

Achieving fast, innovative and cost-effective dispute resolution for businesses

Stephen Bate – Arbitrator, C.Arb

OVERVIEW

Stephen Bate is a Chartered Arbitrator, with a UK domestic and international commercial arbitration practice carried on through ARBDB, arbitration chambers in London: www.arbdb.com. His practice background is as a barrister at the English Bar, with over 25 years' experience in a wide range of civil and commercial matters, also specialising in media & entertainment law at 5RB barristers' chambers until 2017.

Stephen has been appointed as sole arbitrator and co-arbitrator and has also chaired numerous arbitral and other tribunals. He is the author of 'Resolving Business Disputes / How to get better outcomes from commercial conflicts', Spiramus Press (2020).

Stephen is a member of the Presidential Panel of arbitrators at the Chartered Institute of Arbitrators and is listed with the Dubai International Arbitration Centre as a qualified arbitrator. He is a member of the panel of arbitrators maintained by Sport Resolutions and an arbitrator on the panel maintained by Phonographic Performance Ltd., the licensing body for recorded music and performers' rights.

He is also an expert appointed by Nominet to decide co.uk and .uk domain name ownership disputes. Stephen also chaired hearings of the British Horseracing Authority's Licensing Committee for 10 years. He has also acted for many years as a Legal Assessor / Adviser to fitness to practise tribunals in the healthcare sector, including the Medical Practitioners Tribunal Service and the General Dental Council.

STYLE AND APPROACH

Stephen uses the flexibility of arbitral laws and rules to deliver cost-effective procedures and timely awards.

EXPERTISE

- Commercial contracts
- Partnership and shareholder
- Property
- Intellectual property
- Information, Communications and Technology (ICT)
- Sport
- Healthcare

EXPERIENCE

Arbitral appointments (court / institutional / party) include the following -

- Dispute over performance of a shareholders' agreement of a telecommunications company, arbitration under UNCITRAL Rules. Award of US\$130M.
- Dispute over exercise of pre-emption rights over further shares in the same company; arbitration under UNCITRAL Rules. Claim value c. US\$80M.
- Contract dispute concerning the supply of education services to the Middle East, claim value c. £2M.
- LLP partnership dispute concerning accountancy business; claims brought by partnership against one partner and cross-claims.
- Dispute involving claims relating to the sale and re-purchase of fleet motor vehicles.
- Patent licence dispute.
- Video games dispute between developer and publisher.
- Contract dispute concerning the supply of advertising services.

- Contractual loss of profits dispute in the fashion industry.
- Sale of goods dispute.
- Disputes concerning partnership agreement, retirement provisions and enforceability of restrictive covenants against a leaving partner.
- Dispute concerning contracts for facilities provision for the National Health Service.
- Contract dispute in the soft drinks industry.
- Disputes between player and player's agent under Football Association's procedures.
- Football League's Disciplinary Commission (FDC) arbitration under Rules and Regulations of the Football League concerning financial disclosures by former Chairman of Watford FC on behalf of the club, EFL v Raffaele Riva.
- Arbitration between football clubs under EFL's Rules and Regulations over the poaching of a management team, Colchester FC v Norwich FC.
- Dispute between player and club arising from termination of player's contract.
- Dispute between (i) club and youth player over player's registration and (ii) clubs and player over liability to pay 'signing on' fee.
- 15 ABTA documents-only arbitrations in holiday and travel cases.

The above include/further areas from practice as a barrister are: sale of goods, supply of services, distribution agreements, licensing agreements in various fields, such as telecommunications, media and entertainment and intellectual property (e.g. patent and trade mark) disputes, copyright infringement; franchise agreements, gas supply contracts, computer contracts, employment contracts, restrictive covenant disputes, insurance claims, contract disputes in many other different fields, e.g. sale of companies, warranty claims under sale and purchase agreements, joint venture contracts, agency agreements, contracts for advertising services; landlord & tenant, professional negligence (solicitors), competition claims, claims for breach of statutory duty, sponsorship and other sports-related agreements; breach of confidence, privacy and data protection.

PROFESSIONAL QUALIFICATIONS

- Chartered arbitrator, C.Arb.
- Barrister.
- Accredited mediator.

CAREER HISTORY

- Monckton Chambers 1992 (Barrister).
- Five Raymond Buildings (5RB) chambers 1995 -2017 (Barrister).
- CEDR Mediator / CEDR Chambers 2003 – (Mediator).
- ArbDB Chambers 2012 – (Chartered Arbitrator).
- Independent Legal Assessors 2015 - (Legal Assessor / Adviser).

ACCREDITATION

- C.Arb.
- FCI Arb. (arbitration).
- CEDR.
- IMI (mediation).

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