



# Claire Morel de Westgaver

## Partner

## International Arbitration

Ontier LLP

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Claire Morel de Westgaver practises international arbitration as counsel, advocate and arbitrator out of Ontier's London office.

She has particular expertise in disputes relating to technology, corporate transactions, licensing, cross-border sales or service agreements, as well as disputes involving secrecy, intellectual property and cybersecurity issues. Her practice covers a broad spectrum of industries, including IT, pharmaceuticals, retail, engineering, energy, agribusiness, media, art and defence.

Claire has experience in proceedings conducted under the arbitration rules of the LCIA, ICC, AAA/ICDR, UNCITRAL, WIPO, Cepani and CCJA as well as in ad hoc proceedings. She has handled arbitrations involving the laws of England & Wales, New York, Texas, France, Switzerland, Belgium, Luxembourg, the Czech Republic, Cyprus, Japan, China, Singapore, Pakistan, Qatar, the Republic of Equatorial Guinea, Romania, Saint Lucia, Senegal and others.

Claire regularly writes and speaks on arbitration-related subjects, including the use of technology and AI in arbitral proceedings, arbitrating technology disputes, cybersecurity in international arbitration and the preservation of trade secrets. She co-founded Global Arbitration Review's award-winning initiative 'Mute Off Thursdays' in 2020 and she is the Secretary of the Society of English and American Lawyers (SEAL).

## Admissions

- Solicitor, England and Wales - 2009
- Attorney at Law, New York - 2008

## Education

- Northwestern University School of Law Chicago, United States, Master of Laws, with honours - 2006

- Université Catholique de Louvain, Louvain-la-Neuve, Belgium, Bachelor of Law, cum laude - 2004
- Queen's University School of Law Belfast, United-Kingdom, Erasmus program - 2004

## Languages

- English
- French

## Nationality

- Belgian

## Rankings

- Listed as Next Generation Partner - Legal 500, 2020, 2021, 2022, 2023 and 2024
- Ranked Band 6 for International Arbitration - Chambers & Partners, 2023 and 2024
- Listed in Who's Who Legal, Arbitration - 2022, 2023 and 2024
- Listed in Who's Who Legal as a 'Future Leader in International Arbitration' - 2017, 2018, 2019, 2020, 2021, 2022, 2023 and 2024

## Recommendations

- *"Claire is intelligent and commercial, with strong strategic way of working and thinking. She addresses well the important commercial realities involved in the case."* (Chambers & Partners, 2024)
- *"[Claire] is also responsive, detail-oriented and has a strong knowledge of the underlying legal elements involved in the legal dispute at hand"* (Chambers & Partners, 2024)
- *"Claire [is] sensible and diligent and provide[s] sound advice"* (Chambers & Partners, 2024)
- She has *"a good business mindset"* (Legal 500, 2024)
- Claire is *"well organised and always delivers on her commitment"* (Chambers & Partners, 2023)
- Claire is *"tremendously responsive and client-oriented. She does not shy away from tough issues and is extremely clear and diligent in her analysis"* (Chambers & Partners, 2023)
- Claire is *"very well known in the community for her work as counsel and increasingly as arbitrator"* (Who's Who Legal, 2021)

- Claire possesses “*the ability to present her arguments in a clear manner*” and has “*in-depth knowledge of technology-related arbitration*” (Who’s Who Legal, 2021).
- Claire has “*an astute legal mind*” and is “*highly sought after by clients for her strong knowledge of international arbitration law*” (Who’s Who Legal, 2019)
- She is “*brilliant*” (Legal 500, 2018)

## Representative experience

### As Counsel

- Advising the owner of a luxury goods brand in a high-stakes trademark dispute involving multiple agreements governed by English law and multiple sets of arbitral proceedings including an emergency arbitration.
- Representing a Korean API manufacturer against a major US pharmaceutical company in a dispute arising out of a supply agreement governed by New York law.
- Representing a Japanese biotech giant in an English law ICC arbitration against a major pharmaceutical group in the extraction industry.
- Representing an African state in French language CCJA arbitration seated in Dakar in relation to a shareholder dispute arising in the media sector
- Representing a global cloud infrastructure and IT solution provider in a multi-party UNCITRAL arbitration administered by the LCIA concerning a data centre against a major Indian telecommunication company.
- Advising a US company in a complex IT dispute relating to the completion of a customer portal for a stock exchange and involving delay and data security breach issues.
- Representing a major Spanish engineering firm in an ICC arbitration seated in Paris concerning the construction of a major motorway in Romania, under Romanian law.
- Representing a Japanese trading company in an ICC arbitration seated in Tokyo relating to a dispute arising out of the metal recycling industry.
- Representing a U.S. group in high-stakes LCIA arbitration relating to the sale of Malaysian oil & gas assets involving complex interpretation and accounting issues.
- Representing a well-known artist in a cross-border dispute concerned with the authentication of a high-profile work of art, under Belgian law.

- Acting for a real estate developer in parallel proceedings relating to a shareholders' dispute arising out of a major hospitality project in Saint Lucia.
- Representing a Korean trading company in multi-party ICC arbitration relating to the purchase of wheat by a government agency in Bangladesh.
- Representing a leading Middle Eastern media company in an ICC arbitration concerning a sports TV rights dispute in excess of US\$ 1 billion.
- Advising on a claim for misuse of technology and related SCC arbitration involving patents and trade secret elements.
- Representing claimants in a fast-track LCIA arbitration arising out of real estate investments in Qatar.
- Representing a leading global security company in an ad hoc arbitration concerning a property and a loss profit insurance claim arising out of Hurricane Katrina.
- Representing a major airline in a LCIA arbitration concerning a claim arising out of a distribution agreement.
- Representing the respondent in a LCIA arbitration concerning the alleged breach of non-compete covenants.
- Representing a leading US software company in an ad hoc arbitration arising out of the settlement of an insider trading derivative action.
- Assisting with the representation of a Belgian life sciences company in a LCIA arbitration concerning a patent infringement dispute.

#### **As Arbitrator**

- Acting as Chair of the Tribunal in a LCIA arbitration under a service agreement governed by English law.
- Acting as Sole Arbitration in an ICC arbitration arising under an API supply agreement governed by English law and concerning a breast cancer treatment drug.
- Acting as Sole Arbitrator in a LCIA arbitration arising under a service agreement governed by English law and concerning the making of a film for an entertainment park.
- Acting as Sole Arbitrator in a CEPANI arbitration arising under a loan agreement governed by Belgian law.

- Acting as Sole Arbitrator in a WIPO arbitration arising under a software service agreement governed by English law involving IP issues.
- Acting as Sole Arbitrator in a LCIA arbitration concerning a piece of art (a sculpture) by an Israeli artist and involving court proceedings in Italy and IP issues.

## Memberships

- Member (Chair) of the Chartered Institute of Arbitrators' Technology Group and the AI Guidelines working group
- Member of ICC Belgium and ICC United Kingdom
- Member of the LCIA EDI Steering Group
- Member of the IBA Arbitration Committee Taskforce on Privilege
- Member of the Editorial Board of b-Arbitra
- Member of the Lexis Nexis Arbitration Consulting Editorial Board
- Member of the Advisory Board of CyberArb
- Member of Francarbi