiple technology and purchase agreements for an entertainment/sport concept of world-wide dimension. Case involves claims under several antitrust and competition regimes (Texas, US, and foreign) as well as intellectual property and contract interpretation issues.
- Sole arbitrator in AAA case involving significant account issues between motion picture distributor and production company.
- Sole arbitrator in complex ICDR/AAA (Large, Complex Commercial Rules) case between major law firm and large electronics firm. Case involves issues of contract interpretation, IP, and antitrust issues (including the FRAND doctrine), as well as appropriate and reasonable law firm behavior, involving scope of work and billing issues under ethics rules.
- Sole arbitrator in numerous disputes under consumer rules and domain name disputes.
- Arbitrator in numerous cases under the Telephone Consumer protection Act and related state law debt statutes
- Sole arbitrator in dispute between a customer and online payments system company; case involved Bank Secrecy Act and “SAR” issues as well as contract and conflict of law questions

Recent counsel instructions include:

- Lead counsel for a multi-national oil company in large RICO action filed against the client involving ownership of mettalocene technology for making plastic.
- Lead counsel for a multi-national oil company in antitrust and unfair competition allegations relating to CO2 development in New Mexico and Texas.
- Lead counsel for large French industrial company in business tort dispute in powder metallurgy industry. (More than \$1B damages alleged in several expert reports).
- Lead counsel in major ICC arbitration (Geneva) involving failed joint venture in Argentina (construction industry). Case presented under Argentine law.
- Lead counsel for multi-national retailer in theft allegations against a buying agent; case involved litigation in Luxembourg, Thailand, and Hong Kong.
- Lead counsel in large intellectual property ICC arbitration in London (off-road vehicle industry). Case involved discovery under the IBA Rules on Taking Evidence, and expert testimony on antitrust and competition law defense.
- Lead counsel for a major manufacturer and supplier of artificial turf for sports venues against patent and antitrust allegations brought by a competitor.
- Lead counsel involving a challenge to a merger by the Department of Justice between a large French industrial company and a US company involving a Second Request. Involved cross cultural issues of privilege, language, and presentations to the Department of Justice, as well as expert presentations.
- Lead coordinating counsel for litigation in Europe and the US involving an estate and business entities brought by the heir seeking ‘forced heirship’ under French law, including

allegations of ownership relating to a famous villa in the South of France and allegations relating to an historical donation of art to an international museum.

- Lead counsel for local government entity in Mexico for claim asserted for loss of government concession under Chapter 11 of the Nafta Treaty under ICSID rules.
- Sole arbitrator under AAA/ICDR Rules of a major complex dispute in the animal and livestock health products industry, involving antitrust, intellectual property and contractual issues.
- Lead counsel for an energy exploration and production company in an AAA arbitration regarding a breach of an “Area of Mutual Interest” clause.
- Counsel in an ICC arbitration regarding a breach of a license agreement for the development of a cancer pharmaceutical.

International Arbitration Activities:

Member, Panel of International Arbitrators for the International Centre for Dispute Resolution (ICDR), roster of neutrals for the AAA

Energy Arbitrator Roster for the Center for American and International Law (Cailaw)

Silicon Valley Arbitration & Mediation Center (SVAMC)

International and Domain Name Panels of the Vancouver International Arbitration Centre

ICC (Paris and New York); ICC KLRCA (AIAC) (Kuala Lumpur); Member, ICC Commission on Arbitration

Neutral Roster for The World Intellectual Property Organization (WIPO)

Member, Advisory Board of the Institute for Transnational Arbitration (ITA)

Member of HKIAC (Hong Kong), KCAB (Korea), LCIA (London), VIAC (Vienna), VCCA (Vilnius), LAC (Lithuania) panels.

Arbitration Center at the Institute of Modern Arbitration (Moscow)

Appointed to Arbitration Panel of the new Court of Arbitration for Art in the Netherlands

Member of CRCICA (Cairo) panel

Awards and Recognition

Tech List at the SVAMC (Silicon Valley) the “world’s leading technology neutrals”

Euromoney Expert Guides to “Commercial Arbitration Experts”

Showcase Profile on the Global Arbitration Review Arbitration Research Tool (GAR ART)

CPR: International Institute for Conflict Prevention and Resolution (CPR) “Panels of Distinguished Neutrals”

“The Roster of International Arbitrators,” 2nd Ed (Smit, Carbonneau and Mistelis, Juris Publishing)

Publications and Speeches:

“A Coda to a Suggested Approach for Arbitrators in Complex Competition/Antitrust Disputes,” 17 *Global Competition Litigation Review* 210 (Thomson Reuters/Sweet & Maxwell 2024)

“Arbitration of Complex Competition Disputes,” *The Advocate of VANIAC* (Vancouver), September, 2024 with J McGrade

“A Suggested Approach for Arbitrators in Complex Competition/Antitrust Disputes,” 16 *Global Competition Litigation Review* 99 (Thomson Reuters/Sweet & Maxwell 2023)

“Resolving Internet Domain Name Disputes: UDRP and the Role of Inference.” *The Advocate of VANIAC* (Vancouver), November, 2022

Arbitration of International Intellectual Property Disputes (2d ed. Halket, JurisPub 2021), co-author with J Bridgeman of Ch 5

Webinar, SVAMC, ADR for Antitrust: To Streamline a Complex Dispute, with Chris Compton, September 1, 2020

[“Conferencing Economic Experts: Streamlining the Process in Arbitration of Competition Disputes”](#), Kluwer Arbitration Blog, November 5 2020, (republished in *The Advocate of the VANIAC*, Vancouver, July 2022)

[“Pandemic Arbitration, A Time to Sow?”](#), Kluwer Arbitration Blog, July 21, 2020

“On Arbitration of Competition Disputes: A Tribute to Mitsubishi”, 73 *Dispute Resolution Journal* 39 (2019)

[“On Arbitrating Antitrust/Competition Disputes”](#), Kluwer Arbitration Blog, August 20, 2018, Part 1; [Part 2](#)

[“Thoughts on Making Arbitration Great Again,”](#) Kluwer Arbitration Blog, November 7, 2017,

[“Privilege and International Arbitration”](#), Kluwer Arbitration Blog, August 14 2017,

“The treatment of US Antitrust and EC Competition Law in International Arbitration – A Handbook for Practitioners”, Chapter 18: U.S. Enforcement Issues and U.S. Antitrust Law (G. Blanke and P. Landolt eds, W. Kluwers, 2011)

April, 2007, guest lecturer on International Arbitration in International Law Course at SMU School of Law, Dallas, Texas

“Certain Procedural Issues in Arbitrating Competition Cases,” *Journal of International Arbitration* with Liebscher, Kurkela and Somer, Vol 24, No 2 (April, 2007)

“International Arbitration of Antitrust Claims,” Richard C. Levin and Gregory Laird, *The Metropolitan Corporate Counsel*, Vol II. No 5, May 2003

“NAFTA Chapter 11: Investment and Investment Disputes,” Richard C Levin and Susan Erickson Marin, 2 NAFTA L & Bus Rev. Am. 82 (Summer 1996)

April 1992, Dallas Bar/International Section: “International Arbitration From the Litigator’s Perspective” (Speech)

April 1991, State Bar of Texas/Advanced International Litigation and Arbitration Course: “Point Counterpoint: Arbitration or Litigation” (Seminar)

July 1990 State Bar of Texas/International Law Section Newsletter: “International Chamber of Commerce Commercial Arbitration – An Overview” (Article)

June 1979, State Bar of Texas/Antitrust Journal: “Shopping Centers and the Rule of Reason” (Article)

“Structural Reciprocity: A New Approach to Conglomerates,” 58 Geo. L.J. 609 (1969-1970) (Student Note)

Pro Bono Activity:

Substantial practice assisting children with learning difficulties in legal issues with schools and school institutes. Member of COPAA (Council of Parents, Attorneys, and Advocates)

Civic Work Includes:

President’s Advisory Council, Dallas Center for the Performing Arts; Former Member, Executive Board, Dallas Opera; Member, Board of Directors, Dallas Opera; Member, Board of Directors, American Friends for the Salzburg Music Festival; Member, Board of Governors, Dallas Symphony

Member, seven person “Building Committee” for the Meyerson Symphony Hall, whose work includes the selection of architect and acoustician, visiting concert halls at home and abroad and interviewing prospective consultants, and acting as owner’s representative in the construction of the hall

Former Member, Corporate Committee of the Dallas Museum of Fine Arts

Former Member and First Vice-President, Board of Trustees, Historic Preservation League

Former Member, Landmark Committee, City of Dallas

Member, Board of Trustees, Arts Magnet School

Former Member and Deputy Vice-Chairman, Management Committee, Arts District in Dallas, a seventeen person board to oversee and approve applications for construction in the Arts District area of Downtown Dallas

Chairman of thirteen people Task Force to investigate the feasibility of a Multi-Purpose Performing Arts hall for the Dallas Opera and Dallas Ballet

Leadership Dallas, Class of 1993