

Maximilian Pika

PARTNER

Contact

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Background

- Admitted to the German Bar in 2017
- Barrister, England & Wales
- Heidelberg University, Dr. iur., *summa cum laude*; former Assistant
- The Hague Academy of International Law, Diploma
- Former scholar of the German Academic Scholarship Foundation (*Studienstiftung*)
- Languages: English, French, German, Italian, Spanish (read)

Investment Arbitration Experience

- Defended the Federal Republic of Germany against Vattenfall in the reported US\$ 7 billion arbitration regarding the nuclear phase-out until its settlement (ICSID Case No. ARB/12/12)
- Representing four German banks in an arbitration against Spain concerning its renewable energy reform (ICSID Case No. ARB/15/45)
- Representing an investor in an arbitration against Spain concerning its renewable energy reform (ICSID Case No. ARB/19/30)
- Representing a bank in an arbitration against Italy concerning a renewable energy project (ICSID Case No. ARB/20/03)

- Defending the Czech Republic in an arbitration brought by a French advertisement company (ICSID Case No. ARB/20/33)
- Defending the Federal Republic of Germany in an arbitration regarding the coal phase-out (ICSID Case No. ARB/23/47)
- Representing a European investor in two parallel *ad-hoc* arbitrations against a sovereign State in the oil & gas sector
- Represented a Central European fintech company in an ICC arbitration against a South-Eastern European State under the State's investment law
- Acted for a South-Eastern European State in an *ad-hoc* arbitration in the mining sector

Commercial Arbitration Experience

- Represented a U.S. subsidiary of an Asian pharmaceutical company in two arbitrations against a Swedish pharmaceutical company seated in Sweden (SCC cases)
- Represented a U.S. luxury distribution company against a French producer in an arbitration seated in Switzerland (ICC case);
- Represented a U.S. company in an ICC arbitration seated in the Netherlands concerning a shareholder dispute under French law (ICC case)
- Represented a U.S. company in a USD 100 mil. shareholder dispute seated in New York (IDRC case)
- Acted for a U.S. company in an energy arbitration under Cayman law (ICC case)
- Acted for a U.S. company in an arbitration regarding clothing manufacturing seated in New York (ICC case)
- Acted for a German telecommunications company in an arbitration of approx. EUR 100 million seated in Germany (DIS case)
- Serving as presiding arbitrator in a TMT dispute under German law seated in Germany (DIS case)
- Acted as tribunal secretary in an oil & gas arbitration under the UNIDROIT Principles on International Commercial Contracts seated in Singapore (SIAC case)
- Acted as tribunal secretary in an arbitration between a Swiss and a South Korean company in the life sciences sector seated in Singapore (SIAC case)
- Acted as assistant to the sole arbitrator in an arbitration in the mechanical engineering sector seated in Switzerland (Swiss Rules case)

Litigation Experience

- Defending a German oil & gas company in a climate-change litigation in German courts

Listings

- *Leaders League: Arbitrators*, Germany, 'Recommended' tier (since 2023)
- *Best Lawyers/Handelsblatt: 'One to Watch'*, Arbitration, Germany (since 2022)
- *Global Arbitration Review*: mentioned (since 2022)
- *Legal 500*: mentioned (since 2022)
- *Chambers Global*: mentioned (since 2022)



Selected Publications

- *Third-Party Effects of Arbitral Awards*, Wolters Kluwer, International Arbitration Law Library, Volume 49, 2019, 368 + XX pp. (Foreword by Prof. Campbell McLachlan QC)
- “Auf dem Weg zu einem europäischen Schiedsverfahrensrecht oder zu außereuropäischen Schiedsorten?“, [2023] *Praxis des Internationalen Privat- und Verfahrensrechts (IPRax)*
- “Harte Patronatserklärungen und Wahlschulden nach EuGVVO und Rom I-VO” [2022] *Praxis des Internationalen Privat- und Verfahrensrechts (IPRax)*, pp. 159-164
- „Abuse of Process“, Jus Mundi, Wiki, last update 2022
- “Res Judicata“, Jus Mundi, Wiki, last update 2022
- “Full Protection and Security“, Jus Mundi, last update 2022 (with Arne Fuchs)
- “Schiedsvereinbarungsstatut und konkludente Rechtswahl“, [2021] *Praxis des Internationalen Privat- und Verfahrensrechts (IPRax)*, pp. 508-512
- Case Note, Higher Regional Court of Munich, 20 December 2019, 34 Sch 14/18 (Article VI New York Convention), [2020] *German Arbitration Journal (SchiedsVZ)*, pp. 150-154
- Case Note, German Federal Court of Justice, 11 October 2018, I ZB 9/18 (on res judicata in arbitration), [2019] *German Arbitration Journal (SchiedsVZ)*, pp. 150-154
- “Schiedsspruch ultra partes? – Die subjektive Rechtskrafterstreckung anhand von Parteiautonomie und rechtlichem Gehör“, (2018) 131 *Zeitschrift für Zivilprozess*, pp. 225-259
- “Vertrauensschutz im Vertriebsrecht“, [2017] *Zeitschrift für Europäisches Privatrecht*, pp. 32-63 (with Dr. Leonhard Huebner)
- “Privatscheidungen zwischen europäischem Kollisions- und Zivilprozessrecht“, [2017] *Praxis des Internationalen Privat- und Verfahrensrechts (IPRax)*, pp. 37-48 (with Prof. Marc-Philippe Weller)
- “Das Rechtsbehelfssystem des CISG“, [2016] *Juristische Schulung*, pp. 781-786
- “Die Kammer für internationale Handelssachen – Eine einmalige Gelegenheit durch den Brexit“, [2016] *Zeitschrift für Internationales Wirtschaftsrecht*, pp. 206-209
- Case Note, DIRECTV v. Imburgia, 136 S. Ct. 48 (on class actions and arbitration), [2016] *German Arbitration Journal (SchiedsVZ)*, pp. 38-40 (with Pierre Trippel)
- “Der Anknüpfungsgegenstand von Art. 12 Rom II-VO“, [2014] *Praxis des Internationalen Privat- und Verfahrensrechts (IPRax)*, pp. 305-309

