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## **主催 Organizer: 国際商業会議所日本委員会 - International Chamber of Commerce Japan**

## **日本国際紛争解決センター**-Japan International Dispute Resolution Center(JIDRC)

## **後援 Exclusive sponsor:　株式会社 FRONTEO - FRONTEO, Inc.**

## **ICC** **Institute Advanced Level Training Programme**

## **Production of Documents, Tokyo, Japan, 15th October 2019**

## **ICC国際仲裁トレーニング東京2019**

## **Production of Documents上級レベル**

## It is a one-day intensive and interactive training on Production of Documents in international commercial through a study of a series of mock case scenarios under the ICC Rules of Arbitration will be organized by ICC Institute of World Business Law, ICC International Court of Arbitration and ICC Japan National Committee on 15 October 2019.

## Up to 40 participants, including practicing lawyers, corporate counsels, arbitrators and academics will be admitted participating in this Training.

## ICC（国際商業会議所）主催のArbitration Weekが東京で開催されます。その一環として、10月15日（火）に、国際仲裁のトレーニング講座を東京　ベルサール六本木グランドコンファレンスセンター （会議室F、G）にて実施致します。本講座では、国際仲裁の第一線で活躍する内外の専門家が講師を務め、ICC仲裁規則に基づく模擬ケースシナリオを通し国際商業におけるProduction of Documentsについて集中トレーニングを行います。(定員40名)

## **Venue: BELLESALLE Roppongi Grand conference 9th Floor ROOM F&G, Tokyo, Japan**

## **場所:ベルサール六本木グランドコンファレンスセンター 会議室　F&G**

## **東京都港区六本木3-2-1住友不動産六本木グランドタワー9階**

## **Date: 15th October 2019 - Tue. 9：00-17：15　　　　Language: English**

## **日時:2019年10月15日(火)** **9：00-17：15　　　　　　使用言語：英語**

## **Training fee: 16,000 JPY / US＄160 13,000 JPY /US＄130**(**Rates to in-house lawyer)**

## **講義参加費: 16,000　円/160米ドル 13,000　円/130米ドル**(**企業内弁護士)**

## **支払い：申込書に記載された情報に基づいて請求書をお送り致します。**

## **Payment:** **According to your data of** **registration form, we will send you invoice.**

## **申込締切：　10月8日(火)**

## **Registration deadline: Register before 8 October**

## **Training description**

## **講師：Lecturers**

## Mr. Mingchao Fan Director, North Asia, ICC Arbitration & ADR

## Ms. Yoshimi Ohara (Chair), Partner, Nagashima Ohno & Tsunematsu, Japan

## Mr. Takahiro Nonaka, Attorney, DLA Piper, Japan

## Ms. Yoko Maeda, Partner, City-Yuwa Partners, Japan

## Mr. Niels Schiersing, Member, Arbitration Chambers Hong Kong & London, United Arab Emirates

## Mr. Yu-Jin Tay, Partner, Mayer Brown, Singapore

## Mr. Smitha Menon, Partner, WongPartnership LLP, Singapore

**Thinking strategically about the document production process**

This introductory session will address the procedural and strategic choices that should set the approach to document production in international arbitration. Participants will learn how to identify documents that are relevant and material to the case and will discuss issues of document collection and preservation strategies both from a theoretical and a practical standpoint.

**Pro-active approaches to addressing data protection during the document production process**

Data protection rules often apply to the processing of personal data during the arbitration process. Where data protection laws are likely to apply, best practice is usually to raise these issues proactively and upfront, which may limit the impact of data protection compliance on the arbitration process and the production of documents. This session will train participants to spot data protection issues early on and present potential ways to limit the impact of data protection compliance, including “data minimization”.

**Party-promulgated document requests (part 1) – how to draft effective requests**

In international arbitration each party is responsible for submitting the documentary evidence on which it intends to rely to support its case and there is no automatic right to the production of documentary evidence in the possession or control of the opposing party. This session will explore the limits of document production in international arbitration and provide practical insights on how to frame an effective request resulting in an expeditious and cost effective document production procedure.

**Party-promulgated document requests (part 2) – how to draft effective objections**

Upon receipt of a document production request the requested party has to react. What are the contours of the grounds for refusing to produce documents? How can a party best respond to a broad and indiscriminate document request? How can parties make available information necessary and material to a dispute but maintain confidentiality and competitive secrets? During this session participants will discuss the strategic issues and steps that should be considered when responding to a request for production.

**Electronic documents – unique challenges and opportunities**

A lot has been said regarding the consequences of the increasing use of electronic documents, communications and electronically stored information on the document production process but the international arbitration community is still far from reaching a consensus on these issues.

This session will address the recent trends and possible developments on how electronic evidence should be treated in international arbitration.

**Protecting legal privileges and commercial confidences**

Issues of privilege and commercial confidences often arise in international arbitration. The disparity of regimes, however, often makes the outcome uncertain both for counsel and parties and raises challenging issues such as: how to identify and withhold privileged material in practice, how to resist claims of privileges and how to protect commercial confidences, also considering the discretion of the arbitral tribunal on the issue and in the absence of an agreement by the parties

**Non-party documents – techniques to get them if you need them**

Non-party discovery in arbitration can prove to be a virtual minefield both for parties and arbitrators: not only do practices vary significantly depending on the seat of the arbitration, the availability (and scope) of non-party discovery also relies on a delicate balance between arbitrators’ authority and courts’ power. This session will address practical challenges when seeking relevant evidence from non-parties to the arbitration such as competitors, third party advisors or investigative bodies.

国際商業会議所 日本委員会事務局 行

TO　ICC JAPAN

（ Fax: 03-3213-8589 / e-mail: [icc@iccjapan.org](mailto:icc@iccjapan.org) ）

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## **Registration form for ICC Training Programme Tokyo 2019**

## **ICC国際仲裁トレーニング東京2019　申込書**

## **15 October 2019 -Tue.　9：00-17：15**

## **2019年10月15日(火) 9：00-17：15**

## **BELLESALLE Roppongi Grand conference 9th Floor ROOM F&G**

## **ベルサール六本木グランドコンファレンスセンター 　9階　会議室 F&G**

## （一社で複数お申込の場合は、本紙を複写してお送り下さい。）

## Name of Company (English)：

## 会社名（和文）：

## Division:　　　　　　　　　　　　　　　　　　　　　　 　Job Title:

## 部署名：（和文）　　　　　　　　　　　　　　　　　　　　 役職（和文）：

## Company Address (English)：

## 住　所（和文）：〒

## Applicant Name(English)： Mr./Ms.

## 受講者氏名：

## TEL: 　　 　　　　　　　　　　　　 FAX:

## e-mail：

## 取得した個人情報を、ご参加本人の同意なくし て 利用目的（イベント情報のお知らせ） の 範 囲を超えて利用することまたは第三者に提供することはございません。

## Your personal data will not be applied beyond the purpose of use or offer（such as distribution of event information）to a third party without your agreement.

## キャンセルにつきましては、お電話でのみ承ります。

## Cancellations can only be made by phone.

## 原則、受講料は返金いたしませんのでご了承ください。

## In principle, Training fees will not be refunded

## 問合せ先：Contact details for inquiries

## **国際商業会議所日本委員会**

## **International Chamber of Commerce JAPAN**

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