

## Gerold Zeiler

**// Position:**

Partner

**// Admission to the bar:**

1993, Austria

2018, California

**// Nationality:**

Austrian

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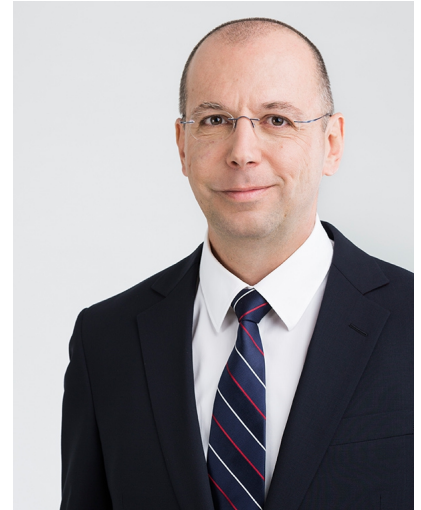
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**Gerold Zeiler** is a partner at zeiler.partners and an expert in national and international dispute resolution, with a strong focus on international commercial arbitration and complex litigation. He has represented clients and served as arbitrator in domestic and international arbitration proceedings - more than 200 at the last count, and is a seasoned litigator before Austrian courts.

In 2018, the ICC World Council appointed Gerold as the Austrian member of the ICC Court. He is also listed on the panel of arbitrators of the Vienna International Arbitral Centre (VIAC), the Singapore International Arbitration Centre (SIAC), the Korean Commercial Arbitration Board (KCAB), the International Commercial Arbitration Court at the Ukrainian Chamber of Commerce and Industry, Arbitration Court at the Chamber of Commerce and Industry of Romania, Russian Arbitration Center at the Russian Institute of Modern Arbitration, the Indian Council of Arbitration, and Czech Arbitration Court.

A graduate of the University of Vienna (Mag.iur. 1988; Dr.iur. 1996) and the Washington University in St. Louis (LL.M. 2016), Gerold is a co-editor of the Austrian Yearbook on International Arbitration, a member of the Publications Board of the ABA Section of Dispute Resolution, a Fellow of the Chartered Institute of Arbitrators (FCIArb) and a former president of the Austrian Arbitration

Association (ArbAUT). His published work includes a comprehensive commentary on Austrian arbitration law (Schiedsverfahren, 2nd edition, 2014). He regularly speaks at international conferences and guest lectures a university course.

## Education

- California Bar Exam (2017)
- Washington University, St. Louis/US (LL.M. 2016)
- Fellow of the Chartered Institute of Arbitrators, London/UK (2006)
- University of Vienna, Vienna/Austria (Mag. iur. 1988, Dr. iur. 1996)
- Austrian Bar Exam, Vienna/Austria (1993)

## Languages

German (native), English (fluent), Italian (basic), Spanish (reading)

## Experience

- Partner, zeiler.partners Rechtsanwälte GmbH, Vienna/Austria (since 2014)
- Austrian member of the ICC Court (since 2018)
- Member of the Publications Board of the ABA Section of Dispute Resolution (since 2018)
- Guest Lecturer at University of Graz (since 2017)
- Co-Editor Austrian Arbitration Yearbook (since 2007)
- Partner (Attorney, Associate) at Schönherr Rechtsanwälte GmbH (1988-2014)
- President and Board Member of ArbAUT (2008-2013)
- Clerkship, Vienna/Austria (1987-1988)

## Selected Reference Cases

Highlights of Gerold's work include the following:

- Representation of shareholders of a large Austrian industrial conglomerate before Austrian state courts against a global conglomerate in disputes relating to several share purchase agreements (amount in dispute EUR 700 million)
- Representation of a global energy major in an ICC arbitration against a Western European energy company regarding the amendment of a gas supply contract in Eastern Europe (accumulated amount in dispute EUR 316 million)
- Representation of an Austrian subsidiary and its Western European communications entity in an ICC arbitration against entities based in a Caribbean and several European states regarding the sale of shares (amount in dispute EUR 40 million)
- Representation of a Southern European automobile entity in a VIAC arbitration against an Eastern European entity regarding an import agreement of automotive vehicles (amount in dispute EUR 30 million)
- Representation of an Austrian publicly owned corporation operating highway tolls in a mediation against a Southern European auto trader (amount in dispute EUR 300 million)
- Representation of foreign investors in an investment arbitration under the ICSID Convention against an Eastern European state regarding investments in the food production industry

(amount in dispute EUR 80 million)

- Representation of a Central Asian state in an investment arbitration under the rules of the Moscow Chamber of Commerce against a foreign investor active in the mining industry (amount in dispute USD 118 million)
- Appointment of Gerold Zeiler as emergency arbitrator in an ICC arbitration regarding a power plant in Israel (amount in dispute EUR 30 million)
- Appointment of Gerold Zeiler as presiding arbitrator in an ICC arbitration between an Eastern European energy holding and a Southern European energy company regarding the privatisation of electricity plants (amount in dispute EUR 522 million)
- Appointment of Gerold Zeiler as a party-appointed arbitrator in an UNCITRAL arbitration regarding several oil and gas extraction projects in CEE (amount in dispute EUR 30 million)

For further reference cases contact [office@zeiler.partners](mailto:office@zeiler.partners).

## Others About Us

"Gerold Zeiler remains a top-flight practitioner in the arbitration sphere handling investment and commercial cases, most notably in the energy sector. Sources say: "He is especially intelligent, I would describe him as one of the grands-seigneurs of the arbitration scene in Austria.""

Chambers Global 2019

Gerold Zeiler is described by sources familiar with his work as "really, really impressive", with one source stating that they have "hardly ever seen a practitioner who identifies the critical issues of a case so quickly".

Who is Who Legal 2019

""fantastic court room performer" Gerold Zeiler"

Legal 500 2018

"Gerold Zeiler is "a professional and efficient arbitrator" who receives acclaim for his "extensive experience"."

Who is Who Legal, 2018

"Gerold Zeiler is recognised as one of the most prominent names in the field of arbitration, where he excels as both counsel and arbitrator. In addition to his outstanding expertise, a client also notes his "*great business acumen*," adding that he is "*sharp and comes straight to the point in a few minutes*.""

Chambers Global 2018

"Gerold Zeiler of zeiler.partners Rechtsanwälte GmbH is widely regarded as a leading arbitrator in the market."

Chambers Global 2015

"He is excellent at what he does. His know-how is not only local, but international, which sets him apart. He doesn't get emotional, which makes him excellent for meetings that take unexpected turns. He is also flexible and extremely efficient."

"Highly rated Austrian arbitration lawyer Gerold Zeiler recently acted on several significant BIT and other investment-related cases on behalf of major European clients. He is noted for his focus on energy-related disputes."

Chambers Europe 2014

"Founding partner Gerold Zeiler is an unrivalled arbitration expert, acting as both arbitrator and counsel on high-stakes international cases. Clients extol him as "one of the grands seigneurs of the Austrian arbitration community. He is very experienced, very smart but very friendly, with very good business acumen." He is instructed by a strong banking and energy names as well as government entities."

Chambers Europe 2017

## Publications & Lectures

**Zeiler & Zojer** (eds.), [Trade Secrets: Procedural and Substantive Issues](#). NWV, 2020.

**Zeiler** (speaker) "Proceedings under the ICC Rules", [Austria – A Trusted Place of Arbitration conference](#), Residency of the Austrian Embassy in Moscow, 9 October 2019

**Ed Floyd, Jonas Patzwall, Gerold Zeiler, Thomas Herbst**, Memo on [Arbitrability in the US - The Fifth Circuit Takes Another Crack At Interpretation Of Arbitration Clause, Finds Placement of Carve-Out Dispositive](#), 22 August 2019.

**Zeiler & Herbst**, featured article on "Parties' Obligation to Confidentiality in International Commercial Arbitration: Fact or Fiction?", American Bar Association, Just Resolutions Newsletter, May 2019.

**Zeiler** (panelist) "Use of ADR and Other Forms of International Dispute Resolution for Small and Medium Enterprises", 2019 Annual Conference of the ABA Section of International Law, Washington, DC (USA), 12 April 2019.

**Zeiler & Zenz**, Consumer Arbitration in Europe, in Austrian Yearbook on International Arbitration 2019.

**Zeiler & Zojer**, Memo on [Trade Secrets Revised: Extended Protection for Know-how and Business Information](#), 07 February 2019

**Siwy & Zeiler** (eds.) **Beisteiner, De la Brena & Schifferl** (authors) [The European Convention on International Commercial Arbitration A Commentary](#). Kluwer, 2019.

**Zeiler & Zojer** (eds.), [Resolving IP Disputes. A Selection of Contemporary Issues](#). NWV, 2018.

**Zeiler** (guest lecturer), University of Graz; Course: "Angloamerikanisches Rechtssystem und angloamerikanische Rechtssprache", Spring 2018.

**Zeiler** (moderator), ICC conference on [Damages in International Arbitration](#), Vienna (Austria), 24/25 May 2018.

**Zeiler** (speaker), Liability of Third Party Funders, Including Security for Costs, [Belgrade Arbitration Conference](#), 16 March 2018.

**Zeiler**, "The Impact of Directive 2014/104/EU on Actions for Damages for Infringements of Competition Law in International Arbitration", Expert Guides 2017

**Zeiler** (guest lecturer), University of Graz; Course: "Angloamerikanisches Rechtssystem und angloamerikanische Rechtssprache", Spring 2017.

**Zeiler** (panelist): "[A New Era for Arbitration in Korea and Austria?](#)" Conference organised by VIAC, KCAB and SIDRC, Vienna (Austria), 29 November 2016, 17:00 - 20:00.

**Zeiler** (ed.), **Beisteiner, Schifferl, Siwy, Zeiler** (authors), [Austrian Arbitration Law](#). NWV, 2016.

**Heider, Nueber, Schumacher, Siwy, Zeiler**, [Dispute Resolution in Austria](#) (Kluwer Publishing 2015)

**Zeiler**: Time-cost-efficiency (Moderator). Vienna Arbitration Days: The Austrian Conference for Arbitration Practitioners. Wien (Österreich). 13.2.2015-14.2.2015

**Zeiler**: Panelist in the discussion about *Threshold Steps in the Investment Treaty during the Arbitral Process*; 4th Investment Treaty Arbitration Conference 2014 on Settlement of Investment Disputes: Practical Steps; Prague, 30 October 2014

**Zeiler**, The VIAC Arbitration Rules – The International Arbitration Court of the Austrian Federal Economic Chamber, in Chlup (ed.) Commentaries to the Rules of the Leading Arbitration Institutions 234-251 (2012, Russian)

**Zeiler**, Litigation Funding in Austria, in Expert Guides – Litigation and Product Liability (2014)

**Zeiler**, Schiedsverfahren - §§ 577-618 ZPO idF des SchiedsRÄG 2013 (NWV 2014, 2. Auflage, Monografie)

**Zeiler**, International Arbitration in Austria, in C.H.Beck Practitioner's Guide to International Arbitration (2014) [with Nueber]

**Zeiler**, Der OGH und § 617 ZPO, ecolex 2014, 425 [mit Liebscher]

**Zeiler**, Annulment of an Award Based on the Challenge of Arbitrators is Only Possible Under Very Restrictive Circumstances, IBA Arbitration News Vol 19 No. 1., February 2014

**Zeiler**: New Developments in Austrian Arbitration Law, VIAC Roadshow, Bucharest, January 2014 (with VIAC and the Court of International Commercial Arbitration of the CCIR)

**Zeiler**, Decisions of the Austrian Supreme Court on Arbitration in 2012 and 2013, in Klausegger et al (eds.), Austrian Yearbook on International Arbitration 2014, 243 [with Nueber]

**Zeiler**, Arbitration in Austria: Recent Developments, Romanian Arbitration Journal, 2014/1, 27 [with Nueber]

**Zeiler**, Arbitral awards can only be challenged in Austria by the Austrian Supreme Court, PLC Update January 2014 [with Nueber]

**Zeiler**: Austrian Supreme Court as First and Final Instance for Annulment of Awards, VIAC Roadshow, Kiev, November 2013

**Zeiler**, Amendments to Austrian Arbitration Law abbreviate proceedings to set aside an arbitral award, PLC Update November 2013 [with Nueber]

**Zeiler**: New Developments in Austrian Arbitration Law, VIAC Roadshow, Bratislava, October 2013

**Zeiler**, Article on Vienna International Arbitral Centre's arbitration rules 2013, PLC Update, October 2013 [with Nueber]

**Zeiler**, Geltendmachung von erst nach Fällung des Schiedsspruchs hervorgekommenen Ablehnungsgründen mittels Aufhebungsklage? Glosse zu OGH 17.6.2013, 2 Ob 112/12b, ecolex 2013, 793

**Zeiler:** Mehrparteienverfahren, Streitgenossen und Nebenintervenienten, Dreiländerkonferenz, Innsbruck, September 2013 (Einleitung und Moderation)

**Zeiler,** Arbitration in Austria, in Expert Guides Arbitration 2013

**Zeiler,** Die Stiftung als Partei von Schiedsvereinbarungen im österreichischen Recht, in Schurr (Hrsg), Wandel im materiellen Stiftungsrecht und grenzüberschreitende Rechtsdurchsetzung durch Schiedsgerichte (2013) 217

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**Zeiler,** Fragen der Mehrparteienschiedsgerichtsbarkeit gemäß den Wiener Regeln 2013, in Fitz et al (Hrsg), Festschrift Torggler (2013) 1403

**Zeiler,** Zur schiedsgerichtlichen Anfechtung von Gesellschafterbeschlüssen, in Schumacher/Zimmermann (Hrsg), Festschrift Delle Karth (2013) 1055

**Zeiler,** The View from Europe, DRJ 2013, No. 3, 89 [with Wilske, Michou and Fox]

**Zeiler,** Vienna International Arbitral Centre's (VIAC) New Arbitration Rules, Kluwer Arbitration Blog 2013 [with Nueber]

**Zeiler,** Vorläufige und sichernde Maßnahmen, Artikel 33, in VIAC (Hrsg), Handbuch Wiener Regeln (2013)

**Zeiler,** Interim and Conservatory Measures, Article 33, in VIAC (ed.), Handbook Vienna Rules (2013)

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**Zeiler:** Protection of Investments in Alternative Energy Projects in Romania, Romanian Wind Energy Association, Bucharest, June 2013

**Zeiler:** New Developments – the Annulment of Arbitral Awards in Austria, ArbAUT Bilateral Conference Belgrade, June 2013

**Zeiler**, The View from Europe, DRJ 2013, No 2, 21 [with Wilske, Michou and Fox]

**Zeiler**, Zuständigkeit staatlicher Gerichte zur Erlassung einer Einstweiligen Verfügung bei Vorliegen einer Schiedsvereinbarung - Glosse zu OGH 18.4.2012, 3 Ob 44/12k, ecolex 2012, 981

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**Zeiler**: Die Stiftung als Partei von Schiedsvereinbarungen im österreichischen Recht, 5. Liechtensteinischer Stiftungsrechtstag, Vaduz, 2012

**Zeiler**: The Relationship between Anti-Suit Injunctions and Arbitration, ArbAUT Conference, Istanbul, May 2012 (Moderator)

**Zeiler**, Price Review Arbitrations in the European Gas Industry – A Surge Still on the Rise?

**Zeiler**: EU Plans on Extending Regulation 44/2001 to Arbitration, III Belgrade Arbitration Conference, Belgrade, April 2012

**Zeiler**, Einstweilige Maßnahmen, in Liebscher/Oberhammer/Rechberger (Hrsg), Schiedsverfahrensrecht I (2012) 561

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**Zeiler**: Non-compliance With Multi-Tier-Clauses, Belgrade Arbitration Conference 2010

**Zeiler**, Commentary to SCH-5024, International Journal of Arab Arbitration 2/2010, 341

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**Zeiler**: The Energy Charter Treaty and the EC, *Vienna Arbitration Days 2008, Vienna, February 2008*

**Zeiler**: The Role of the Courts in Providing Support and Supervision: A Civil Law Perspective (Austria), *IFCAI Conference, New Delhi, October 2007*

**Zeiler**, Treaty v Contract: What is the Proper Venue for Investment Disputes? in Klausegger et al (eds.), *Austrian Yearbook on International Arbitration 2007*, 323

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**Zeiler**: Elements in Legislation and case law in selected countries consistent or inconsistent with a contractual or other analysis of relationship(s) between arbitrators and parties – AUSTRIA, Stockholm Center for Commercial Law, Stockholm, May 2007

**Zeiler**, Observations to Court Decisions from the Austrian Supreme Court Case No 9 Ob 126/04a and Case No 6 Ob 207/06v Rendered in June 2005 and November 2006 „The B-Bank and Manfred S Cases“, in SIAR 2007 Vol. 3, 97

**Zeiler**, Vienna Court Upholds Validity of Arbitration Clause Upon Spin-Off, International Law Office – Legal Newsletter, 22.03.2007

**Zeiler**, A Basic Primer to Arbitration in Austria (2nd edition, NWV 2007) [with Steindl]

**Zeiler**: Die Bedeutung der Investitionsschiedsgerichtsbarkeit in Zentral- und Osteuropa, ICC Symposium, Wien, Februar 2007

**Zeiler**: Treaty v. Contract: Which Panel? Chartered Institute of Arbitrators, Vienna, December 2006

**Zeiler**, Supreme Court Clarifies Convention Form Requirements, International Law Office – Legal Newsletter, 03.08.2006

**Zeiler**, Concept of Separability Under National Law, International Law Office – Legal Newsletter, 06.07.2006

**Zeiler**, Austrian Chapter in GLG International Arbitration 2006 [with Steindl]

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**Zeiler**, Supreme Court Reaffirms Conclusiveness of Form Requirements, International Law Office – Legal Newsletter, 19.01.2006

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**Zeiler**, Supreme Court Stresses Equitable Appointment in Arbitration, International Law Office – Legal Newsletter, 17.11.2005

**Zeiler**: 30 Jahre Internationales Schiedsgericht – Ansichten österreichischer Anwender, VIAC Konferenz, Wien, Oktober 2005

**Zeiler**, Enforcement Based on Treaties and Public Policy, International Law Office Newsletter, 08.09.2005

**Zeiler**: A Basic Primer on the Protection of Investments in Foreign States, Kiew, June 2005

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**Zeiler**, Schadenersatz bei politischem Streik, Der Standard, 24.06.2004

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**Zeiler**, Schiedsverfahren im Infrastrukturbereich, in Nemeč (Hrsg), Liberalisierung österreichischer Infrastrukturmärkte 2003, 91 [mit Lütgendorf]

**Zeiler**, Einspielung österreichischer Kunden- und Mitarbeiterdaten in internationale Konzerndatenbanken: Vorsicht, Die Presse, 28.05.2002 [mit Knyrim]

**Zeiler**, Überblick über die arbeitsrechtlichen Grundlagen der “Abfertigung neu”, RWZ 2002, 201 [mit Kühnleubl]

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**Zeiler**: Vertragsrecht für Nichtjuristen, Management Circle, Wien, Mai 1999

**Zeiler:** Grenzüberschreitender vorsorglicher Rechtsschutz, Zweites St. Galler Internationales Immaterialgüterrechtsforum, November 1998

**Zeiler,** Mehr Freiheit in der Bildberichterstattung?

**Zeiler,** EuGH zur aktorischen Kautio, Glosse zu EuGH 2.10.1997, Rs C-122/96 Saldanha/Hiross, ecolex 1998, 18

**Zeiler,** Persönlichkeitsschutz (Manz 1998, Monografie)

**Zeiler:** Recht und Unrecht am eigenen Bild, Ludwig Boltzmann-Institut für Gesetzgebungspraxis und Rechtsanwendung, Wien, November 1997

**Zeiler:** Gerichtsstandsvereinbarungen (Art 17 und 18 EuGVÜ), Konferenz des Obersten Gerichts der Republik Polen und der Europäischen Rechtsakademie Trier, Popowo, Oktober 1997

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