

VIAC – Questionnaire for Arbitrators

1. **Name:** Markus P. Fellner, LL.M.

2. **Citizenship:** Austria

3. **Contact information:**

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4. **Current position:**

Partner at Saxinger, Chalupsky & Partner Rechtsanwälte GmbH

5. **Education:**

1994: Master of Laws (Mag. iur.) – University of Vienna

1996: Master of Laws (LL.M.) – University of London – Queen Mary

2001: Admission to the Vienna Bar Association

6. **Practiced experience in arbitration**

- How many arbitrations have you participated in (domestic/international); under which Rules?
11 domestic / 31 international (VIAC; ICC; UNCITRAL; DIS; arbitration court of the Bremen cotton exchange; arbitration court of the Vienna stock exchange for agricultural products; ad hoc)
- How often have you acted as Chairman?
0 times
- How often have you acted as Sole Arbitrator?
3 times
- How often have you acted as Co-Arbitrator?
4 times
- How often have you acted as Counsel?
34 times
- How often have you acted in a different function (e.g. Administrative Secretary)?
1 time (party appointed expert)

7. **Publications and other activities in arbitration (e.g. training sessions, seminars, conferences, articles and others):**

Publications:

- *Fellner/Gappmayer, Österreichisches Außenwirtschaftsrecht, 2016, Kitzler Verlag*

- *Fellner/Leitner*, Missbraucht Österreich ein Monopol? Die Presse 6.6.2011, 16
- *Markus P. Fellner*, Glosse zu 3 Ob 25/10p, ecolex 2010, 767
- *Markus P. Fellner/Patrizia Netal*, Is Austria fit for Adjudication?, in Klausegger [et al.] (Hrsg.), Austrian Arbitration Yearbook 2010, Wien 2010
- *Markus P. Fellner*, „Mitternachtsklauseln“ Wann sind Schiedsvereinbarungen sinnvoll?, Leadership, Wirtschaftsforum der Führungskräfte 4-2009
- *Markus P. Fellner*; Parallelimporte, in Strabegger, EU-Recht – Handbuch für die österreichische Rechtspraxis, WEKA-VERLAG
- *Markus P. Fellner*, Das neue Österreichische Schiedsrecht, Neuerungen durch das SchiedsRÄG 2006 im Überblick sowie durch das HRÄG im Besonderen, N & V, 2007, 10
- *Markus P. Fellner*, Neuer Leitfaden für Kronzeugen, Wirtschaftsblatt 22.2.2007, 23
- *Markus P. Fellner*, Vorbereitung auf Dawn Raids, Wirtschaftsblatt 4.1.2007, 19
- *Markus P. Fellner*, Fairness beim Hüten des Wettbewerbs, Die Presse 4.7.2005, Rechtspanorama, 6
- *Markus P. Fellner / Alexander Grunicke*, Kartellgesetz 2005 und Wettbewerbsgesetznovelle 2005 – Teil 2, RdW 2005 / 606, S. 529
- *Markus P. Fellner / Alexander Grunicke*, Kartellgesetz 2005 und Wettbewerbsgesetznovelle 2005 – Teil 1, RdW 2005 / 534, S. 462
- *Markus P. Fellner*, Legal proceedings costs in Austria in Legal proceedings costs in Europe, 2004
- *Markus P. Fellner*, Level Playing Field im EG-Wettbewerbsrecht, Anwalt aktuell, Juli 2003, 10
- *Markus P. Fellner / Robert Domes*, Kronzeugen im Kampf gegen Kartelle können mit Straffreiheit rechnen, Die Presse 25.2.2002, Rechtspanorama, 6
- *Markus P. Fellner / Robert Domes*, Neu „Bagatellbekanntmachung“ der europäischen Kommission, RdW 2002 / 339

Teaching:

- Austrian Arbitration Academy (Summer School, University of Vienna) (2014, 2015)

Others:

- Regular lectures on international commercial arbitration law, antitrust, customs law and foreign trade law

8. Membership in arbitral institutions / functions in arbitral institutions/organizations:

Listed on the roster of following Arbitration Institutions:

- International Arbitral Centre of the Austrian Federal Economic Chamber
- Permanent Arbitral Tribunal of the Vienna Economic Chamber
- Court of Arbitration of the Vienna Bar Association

Professional memberships:

- ICC Commission on Arbitration and ADR
- ICC Task Force on "Maximizing the Probative Value of Witness Evidence"
- International Bar Association – member of the IBA Arbitration Committee
- Austrian Arbitration Association (ArbAut)
- Arbitrator at the Willem C. Vis International Commercial Arbitration Moot Court since 2002

- Dispute Review Board Foundation (DRBF)
- Arbitration Institute of the Stockholm Chamber of Commerce
- German Institution for Arbitration (DIS)
- Swiss Arbitration Association (ASA)

9. Languages

Mother tongue: German

Working languages (*i.e.* languages in which you have both a spoken and written command so that you may conduct arbitral proceedings in this language): German and English

10. In which legal system have you trained?

Austria, European Union

11. What is your main jurisdiction of practice?

Austria, Germany, Switzerland

12. Special expertise or specializations (please list a maximum of three):

Construction and engineering; corporate matters (joint venture / post M&A disputes); distribution and agency agreements;

13. Date of birth:

1 March 1969

I have completed this questionnaire to the above to the best of my knowledge and believe they are accurate. I understand that the above information will be used for VIAC's internal use and may be given to interested persons and may be put on VIAC's website.

Vienna, 17 October 2017

Date and signature