

NOTICE OF ARBITRATION UNDER THE ARBITRATION RULES OF THE UNITED NATIONS  
COMMISSION ON INTERNATIONAL TRADE LAW

BETWEEN:

[NAME OF CLAIMANT]

(CLAIMANT)

-AND-

[NAME OF RESPONDENT]

(RESPONDENT)

## NOTICE OF ARBITRATION

**[Claimant's representative's law firm]**

[Claimant's representative's law firm]

[Claimant's representative's address]

[Claimant's representative's telephone]

[Claimant's representative's fax]

Legal representative for Claimant

[Date of the Notice]

## I. INTRODUCTION

1. This Notice of Arbitration, **OPTIONAL: together with its Exhibits numbered C-1 to C- [•]**, is submitted on behalf of **[Name of Claimant]** (hereinafter “**Claimant**”) pursuant to Article 3 of the Arbitration Rules of the United Nations Commission on International Trade Law in force as from 15 August 2010 (the “**UNCITRAL Arbitration Rules**”) against **[Name of Respondent]** (hereinafter “**Respondent**”), (hereinafter collectively referred to as the “**Parties**”).
2. This Notice of Arbitration contains information concerning the following:
  - i. The name, description and address of each of the Parties (**II**);
  - ii. The Parties’ contractual relationship and the nature and circumstances of the Parties’ dispute giving rise to Claimant’s claims (**III**);
  - iii. The dispute resolution clause, the proposed governing law, the seat and language of the arbitration (**IV**);
  - iv. Claimant’s position as regards the composition of the arbitral tribunal (**V**);
  - v. Claimant’s damages (**V**);
  - vi. A statement of the relief sought (**VI**);
3. This dispute principally concerns Respondent’s **[insert brief description of breach and nature of claim(s)]**.

## II. THE PARTIES **[NOTE: ARTICLE 3(3)(B) UNCITRAL ARBITRATION RULES]**

### A. Claimant

4. Claimant is **[Name of Claimant]**, a company registered under the laws of **[Name of country or jurisdiction]**, with its registered office located at **[Complete address]**. **[Insert brief description of Claimant’s business activity, industry sector, size of business, number of employees, market position, revenue etc. as appropriate.]**
5. Claimant’s address is:

**[Claimant’s name]**  
**[Claimant’s address in full]**

[Attention: name of Claimant's director]  
[Claimant's telephone number]  
[Claimant's fax number]  
[Claimant's e-mail]

6. Claimant's representative, to whom all correspondence should be sent in this arbitration, are:

[Claimant's representative's law firm]  
[Name of the partner in charge of representing Claimant]  
[Names of representatives and associates assisting the partner]  
[Claimant's representative's address]  
[Claimant's representative's telephone number]  
[Claimant's representative's fax number]  
[Claimant's representative's e-mail]

## **B. Respondent**

7. Respondent is [Name of Respondent], a company registered under the laws of [Name of country], with its registered office located at [Complete address]. [Insert brief description of Respondent's business activity, industry sector, size of business, number of employees, market position, revenue etc. as appropriate.]

8. Respondent's contact information is:

[Respondent's name]  
[Respondent's address in full]  
[Attention: name of Respondent's director]  
[Respondent's telephone number]  
[Respondent's facsimile number]  
[Respondent's e-mail]

## **III. THE PARTIES' CONTRACT AND THE NATURE AND CIRCUMSTANCES OF THE PARTIES' DISPUTE GIVING RISE TO THE CLAIMS [NOTE: ARTICLE 3(3)(D), (E) UNCITRAL ARBITRATION RULES]**

### **(a) Factual Background**

9. [Define Respondent's conduct which gives rise to the claims].

### **(b) Legal Basis of Claim**

10. [Explain the basis of Respondent's liability, contractual or otherwise]

### **(c) Respondent's Violations of Its Legal Obligations**

11. [Explain Respondent's violations of its legal obligations]

**IV. DISPUTE RESOLUTION CLAUSE, GOVERNING LAW, SEAT AND LANGUAGE OF THE ARBITRATION [NOTE: ARTICLE 3(3)(C) AND (G) UNCITRAL ARBITRATION RULES]**

**(a) The Arbitration Clause**

12. This arbitration is initiated pursuant to the arbitration agreement found at Article [specify Article of the contract where the arbitration agreement is found] of the Contract, which provides as follows:

[Insert the arbitration agreement in full.] [NOTE: Article 3(3)(c) UNCITRAL Arbitration Rules]

**(b) The Place of Arbitration [NOTE: Article 3(3)(g) UNCITRAL Arbitration Rules]**

13. Pursuant to Article [specify Article of the contract where the place of the arbitration is provided for] set out above, the place of the arbitration is [insert city and country]. [Claimant should propose as the place of arbitration, if the parties have not previously agreed thereon]

14. [NOTE: Claimant may also add any comment as to the place of arbitration]

**(c) Governing Law**

15. The Agreement is governed by the substantive laws of [specify which jurisdiction's law applies to the contract] pursuant to Article [specify Article of the contract where this is found], which provides as follows:

[Cite the provisions where the applicable law is found, in full. Claimant should propose the governing law, if the parties have not previously agreed thereon]

[NOTE: Claimant may also add any comment as to applicable law]

**(d) The Language of Arbitration**

16. Pursuant to Article [specify Article of the contract where the language of the arbitration is found] of the Contract, the language of the arbitration shall be [insert language of the arbitration].

[NOTE: Claimant may also add any comment as to the language of the arbitration. Claimant should propose the language of arbitration if the parties have not previously agreed thereon]

**V. THE ARBITRAL TRIBUNAL [NOTE: ARTICLE 3(3)(G) AND ARTICLE 3(4) UNCITRAL ARBITRATION RULES]**

17. Article [specify Article of the contract which provides for the constitution of the tribunal] of the Contract provides for [insert comments on constitution of tribunal including number of arbitrators, if identified in arbitration clause, and procedure of appointment. Invite Respondent's nomination/comments.] [Claimant should propose the number of arbitrators according to Article 3(3)(g), if the parties have not previously agreed thereon]

18. [NOTE: in the case of a three-member tribunal] Pursuant to Article [specify Article of the contract which provides for the constitution of the tribunal], Claimant nominates [name of Co-Arbitrator] of [specify law firm or chambers, if applicable] for confirmation as Claimant's Co-Arbitrator. To the best of Claimant's knowledge, [name of Co-Arbitrator] is independent of the Parties involved in this arbitration. [Co-Arbitrator]'s contact details are as follows:

- [Co-Arbitrator's name]
- [Co-Arbitrator's address]
- [Co-Arbitrator's telephone number]
- [Co-Arbitrator's e-mail]

[Note: in the case of a three-member tribunal, see also Article 9 of the UNCITRAL Arbitration Rules]

19. [NOTE: in case the arbitration agreement provides for a Sole Arbitrator] Pursuant to Article [specify Article of the contract which provides for the constitution of the tribunal], Claimant nominates [name of proposed Sole Arbitrator] of [specify law firm or chambers, if applicable] for confirmation as Sole Arbitrator. To the best of Claimant's knowledge, [name of proposed Sole Arbitrator] is independent of the Parties involved in this arbitration. [name of proposed Sole Arbitrator]'s contact details are as follows:

- [Sole Arbitrator's name]
- [Sole Arbitrator's address]

[Sole Arbitrator's telephone number]

[Sole Arbitrator's e-mail]

[Note: in the case of a Sole Arbitrator, see also Article 8 of the UNCITRAL Arbitration Rules]

20. [NOTE: in case the arbitration agreement provides for the choice of an appointing authority] Pursuant to Article [specify Article of the contract which provides for the constitution of the tribunal], the appointing authority shall be [name the appointing authority]

[Note: in the case of an appointing authority, see also Article 6 of the UNCITRAL Arbitration Rules]

#### **VI. CLAIMANT'S DAMAGES [NOTE: ARTICLE 3(3)(E) UNCITRAL ARBITRATION RULES]**

21. [Insert description of Claimant's damages arising from Respondent's violations of its legal obligations.]
22. Claimant's total damages are currently estimated at [insert estimation of the damages suffered by Claimant].
23. Claimant is also entitled to interest of [explain how interest is to be calculated] on these amounts.

[NOTE: this should include the amounts of all quantified claims and, to the greatest extent possible, an estimate of the monetary value of any other claims]

#### **VII. RELIEF SOUGHT [NOTE: ARTICLE 3(3)(F) UNCITRAL ARBITRATION RULES]**

24. As a result, Claimant respectfully requests the arbitral tribunal to issue an award:
- i. declaring that the arbitral tribunal has jurisdiction to consider the dispute described herein between the Parties;
  - i. declaring that Respondent violated its obligations by [describe basis of Respondent's liability];
  - ii. ordering Respondent to compensate Claimant for the damages and losses suffered as a result of Respondent's breaches of the Contract, currently

estimated to be in the amount of [insert estimation of the damages suffered by Claimant];

iii. ordering Respondent to pay all arbitration costs, including Claimant's representative's costs and expenses; and

25. For the avoidance of doubt, Claimant reserves its right to:

i. raise any and all further claims arising out of or in connection with the disputed matters described in this Notice of Arbitration or otherwise arising between the Parties; and

ii. amend and/or supplement the relief sought herein;

iii. produce such factual or legal arguments or evidence (including witness testimony, expert testimony and documents) as may be necessary to present its case or rebut any case which may be put forward by Respondent; and

iv. seek interim and provisional measures before this arbitral tribunal or any competent national court.

Respectfully submitted,

[Signature of Claimant's Legal representative]

[Name of partner representing Claimant]  
[Name of law firm representing Claimant]  
Legal representative for Claimant  
[Claimant's representative's address]  
[Claimant's representative's telephone]  
[Claimant's representative's fax]  
[Claimant's representative's e-mail]  
[Date of the Notice]

**[OPTIONAL] Exhibits submitted with the Notice of Arbitration**

	<b>Exhibit</b>	<b>Exhibit number</b>
1.	[•]	C-1