



## Matthew J. Weldon

### Partner

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### OVERVIEW

Matthew Weldon is a partner in the firm's New York office and is a member of the international arbitration group. He focuses his practice primarily on international dispute resolution, and has extensive experience conducting international commercial arbitrations, investment treaty arbitrations, and acting in complex cross-border litigation. Matthew also counsels a variety of businesses on structuring and strategies related to international disputes resolution, and he provides commercial legal advice to foreign companies conducting business in the United States.

Matthew has served as counsel in arbitrations conducted under the rules of the ICC, AAA, ICDR, SIAC, LCIA, ICSID and UNCITRAL, and in litigation before state and federal courts. Matthew is an advisory board member of the Institute for Transnational Arbitration and editor of the World Arbitration and Mediation Review (now ITA in Review), and is actively involved as a speaker and author in connection to various other international dispute resolution working groups and publications.

Matthew's experience spans a variety of sectors, including construction, distribution, finance, manufacturing, mining, oil and gas, sovereigns, technology, and transportation, as well as a number of legal areas, including commercial contracts, intellectual property, joint ventures, licensing, and treaties.

### PROFESSIONAL BACKGROUND

Prior to joining the firm, Matthew was a partner in the New York office of a large U.S. law firm. In 2009, he was a visiting researcher at Oxford University, Centre for Socio-Legal Studies, focusing on comparative legal studies and international arbitration. In addition, Matthew completed the Annenberg-Oxford Media Policy Summer Institute, University of Oxford / University of Pennsylvania in 2007.

### ACHIEVEMENTS

- Super Lawyers – Rising Stars, 2014, 2015, 2016, 2017, 2018, 2019

## PROFESSIONAL / CIVIC ACTIVITIES

- Global Advisory Board (GAB) of the International Centre for Dispute Resolution's Young & International group.
- Advisory Board, Institute for Transnational Arbitration
- Editorial Board, ITA in Review
- American Bar Association, Section of International Law
- ICC Young Arbitrators Forum (YAF)
- LCIA Young International Arbitration Group
- Young SIAC

## SPEAKING ENGAGEMENTS

- Speaker, International Institute for Conflict Prevention & Resolution, India Supplement to the CRP Corporate Counsel Manual for Cross Border Dispute Resolution (2019)
- How to Know and Understand Arbitrators from Chinese, Asian and Global Perspectives - CYAG / ICDR Y&I Beijing (2017)
- ICDR Y&I Roundtable @ FDI Moot Regional Rounds Seoul (2017)
- ICDR & ICDR Y&I Tertulia: Deliberating the Deliberations - The ICDR Miami International Arbitration Conference (2016)
- Oil & Gas Arbitration: A Primer on Dispute Resolution Clauses for Transactional Lawyers - ICDR / AIPN Dispute Resolution Conference (2014)
- Program Chair, Understanding Necessary Regulatory and Legal Frameworks for the Mineral, Petroleum and Natural Gas Sectors - 2014 ABA Section of International Law "Doing Business in Africa" Teleconference Series (2014)
- Moderator, Trends in International Arbitration and Mediation Panel - Cardozo School of Law Journal of Conflict Resolution Spring 2014 Symposium (2014)

## ADDITIONAL BACKGROUND

- Visiting Scholar, Oxford University

## EDUCATION

- B.A., Case Western Reserve University

- Certificate, University of Pennsylvania, (*Annenberg-Oxford Media Policy Summer Institute, University of Oxford*)
- J.D., Benjamin N. Cardozo School of Law
- M.A., Case Western Reserve University

## ADMISSIONS

- Bar of New Jersey
- Bar of New York

## LANGUAGES

- French

## THOUGHT LEADERSHIP POWERED BY HUB

- 15 October 2020, Second Circuit Reaffirms That Section 1782 Discovery Is Not Available In Aid of Private International Arbitration, Deepening Circuit Split (*Alerts/Updates*)
- 14 April 2020, Arbitration World (*Alerts/Updates*)
- 13 November 2018, *Daesang v. NutraSweet* (*Alerts/Updates*)
- May 2017, Arbitration World (*Alerts/Updates*)

## OTHER PUBLICATIONS

- How To Prep For Investor-State Disputes Related To COVID-19 [Law360]
- Corporate Counsel Manual for Cross-Border Dispute Resolution in India [CPR 2019]
- Using Anti-Suit Injunction to Enforce Arbitration Agreements [Law360]
- China's Belt & Road Initiative: A Conversation with Dr Gabriel Lentner on Investment Protection
- Suit Injunctions and Anti-Arbitration Injunctions in the US Enjoining Foreign Proceedings [Practical Law]
- The Year in Review (2015) [ABA Section of International Law and Practice]
- The International Comparative Legal Guide to: Litigation & Dispute Resolution 2014 (7th Edition)
- The Year in Review 2013 - An Annual Survey of International Legal Developments [ABA]

## NEWS & EVENTS

- August 2020, K&L Gates Lawyers Provide Insights on Impact of COVID-19 Across Various Industries (*Media Mention*)
- 31 October 2016, K&L Gates Boosts International Arbitration Practice with Hire of New York Partner Pair (*Press Release*)

## AREAS OF FOCUS

- International Arbitration
- Complex Commercial Litigation and Disputes
- Construction and Infrastructure
- Investor-State Arbitration
- IP Litigation
- Mergers and Acquisitions
- Mining and Metals
- Oil and Gas
- Technology Transactions and Sourcing

## REPRESENTATIVE EXPERIENCE

- Representation of leading global Indian pharmaceutical company in US\$450 million LCIA arbitration concerning a patent licensing agreement.
- Representation of the Kingdom of Spain in the US District Court for the District of Columbia defending against NextEra's petition to enforce a €291 million ICSID arbitration award (*NextEra Global Holdings B.V., at al. v. Kingdom of Spain*, 19-cv-1618 (TSC) (D.D.C.)).
- Representation of AHG Industry GmbH & Co. KG in US\$1 billion ICSID arbitration against the Republic of Iraq (ICSID Case No. ARB/20/21) concerning the expropriation of a cement plant and pipe manufacturing plant.
- Representation of global power generation systems manufacturer in a US\$40 million ICC arbitration against project owner relating to power plant construction projects in South America.
- Representation of Brazilian construction conglomerate against its European partner in US\$75 million ICC arbitration seated in Paris over conduct related to a joint bid for airport concessions in Brazil.

- Representation of European sovereign's Government Ministry in US\$350 million ICSID arbitration under the Energy Charter Treaty concerning the denial of a concession application relating to an offshore oil & gas project.
- Representation of a leading Taiwanese electronics manufacturing company against a Japanese multinational in a \$20 million UNCITRAL arbitration seated in New York concerning a patent licensing agreement.
- Representation of Japanese multinational in US\$300 SIAC arbitration seated in Singapore governed by New York law concerning the termination of a trademark licensing agreement.
- Representation of Indian media company in UNCITRAL investment dispute against Middle Eastern sovereign relating to concession agreement.
- Representation of a Chinese SOE in a US\$75 million ICDR arbitration seated in New York concerning JOA dispute in connection to an Indonesian oil & gas production sharing contract.
- Representation of European noteholders in seeking discovery in the United States in aid for foreign proceedings under 28 U.S.C. 1782 (*BlueBay et al. v. Fitch Ratings, et al.*, 20-mc-233 (PKC) (S.D.N.Y.)).
- Representation of South American investors in US\$100 million UNCITRAL arbitration.
- Representation of an Emirati oil & gas company against a leading American aviation company in a US\$6 million ICDR arbitration in relation to the termination of an aircraft sales agreement.
- Representation of Brazilian oil & gas company against a Panamanian financial services company in an US\$3.5 million ICC arbitration seated in New York relating to consulting agreement.
- Representation of Israeli pension fund in US\$15 million AAA arbitration seated in New York concerning loss of investments.
- Representation of American construction company in US\$40 million Association of Arbitrators (Southern Africa) FIDIC Red Book arbitration seated in London concerning construction of mine in Africa.
- Representation of Australian life sciences company in ICDR arbitration / mediation concerning termination of distribution and license agreement relating to development and distribution of OTC products.
- Representation of Taiwanese pharmaceutical company in relation to AAA arbitration and termination of license agreement relating to drug development.
- Representation of an American technology company against Italian financial services company in a US\$3.5 million LCIA arbitration relating to a credit agreement.
- Representation of Italian company in ICDR arbitration seated in New York concerning patent licensing agreement.
- Representation of SIMO Holdings, Inc. in dispute concerning patent infringement and obtained US\$8.2 million judgment (*SIMO Holdings Inc. v. uCloudlink Network Technology Limited*), 18-cv-5427 (JSR) (S.D.N.Y.)).
- Representation of Sharp Corporation in dispute concerning unfair competition law (*Sharp Corp. v. Hisense Co., Ltd et al.*, 17-cv-4381 (ALC) (S.D.N.Y.)).

- Representation of American airline in US\$10 million SIAC arbitration seated in Toronto concerning charter agreements, and in US\$97 million dispute with India involving U.S. litigation and India-based settlement procedures.
- Representation of American government consulting company in US\$2 million AAA Commercial Rules arbitration concerning breach of consulting agreement.
- Representation of Lydia Scheck and Dieter Scheck in dispute concerning multi-billion dollar sovereign debt default and obtained first-of-their-kind favorable decisions related to the Hague Service Convention, the Foreign Sovereign Immunities Act and post-judgment discovery against a sovereign (*Scheck v. Argentina*, 10-cv-5167 (TGP) (S.D.N.Y)).
- Representation of C=Holdings B.V. in dispute concerning Commodore trademark ownership dispute and obtained US\$1.2 million judgment (*C=Holdings B.V. v. Asiarim Corp., et al.*, 922 F.Supp.2d 223 (S.D.N.Y. 2013)).
- Representation of Austrian company in ICC arbitration concerning delivery of turnkey plant in Egypt.
- Representation of African sovereign in multi-million dollar investor-state ICSID arbitration concerning annulment.
- Representation of Schutte Bagclosures Inc. in dispute concerning trademark infringement (*Schutte v. Kwik Lok Corp.*, 48 F. Supp. 3d 675, 702 (S.D.N.Y. 2014)).
- Counseling American office supply corporation concerning termination of Indian joint venture and SIAC arbitration procedures.
- Representation of partner (Wilson) in disputes concerning ownership and control rights of multibillion-dollar Brazilian companies, and partnership and contractual disputes (*Wilson v. Dantas et al.*, 650915/2012 (Sup Ct, NY County))
- Representation of foreign designer in copyright infringement action brought under the Berne Convention for the Protection of Literary and Artistic Works and prevailed on summary judgment (*MPD v. Urban Outfitters*, 12-cv-6501 (LTS) (S.D.N.Y.)).
- Representation of Indian conglomerate against a Japanese multinational in a US\$30 million ICC arbitration seated in New York concerning a joint venture to develop a mining project in South America.