John LOWE
16bis rue Louis Philippe
92200 Neuilly sur Seine, France
Mobile: +33 6 86 68 31 88
Email : john.lowe@lowearbitration.com
www.lowearbitration.com

5 Penn Plaza
23rd Floor
New York, New York 10001
United States
Tel: +1 302 609 4802



Juris Doctor: George Washington University Law School
Bachelor of Arts: University of Delaware
English: native; French, Italian and Spanish: fluent

US and French national
Member: Bars of the District of Columbia and Ohio (USA)

International Arbitrator, Mediator and Legal Advisor

Summary

International Arbitrator and Mediator with experience as Arbitral Tribunal Chair, Sole Arbitrator and Member of Arbitral Panel in ad hoc and institutional arbitrations. I possess significant business and international experience in a multitude of practice areas including major infrastructure projects, corporate transactions (joint ventures, acquisitions and divestitures, dispute management and resolution, contracts and intellectual property management. I work around the world including Europe, North and South America, the Middle East and Asia. With an American law degree and admission to the bars of Ohio and the District of Columbia, I have worked in France, Italy, England, Belgium and the U.S. and am very familiar with these legal systems.

Principal Areas of Legal Expertise

- **Common Law: United Stes (Including, e.g., California, Delaware, District of Columbia, New York, Ohio, Pennsylvania), Australia, England and Wales, Singapore,**
- **Civil Law: Belgium, France, Italy**
- **Commercial law, compliance, corporate, finance, intellectual property, international law.**

Principal Areas of Sectorial Expertise

- **Agency, Consultant and Distribution Agreements**
- **Bankruptcies and Corporate Reorganizations**
- **Commercial Agreements**
- **Construction**
- **Corporate Compliance, Anticorruption and Export Controls**
- **Defense and Aerospace**
- **Employment**
- **Finance and Financial Services**
- **Infrastructure Projects and Project Financing**
- **Insurance including reinsurance**
- **Intellectual Property**
- **Joint Ventures**
- **Manufacturing**
- **Medical Devices**
- **Mergers, Acquisitions, Divestitures**
- **Private Equity and Venture Capital**
- **Shipping and Maritime**
- **Telecommunications and Technology**

Dispute Management Skills

Arbitration, Representative Engagements

I have been involved in over eighty arbitrations including more than twenty as tribunal chair in both institutional and ad hoc arbitrations with various rules. Representative engagements are:

- Sole Arbitrator, LMMA case, breach of contract involving Ukrainian and Slovakian parties, several million-dollar claim.
- Sole Arbitrator, Breach of commercial contract, China/US. Claim in excess of $1 million.
- Tribunal Chair, FINRA arbitration, misappropriation of trade secrets, breach of contract, claim for more than $10 million.
- Tribunal Chair, AAA breach of contract dispute between airline and air services company; USD 40 million plus claim.
- Tribunal Chair, FINRA arbitration, circa $8-15 million claim against an investment company.
- Panel Member, ICDR breach of contract and trade secrets dispute; USD 50 million claim.
- Panel Member, Numerous US-based securities arbitrations involving, inter alia, million dollar claims for breaches of contract.
- Sole Arbitrator, ICDR breach of contract claim.
- Tribunal Chair, ICDR maritime arbitration and insurance case.
- Panel Member, US-based claim against securities firm; claim in excess of USD 15 million.
- Panel Member, US-based unjust enrichment claim against a finance firm employee and counterclaim for discrimination.
- Sole Arbitrator, ICDR arbitration re franchise disputes in Latin America.
- Tribunal Chairperson, ICDR arbitration regarding insurance coverage and maritime law.
- Panel Member, AAA shareholder dispute arbitration.
- Panel Member, US-based securities arbitration involving claims in excess of USD 30 million.
- Sole arbitrator in a commercial ad hoc arbitration under Paris Arbitration Rules involving French and US companies.
- Sole arbitrator in over thirty AAA (American Arbitration Association) arbitrations involving construction, privacy, consumer, corporate, financing and partnership disputes.
- Managed several ICC (International Chamber of Commerce) arbitrations involving distribution and agency agreement disputes to a successful conclusion.
- Handled an arbitration regarding a ship conversion contract dispute under the Danish Institute of Arbitration rules.
- Has been appointed to numerous arbitration panels including ICDR, AAA, CPR, HKIAC, SIAC, LCIA, SCCA, WIPO and KLRCA and is a Fellow of the Chartered Instituted of Arbitrators.
- Member, ICC Commission on Arbitration and ADR (US committee).
- Approved Faculty Member, Chartered Institute of Arbitrators (CIArb) teaching, inter alia, Accelerated Route to Fellowship and Accelerated Route to Membership.
- Guest lecturer on arbitration and alternative dispute resolution at La Sapienza-Universita' di Roma and at Roma 3.
- Participates as an arbitrator at the Vis moot court in Vienna (2015-).
- Participates as a judge at the ICC Mediation Competition in Paris (2017-).
- Participates as an arbitrator for the for the Frankfort Investment moot competition (2019-).

Court Decisions

- Galilea, LLC v. AGCS Marine Ins. Co., No19-CV-05768 (VEC) (S.D. N.Y. Dec. 16, 2019). Arbitral award upheld in its entirety.

- Gemstream (Valuefirst) v Visionael, Cour d'Appel de Paris, Arret du 10 Septembre 2019, RG N. 17/10639. Arbitral award upheld in its entirety.

Mediation

- ICDR mediation regarding financing agreement, French and US parties.
- Handled CMAP mediation involving commercial dispute between French and English companies.
- Handled more than twenty CEDR (Center for Effective Dispute Resolution) conciliations/mediations.
- Mediation Panelist, AAA (American Arbitration Association)
- Mediation Panelist, CMAP (Centre Mediation et Arbitrage de Paris)
- Mediation Panelist, CEDR
- Mediation Panelist, CPR (Centre for the Prevention and Resolution of Disputes)
- Mediation Panelist, CAM (Camera Arbitrale Milano)
- Mediation Panelist, WIPO
- Certified CMAP Mediator
- Completed CEDR mediation training and certification (2019).
- Completed AAA mediation training (2016).
- Teach Mediation for CIArb.
- Judge, International Online Mediation Competition, July 2020.
- Judge, ICC Mediation Competition 2018-2020.
- Member, Advisory Committee, ICC Mediation Conference 2016.

Dispute Expertise

- **Major Infrastructure Projects:** Handled bankruptcies and restructurings related to numerous telecommunication projects and companies from 2000-2004. Total exposure of over $3 billion. 75% recovery rate.
- **Corporate transaction disputes:** Successfully handled US$50 million indemnity claim related to acquisition agreement. Managed disputes regarding price adjustment mechanisms in acquisition agreements.
- **Intellectual Property Disputes:** Won licensing agreement disputes in England and California. Successfully managed a trademark dispute resulting in a favorable agreement. Handled litigation involving non-compete agreements.
- **Commercial Transaction Disputes:** Have handled disputes arising from commercial transactions in jurisdictions around the world including Latin America, Russia, Western Europe, Israel and the United States.

General Counsel Expertise

Corporate Governance

- **Compliance:** experienced in drafting and implementing corporate compliance polices, providing training and conducting internal audits. Handled responses to major government investigations and settlements with government authorities related to FCPA violations and US export control violations.
- **Corporate Governance:** significant experience in corporate law including SEC regulations and stock exchange regulations.

General Management and Corporate Strategy

- Executive Committee experience involving the formulation and implementation of corporate strategy in areas such as acquisitions and divestitures, adoption and implementation of corporate policies including compliance polices.

- Organized and managed interdisciplinary work groups handling compliance issues, communication and marketing matters and risk management.
- Responsible for corporate governance for group holding companies as well as operating companies. Served as corporate secretary and attended all board meetings.
- Managed the risk assessment process and ensured that follow-up was conducted. Handled the insurance process ensuring full participation of all operating units.

Legal Expertise

- **Corporate transactions:** significant experience in mergers and acquisitions throughout the world, formation of joint ventures and the management of a group corporate structure.
- **Major Projects and Project Financing:** Have negotiated and implemented major construction projects (a large number in the telecommunication sector) and related financing around the world.
- **Commercial transactions:** drafted and negotiated a wide variety of contracts including sales and purchase contracts, turnkey contracts, project finance agreements, licensing agreements and corporate financing agreements.
- **Insurance:** Have managed corporate insurance programs and related claims.
- **Intellectual Property:** licensing and product development agreements, implementation of intellectual property policies, handling of intellectual property disputes.

Legal Department Management

- Created and implemented corporate compliance and legal policies in areas such as export controls, data protection, ethics, bribery and anti-corruption.
- Organized and managed the operating units handling of legal issues to ensure a consistent approach to contracting, dispute management and legal policy implementation.
- Ensured adequate resources and personnel to address corporate legal issues.

Professional Experience

2022 **Infovista,** ***General Counsel (Acting)***

2015-present **Lowe Arbitration** ***International Arbitrator and Mediator***

2015 **Geodis** ***Group Compliance Director***

2006-2013 **Qioptiq** ***General Counsel and Director of Communications***

2005-2006 **Orrick, Herrington & Sutcliffe, Paris and Milan:** ***Of Counsel, Corporate Dept.***

1994-2005 **Alcatel:** ***Group Assistant General Counsel, 2003-2005***
Alcatel Submarine Networks: ***General Counsel, 2000-2003***
Alcatel Bell: ***Deputy General Counsel, 1997-2000***
Alcatel Italia: ***International Counsel, 1994-1997***

1987-1994 **Attorney** Milan, Italy and Ohio, U.S.

1980-1987 **United States Diplomatic Service:** ***Foreign Service Officer***
Economist. Assignments in Italy, Mexico and Washington

Various :

Expert: P.R.I.M.E. Finance (Panel of Recognised International Market Experts in Finance)
Panelist: ICANN (Internet Corporation for Assigned Names and Numbers) IRP (Internal Review Process) Panel, 2024- .
Member, United States Council for International Business (USCIB-US National Committee of the ICC)
Member, ICC Commission on Arbitration and ADR (US National Committee) 2018-2024.
Fellow, Chartered Institute of Arbitrators (FCIArb) Faculty Member teaching various courses.
Mediator, Equanim International
Member, London Court of International Arbitration
Member, Association Française de Arbitrage
Member, Associazione Italiana per l'Arbitrato
Supporting Member: The London Maritime Arbitrators Association (LMAA)
Member, Luxembourg Arbitration Association
Panelist, American Arbitration Association
Panelist, Arbitration Foundation of Southern Africa
Panelist, Asian International Arbitration Centre (AIAC) (formerly Kualu Lumpur Regional Arbitration Centre)
Panelist (Arbitration and Mediation), Centre de Médiation et d'Arbitrage de Paris (CMAP)
Panelist, Chambre Arbitrale Internationale de Paris
Panelist, Financial Industry Regulatory Authority (FINRA) (USA)
Panelist, Georgian International Arbitration Centre (GIAC)
Panelist, Hong Kong International Arbitration Centre (HKIAC)
Panelist, Korean Commercial Arbitration Board, Panel of International Arbitrators (KCAB)
Panelist, International Arbitration Institute (Paris, France, www.iaiparis.com)
Panelist, International Center for Dispute Resolution (ICDR)
Panelist, International Institute for Conflict Prevention and Resolution (CPR)
Panelist, Kigali International Arbitration Centre (KIAC)
Panelist, Saudi Center for Commercial Arbitration (SCCA)
Panelist, Singapore International Arbitration Centre (SIAC)
Panelist, Vienna International Arbitration Centre (VIAC)
Panelist, World Intellectual Property Organisation (WIPO)

Lecturer, Alternative Dispute Resolution, Università di Roma (La Sapienza), Università di Pavia

Former Member, Board of Directors, Association of Corporate Counsel Europe 2010-2015, President 2013-2014, Treasurer 2011-2013, Cercle Montesquieu

Participate regularly at legal conferences throughout the world speaking on subjects including arbitration and dispute management, export controls, compliance, law department and intellectual property management issues.

Publications:

"Arbitration in the US, a Love/Hate Affair", La Lettre de la Chambre arbitrale international de Paris, Number 15, December 2017 pp 11-13.
"Incorporating Mediation into a Company's Dispute Resolution Program", Young Arbitration Review, April 2016, pp 70-74.
"Litigation Management in the Corporate Legal Department", pages 386-392 in Der Unternehmensjurist (Shulthess Verlag) 2016.

Representative Speaking Engagements:

- "Fundamental Skills in the Counsel Practice of International Arbitration—Preparing Witnesses for Examination", CIArb Virtual Seminar Series, 18 February 2025.
- "Mediation and ADR as Potential Pre-Litigation or Mid-Litigation Options for Dispute Resolution", World Lawyers' Forum, 28 January 2025, Dubai
- "Cross-Border Disputes and International Arbitration", World Lawyers' Forum, 27 January 2025, Dubai.
- "Corporate Arbitration Law", CIArb Virtual Seminar Series, 5 November 2024.
- "Cross Examination Techniques and Practice Event" CIArb event, Paris, 20 October 2023.
- "Merger and Acquisition Disputes", World Litigation Forum, Amsterdam, 4 October 2022.
- "Multi-tiered Dispute Resolution Clauses, CIArb Event during Paris Arbitration Week, 28 March 2022.
- "Corruption Issues in Arbitration", World Litigation Forum, Abu Dhabi, 19-20 January 2022.
- "What happens during a Mediation? How does it work?", Virtual World Litigation Forum, 8-10 September 2020.
- "Negotiating Asymmetric Dispute Resolution Clauses" 14th Riga Vis Pre-Moot, Riga, Latvia, 27 February 2020.
- "Recent litigation developments in the ever-growing fields of corruption and bribery", World Litigation Summit 2020, Dubai, UAE, 27 and 29 January 2020.
- "Third Party Funding in Litigation" World Litigation Summit 2020, Dubai, UAE, 27 and 29 January 2020. Also moderated session on the Belt and Road Initiative.
- "Review by French Courts of Corruption Allegations in Arbitration Proceedings", World Litigation Summit 2019, Amsterdam, The Netherlands, 2 July 2019. Also moderated session on GDPR Compliance, Investigations and Litigation.
- "Alternative Dispute Resolution (ADR): Pros and Cons", 8th World Litigation Forum, Dubai, UAE, 9-10 January 2019.
- "Forged documents in Arbitration Proceedings", Parigi-Italia, conference Rome, Italy, 9 October 2018.
- "International Arbitration Awards", University of Rome, Roma 3, 20 April 2018.
- "Cross-Border Dispute Management from the Client's Perspective", ICDR International Dispute Resolution Boot Camp, London, England 14-16 June 2017.
- "International Tax Issues for In-House Counsel", ACCE Annual Conference, Cascais Portugal, 9 May 2017.
- "Cyber Security and the Arbitration Process", Arbitration: the in-House Counsel's Perspective, CMS, ACCE, CCIAG, ASA conference, London 24 March 2017.
- "Orders, Awards, Enforcement and Settlement", Arbitration: the In-House Counsel's Perspective, CMS, ACCE, CCIAG, ASA, London, 18 March 2016.
- "Mediation and other forms of ADR", CIArb Diploma Course in International Dispute Management for Senior Executives, faculty member, 14-17 January 2016, London.
- "Don't just put out the fires: Managing Anti-corruption long-term and across borders", ACC Annual Conference, Boston 19-21 October 2015.

- "Crisis Management and Exit Strategies for When Things Go Wrong in Foreign Countries", ACC Annual Conference, Boston 19-21 October 2015.
- "Document and information retention programmes and policies" ACC Europe Annual Conference, Munich 31 May -2 June 2015.
- "ICC Guide to Arbitration for in-house counsel", Arbitration: the In-House Counsel's Perspective, CMS, ACCE, CCIAG, ASA, London, 16 March 2015 (also was conference organiser)
- "Introduction to Arbitration and Mediation", University of Rome La Sapienza, 2015-2018. Teach two-day seminar on arbitration to a Masters course in private law.
- "Dealing with Risks Associated with Performance, Damages and Warranties". Corporate Legal Excellence. Kuala Lumpur, Malaysia, Marcus Evans. Conference Co-Chair. 24-26 November 2014.
- "Minimsing Bribery and Corruptions Risks Pre and Post Merger and Acquistion". 5th Forum on Anti-Corruption, Paris, France, C5. Chaired the conference. 13 May 2014.
- "Safeguard your Board from Criminal and Civil Liability Charges, Fines and Jail Time in the Face of Increased Enforcement by Prosecutors". 7th Advanced Forum on Anti-Corruption, Frankfurt Germany, C5. 28-29 January 2014.
- "The Costs of Insufficiency or Non-Compliance". Competition Summit 2013, Brussels, Belgium. 5-6 December 2013
- "Préventions des risques et lutte contre la corruption, Corruption dans les transactions commerciales entre entreprise et fournisseur : comment les détecter?" Conference Anticorruption Paris, France, Marcus Evans. 25-27 November 2013.
- "Mitigating Unforeseen Risks when Entering into a Joint Venture". Managing conference. 9-10 October 2013
- "M&A: Successful Export Controls Compliance Due Diligence and Programme Integration in Acquisition Situations". European Export Controls, Amsterdam, Netherlands, C5. 25-26 September 2013.
- "Managing Third Party and Counterparty Relationship Risk: Getting the Contract Right". Managing Third Party and Counterparty Relationship Risks, London, England, C5, 11-12 March 2013.
- "The Questions You Need to Ask to Effectively Categorise Third Parties as Low, Medium or High Risk". Managing Third Party Relationship Risks, Paris, France, C5. Served as conference co-chair. 23-24 October 2012.
- "Minimising Re-export Risks under US and EU Regulations and Automating Licensing Processes". 6th European Forum on Export Controls, Brussels, Belgium, C5. 7-8 February 2012.
- "Undertaking Effective Audits and Investigations to Uncover and Resolve Export Compliance Challenges and Rectify Procedural Issues". 6th European Forum on Export Controls, Brussels, Belgium, C5. 7-8 February 2012.
- "Internal Procedures to Protect Controlled Technical Data". 1st Advanced Forum on European Export Controls, C5, Munich, Germany. 27-28 September 2011.
- "Risk Management Tools", Association of Corporate Counsel Europe Annual Conference, Vienna, Austria.". 30 May-1 June 2010
- "European Defence Directive". American Bar Association International Section Fall Meeting, Paris, France. November 2010.
- "General Counsel as Member of the Executive Board". Association of Corporate Counsel Europe, Annual Conference, Madrid, Spain. 1-3 June 2008.
- "Conflicts of Interest between Parent Companies and Their Subsidiaries". ABA International Section Spring Conference, New York. 1-5 April 2008.

- “Internal and Regulatory Investigations”. IQPC, London, England. 29-30 November 2007.
- “New US Techniques in Criminal Procedure and Corporate Governance”. Union Internationale des Avocats Annual Meeting, Paris, France. 2 November 2007.
- “Intellectual Property Issues in Corporate Transactions”. High-Tech Patents, London, England, IQBC. 27-28 June 2007.
- “Legal Risk Management: Regulatory Risks”. Association of Corporate Counsel Europe Annual Conference, Munich, Germany. 3-5 June 2007.
- “New Intellectual Property Economy”. European American Chamber of Commerce and Orrick, Herrington and Sutcliffe conference. Program Chair. 18 January 2007