

Alex Ye

ASSOCIATE | HONG KONG

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Alex is an associate in the international arbitration and litigation team.

He has advised clients on commercial disputes in both Asia and Europe, with a particular focus on disputes in Hong Kong and Mainland China involving cross-border elements and parallel proceedings. Alex is specialized in the fields of technology, construction and infrastructure, and international sale of goods. He is experienced under various leading arbitral institutional rules and he also acts as tribunal secretary for complex international arbitrations.

Alex has the rare experience of having both a civil law and common law background. He is a Hong Kong qualified solicitor who also passed the PRC bar exam. Before joining Withers, he worked in leading international law firms in Hong Kong where he practiced international dispute resolution, M&A and real estate transactions. He also gained experience in international arbitration at a leading international law firm in Stockholm, Sweden.

SECRETARY **PENNY CHOW**

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TRACK RECORD

Representing German and Chinese subsidiaries of a German technology group in an ICC arbitration seated in Hong Kong against a Chinese automotive company in a dispute arising from several supply agreements.

Representing the Republic of Armenia in ICSID proceedings commenced by U.S. investors concerning a real estate project.

Representing a Hong Kong conglomerate in an expedited ICC arbitration seated in Hong Kong against a Hong Kong technology company in a dispute arising from an agreement on implementation services of an enterprise resources planning system.

Advising a Singaporean affiliate of a leading Austrian construction company in a statutory adjudication proceeding against a sub-contractor in defending a claim arising from a subcontract of a major public construction project in Singapore.

Acting as tribunal secretary in an ICC arbitration seated in Osaka, Japan concerning a dispute arising from a distribution agreement between a leading Japanese food company and a Dutch distribution company.

Acting as tribunal secretary in an ICC arbitration seated in Seoul, Korea concerning a dispute arising from a shareholder agreement between a Korean high-net-worth individual and a U.S. private equity fund.

Advising a sub-contractor in pre-dispute negotiations with its contractor involving a major infrastructure project in Hong Kong and preparing to commence a HKIAC arbitration.

Advising a publicly listed Taiwanese pharmaceutical company in an ICC arbitration seated in Frankfurt, against an Austrian pharmaceutical company in defending a claim arising from several agreements relating to license, supply and manufacture of a newly developed medical product.

Advising a leading German company specializing in air filter technology in a potential HKIAC dispute with a Swedish supplier concerning a price

adjustment clause in a sale and purchase contract.

Advising a leading Austrian construction company in a major public construction project in Singapore on issues arising from the COVID-19 pandemic.

Advising the U.K. and Hong Kong subsidiaries of a multinational group in the renewable energy sector in a dispute with the purchaser of its products.

PROFESSIONAL QUALIFICATIONS

- Solicitor in Hong Kong, 2017
- PRC Legal Professional Qualification Certificate (passed the bar exam), 2010

PUBLICATIONS

'Investment treaties and their role in protecting Chinese businesses abroad: A look at the Zhongshan v Nigeria award', Mar 2022, co-author

'Review of Gustav Flecke-Giammarco et al. (EDS.), The DIS Arbitration Rules: An Article-By-Article Commentary' - Contemporary Asia Arbitration Journal (Vol. 14, No. 2), Nov 2021, co-author

'A radical reform of the PRC Arbitration Law: A summary of the key revisions' - Withers, 23 August 2021, co-author

"Enka v. Chubb Russia: The Law of the Arbitration Agreement - An end to the continuous battle between the law of the seat and the law of the underlying contract?", Contemporary Asia Arbitration Journal - May 2021, co-author

'A new year, a new set of arbitral rules: a summary of the key changes introduced in the 2021 ICC arbitration rules' - March 2021, co-author

'Opening Pandora's Box: Unpacking the principles relating to the law governing the arbitration agreement across various jurisdictions' - March 2021, co-author

'Would Party Autonomy Trump Winding-Up Petitions? An Analysis of Hong Kong's Position', Contemporary Asia Arbitration Journal - Dec 2020, co-author

'Why Hong Kong is the Ideal Place to Resolve Your Commercial Disputes' - 16 July 2020, co-author with Sherlin Tung and Carmen Li

'The Good Faith Principle in the Context of the Enforcement of New York Convention Award: An Analysis of Hong Kong's Position in Light of the Apparently Conflicting Court Decisions', Journal of International Arbitration 36, no.3(2019): 361-384, author

MEMBERSHIPS

- Hong Kong Law Society
- Young ICCA - International Council for Commercial Arbitration

TALKS

'Chasing the Asymmetries in Arbitration Clauses - to be or not to be valid?' - Generations in Arbitration Conference: Hong Kong Legal Week 2020 Edition, Nov 2020

EDUCATION

Master of Laws in International Commercial Arbitration, Stockholm University, 2018
Postgraduate Certificate in Laws, The Chinese University of Hong Kong, 2014

LANGUAGES

ENGLISH

Juris Doctor, The Chinese University of Hong Kong, 2013

MANDARIN

Master of Laws in Common Law, The Chinese University of Hong Kong, 2011

Bachelor of Arts in Forensic Linguistics (English) and Bachelor of Laws, Southwest University of Political Science & Law, 2010

DATES

JOINED: 2020

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