

THE KERALA LAW ACADEMY LAW COLLEGE,
THIRUVANANTHAPURAM, KERALA.

4TH NATIONAL ADR (VIRTUAL) COMPETITION

FINALS

Problem 3: International Arbitration

Title: “Cross-Border Business Dispute – High-Stakes Contracts”

Scenario:

Two multinational corporations, Alpha Corp and India Tech Inc, are engaged in a Complex international business dispute. Alpha Corp, a leading technology Company based in the United States, entered into a multi-million-dollar contract With India Tech Inc, a Indian multinational corporation, for the supply of critical High-tech components. A dispute has arisen as Alpha Corp claims that India Tech Inc failed to deliver the components as per the agreed-upon specifications, Resulting in significant financial losses. India Tech Inc, on the other hand, argues That unforeseen circumstances beyond their control led to the delay.

Hence this matter is referred for Arbitration:

Task:

You are tasked with creating a mock international arbitration case that mirrors The real-world complexities of cross-border disputes. Outline the selection Process for the panel of arbitrators, considering the nationalities, expertise, and Impartiality of the arbitrators. Establish procedural rules, including the timeline For submissions, evidence presentation, and hearings. Identify the specific legal Issues to be addressed, such as breach of contract, force majeure clauses, and Damages calculation. Additionally, emphasize the need for enforcing any final

Arbitration award and addressing potential challenges in cross-border Enforcement.

(Note: “high-tech components” refer to advanced technological parts or Elements that are crucial for the functioning of modern electronic devices, Machinery, or systems. These components can vary widely but often include Items such as microchips, semiconductors, integrated circuits, sensors, or Specialized materials used in manufacturing electronic or technology-related Products. You can use your imagination and include your preferences for the same)

