



Jayems Dhingra

Chartered Arbitrator

Certified International Arbitrator

Accredited Adjudicator, Accredited Mediator

Chartered Valuer and Appraiser (CVA)

FACICA | FAMTAC | M.S.I.D | Member, AIEN |

LL.M. (IP Law) | M. Sc. (Maritime Studies) |

M. Tech (Knowledge Engineering) | MBA |

First Class CoC (MCA, UK) | B. E. (Elect) |

Executive Summary

Jayems Dhingra is currently engaged in providing professional ADR services as Arbitrator, Adjudicator, Mediator and Management Consultant. During the last 47 year period, he has worked and consulted in the industry verticals encompassing: Technology, Trading, Construction, Oil & Gas Exploration & Production, Petrochemical Process Plants and Power Plant Construction Projects, Logistics & Warehousing, Shipping, Marine, Offshore, Oil & Gas Pipelines, Infrastructure Development Projects (Ports, Offshore Supply Bases, Oil & Gas Terminals, Highways and Airports etcetera), EPCIC Contracts, and Shipyards, in South East Asia, Africa, Middle East, Americas and Europe.

Jayems has served as Director and member of Board of Management, Governance Councils and Committees of various professional organizations. He is also admitted to professional institutions as: 'Fellow', Australian Centre for International Commercial Arbitration (FACICA), Distinguished Panel of Arbitrators, THAC Thailand, Asian Institute of ADR; Member, Singapore Institute of Directors (M.S.I.D.), and Member, Association of International Energy Negotiators (AIEN) USA.

Jayems is further qualified and accredited as Certified International Arbitrator, Chartered Arbitrator, Sports arbitrator under CAS Rules, WIPO Neutral, Australian Communications and Media Authority (ACMA) Bargaining Code Arbitrator, Accredited Adjudicator and Accredited Mediator. He is admitted to the international panels of arbitrators and neutrals with WIPO, Geneva; ACICA, AMTAC and ACMA, Australia; BVIAC (British Virgin Islands); JIAC (Jamaica); HKIAC Hong Kong; AIAC, Malaysia; AIADR, Malaysia; KCAB, Seoul, South Korea; ICA, Delhi, India; ICC (Singapore); SISV, Singapore; SCMA, Singapore; SCCA, Saudi Arabia; VIAC Vienna, Austria; Thailand Arbitration Centre (THAC), and Mediator with AIAC Malaysia, CMC, and SIMI Singapore.

Jayems undertakes special assignments for conducting audits and valuation of intangible properties involving proprietary processes for licensed production, and licensing of intellectual property rights (IP Rights) in patents, trademarks, and industrial designs. He is frequently engaged for assignments like due diligence, acquisitions, mergers, resolving various operational issues, technology transfer and agency services contracts reviews, cost controls, and enhancement of Supply Chain Management. He has also been conferred the title of Chartered Valuer & Appraiser (CVA) by IVAS and SAC, in accordance with the stringent requirements of the global valuation standards setting body, IVSC.

Jayems holds degrees and post graduate qualifications like LL.M. (IP Laws), GCIA (Arbitration Law), M. Sc. (Maritime Studies), Master of Technology (Knowledge Engineering), MBA (General Management), Bachelor's degree (Electrical Engineering), and Marine Engineering, including the Chief Engineer's First-Class Certificate of Competency (MCA, UK) in compliance with the latest IMO STCW Regulations.

I. Personal Data

Name : **Jayems Dhingra** Date of Birth : 5 December 1955
Operating : **APEC, Africa, Middle** Nationality : **Singapore**
Region : **East, EU, and USA**
Languages : English Email : jayems.d@tiberiasmc.com
Proficiency Mobile : **+65 9785 9896**

Contextual Overview of Expertise

47 Years of practical experiences comprising of:

- ✚ 24 years as Arbitrator, Adjudicator, Mediator, Independent ADR Practitioner and Course Director for Competency Development Courses and Management Consultant.
- ✚ 5 years as “Managing Director” (Singapore & Malaysia); 5 years as “General Manager” (Singapore & Malaysia); and 13 years in Projects, Operations and Plant Management as an Engineer (Ships, Marine Infrastructure, Electrical, M & E, Automation, Power & Utilities, Civil Construction) in countries across Asia, Europe, Middle East, and US.

II. Overview of Several Published Arbitral Awards, Adjudication Decisions and Mediation Settlement Agreements in Commercial & Industrial Segments

Conducted Arbitrations as Chairman, Tribunal Member and Sole Arbitrator, and Published Arbitral Awards for Disputes Related to:

- ✚ Charter Party Disputes and Maritime arbitrations
- ✚ Rig-building, Shipbuilding and Ship Repair Contracts
- ✚ Sub-sea Pipe Laying, Offshore Construction, and related Works
- ✚ Offshore Support Vessels Charters and E & P Subsea Services Fleet
- ✚ Network, Signaling and Communication Systems
- ✚ Guaranty Agreements, Services and Trade
- ✚ Civil Construction and Infrastructure Development
- ✚ Power Plants, Highways Infrastructure and Construction Projects
- ✚ Real Estate Agencies and Sales Purchase Agreement
- ✚ Logistics Services Contracts

Conducted Adjudications and Published Adjudication Decisions under Construction Industry Payment Disputes related to:

- ✚ Commercial Buildings, Residential Towers, Office Towers and Shopping Complexes
- ✚ Airport Terminals, Electrification of Railway Networks and Civic Infrastructure Projects
- ✚ Designers, Consultants, Architects, Main Contractors, and Owners
- ✚ Stadiums and Sports Complexes, Warehouses and Distriparks

Conducted Mediations as Sole Mediator and Co-Mediator - Achieved Settlement Agreements in 95% of the Cases with disputes related to:

- ✚ Sales, Purchase Agreements of properties
- ✚ Real Estate Agencies Brokerage Commissions
- ✚ Referral by Magistrates Courts for disputes involving members of Public and unrelated parties, related to minor assaults, property damage, vandalism, nuisance, workplace disputes etcetera.
- ✚ Disputes between residents of a residential properties due to noise pollution, obstructions, racial altercations and smell related disputes.
- ✚ Family feuds and disputes due to sour relationships.
- ✚ Disputes related to employer, employees, and colleagues.

III. Intellectual Property Rights Related Qualifications

- (i) LL.M. (IP Law) from University of Turin, Italy, in collaboration with WIPO.
- (ii) Specialized Course on *Trademarks and Madrid System*, Certificate awarded by WIPO.
- (iii) Advanced Course on Arbitration and Mediation Procedure under the WIPO Rules, Certificate awarded by WIPO, with 95% grades.
- (iv) Advanced Intellectual Property Assets Management Course, including *Franchising and Licensing Agreements*, Certificate jointly awarded by WIPO, KIPO, KIPA and KAIST, Seoul, Korea.
- (v) Intellectual Property and Genetic Resources in the Life Sciences Course, Certificate awarded by WIPO.
- (vi) Collective Management of Copyrights and Related Rights for CMOs, Certificate awarded by WIPO, with 96% grades.
- (vii) Collective Management of Copyrights and Related Rights for Legal Professionals, Certificate awarded by WIPO, with 95% grades.
- (viii) Introduction to Patent Cooperation Treaty, Certificate awarded by WIPO.

- (ix) Advanced Course on Software Licensing Including Open Source, Certificate awarded by WIPO.
- (x) General Course on Intellectual Property, Panorama and Primer on IP Certificate awarded by WIPO.

IV. Admitted to the Panels of Arbitration and Mediation Institutions

- 1) Panel of Arbitrators for Bargaining Code Disputes, Australian Communications and Media Authority (ACMA)
- 2) Register of Neutrals, WIPO, Geneva, Switzerland
- 3) Global Arbitration Review – ART List
- 4) ICC (Singapore) Regional Arbitrators List
- 5) Distinguished Panel of Arbitrators, THAC, Thailand
- 6) Panel of Arbitrators of ACICA, Sydney, Australia
- 7) Panel of Arbitrators of AMTAC, Sydney, Australia
- 8) Panel of Arbitrators, ADGM Arbitration Centre, Abu Dhabi, UAE
- 9) Panel of Arbitrators, BVI International Arbitration Centre (BVIIAC), British Virgin Islands
- 10) Panel of International Arbitrators, Saudi Centre for Commercial Arbitration (SCCA)
- 11) Panel of International Arbitrators, KCAB, Seoul, Korea
- 12) Panel of Arbitrators HKIAC, Hong Kong
- 13) Panel of Arbitrators, THAC, Bangkok, Thailand
- 14) Panel of Arbitrators, SCMA, Singapore
- 15) London Maritime Arbitrators Association (LMAA) – Supporting Member
- 16) Panel of International Arbitrators of AIAC (KLRCA), Malaysia
- 17) Panel of DNDR Arbitrators of AIAC (KLRCA), Malaysia
- 18) Empaneled Adjudicator of AIAC (KLRCA), Malaysia
- 19) Panel of International Mediators of AIAC (KLRCA), Malaysia
- 20) Panel Member of Asian Institute of ADR (AIADR)
- 21) Panel of International Arbitrators, ICA, India
- 22) Register of Arbitrators, LCIA, London, UK
- 23) Panel of International Arbitrators of JAIAC, Jamaica
- 24) Panel of Arbitrators, SISV, Singapore
- 25) Registered as Arbitrator with SCC, Stockholm
- 26) Registered as Arbitrator and Mediator with VIAC, Vienna, Austria

- 27) Accredited Expert Witness by Singapore Institute of Surveyors and Valuers (SISV) and Admitted to the Panel of Expert Witnesses of SISV, Singapore
- 28) Accredited Mediator by Singapore Institute of Surveyors and Valuers (SISV) and Admitted to the Panel of Mediators, SISV, Singapore
- 29) Appointed Mediator (Gazette Appointment), since 2013 with Community Mediation Centre, Ministry of Law, Singapore
- 30) Mediator, Singapore International Mediators Institute (SIMI) and International Institute of Mediators (IIM), Singapore

V. Positions Held on the Boards and Committees of Professional Institutions

- 1) Chairman, CaseTrust Advisory Council of Consumers Association of Singapore, and Council Member of Consumers Association of Singapore (CASE) (2015 – Present)
- 2) Director, Vis East Moot Foundation Limited, Hong Kong (2016 – April 2021)
- 3) Member, Board of Management and Audit Committee, Chartered Institute of Arbitrators, London, UK (2012- 2018)
- 4) Member, Professional Development Committee (2017-2018), Corporate Governance, Risk and Compliances (GRC) Committee (2015-16), of Singapore Institute of Directors
- 5) Member, Drafting Committee, LNG Sales, and Purchase Agreement for Oil & Gas Industry (2019-2020), AIPN (USA)
- 6) Member, Drafting Committee, International Dispute Resolution Agreement for Oil & Gas Contracts (2017), AIPN (USA)
- 7) Member, Drafting Committee, Drilling Contract (2018-19), AIPN (USA)
- 8) Member, Legal Committee (till 31 Dec 2015), Hong Kong General Chamber of Commerce (HKGCC)
- 9) Member, Editorial Committee of Consumers Association of Singapore, (2012 to Present)
- 10) Member, Shipping & Transport Committee (2014 - 2016), Hong Kong General Chamber of Commerce (HKGCC)
- 11) Committee Member of the CIArb East Asia Branch (Hong Kong) Committee from 2006 to 2010
- 12) Director / Committee Member of the CIArb (Singapore) Chapter & Branch from incorporation till June 2010

VI. Academic Accomplishments

- 1) LL.M. (IP Law) University of Turin, Italy, under WIPO & ITCILO Administered Program
- 2) Certificates in IP Laws related Programs for Trademarks, Copyrights, Patents, Software Licensing, Collective Management Organizations (CMOs), IP

- Management, including Advanced Course on Arbitration and Mediation Procedure under the WIPO Rules, awarded by WIPO
- 3) Chartered Valuer and Appraiser Programme (CVA), of IVSC and SAC, conducted by Nanyang Technological University (NTU) Singapore
 - 4) Associate Faculty, (f. k. a. SIM University) Singapore University of Social Sciences (SUSS) (2012 – 2016)
 - 5) Certificate of Attendance in “International & Comparative Oil & Gas Law”, a Course conducted by National University of Singapore, in Year 2012
 - 6) Admitted to the Panel of Accredited Adjudicators and completed KLRCA Adjudication Conversion Course held in July 2012 and refresher course in December 2017 at Kuala Lumpur, Malaysia
 - 7) Graduate Certificate in International Arbitration, awarded by National University of Singapore (NUS), Singapore, (2005)
 - 8) M. Sc. (Maritime Studies), Nanyang Technological University (NTU), Singapore, (2006)
 - 9) M. Tech (Knowledge Engineering) National University of Singapore (NUS), (2003)
 - 10) M. B. A. (General Management), University of Hull, UK, (1994)
 - 11) Chief Marine Engineer’s “First Class Certificate of Competency”, South Shields, (DOT, UK), (1985) and updated in 2022 in compliance with latest IMO Regulations
 - 12) B. E. (Electrical), Punjab University, Chandigarh, India (1976)

AREAS OF SPECIALIZATION

Contracts, Projects, Disputes and General Business Management of:

-  Marine, Transportation by Sea, and Shipping Management
-  Offshore Exploration & Production Industries
-  Oil & Gas Pipelines, Storage Terminals, Tank Farms and Petrochemical Industries
-  Shipbuilding and Ship repair industries
-  Design, Engineering, Production, Operations and Management of Processes and Equipment for use in Offshore & Marine Industries
-  Information & Communication Technology Systems, Process Automation & Electrical manufacturing industries, Industrial Trading, Distributorship and Agency Networks
-  Infrastructure Projects, Civil Construction and M & E Segments for Commercial Complexes, Offshore Supply Bases, Ports and Floating Terminals for Bulk Cargo
-  Business Valuations and Appraisal

EXPERIENCE IN INTELLECTUAL PROPERTY

A Brief Sample of Experiences in Contracts Drafting, Negotiations and Management of:

- ✚ Procurement of licenses for construction and repair methodologies for patented designs of LNG & LPG Tankers
- ✚ Process Warranties of patented filtration processes
- ✚ Design and Engineering of Complex Patented Oil Wells Drilling Control Systems
- ✚ Customized Software Applications for Centralized Controls, Monitoring and Performance Analysis of complex plants
- ✚ Licensed Manufacturing of Patented Electrical Switchgear products
- ✚ Licensed manufacturing of Proprietary Processes for handling fluids from Oil & Gas fields
- ✚ Development of new products for façade elevators and access controls with an objective of obtaining patents

EXPERIENCE WITH RESPECT TO DOMAIN NAMES

Jayems is experienced in Domain Name Registration procedure, protection of proliferation of domain names and safeguards against infringement of copyrights. He has also completed a specialized course and obtained the Certificate of “Advanced Course on Arbitration and Mediation Procedure under the WIPO Rules,” awarded by WIPO in June 2018.

VII. Latest Research Papers and Articles Published

- Dhingra J., (2021). Arbitrability of Intellectual Property Rights Validity Disputes. In Christian Campbell (Ed.), *Comparative Law Yearbook of International Business Volume 43*, (pp. 53 – 88). The Netherlands: Wolters Kluwer.
- Dhingra J. (2020). *Can Arbitration be an Effective Forum for Enforcing Claims against Non-Contractual Third Parties, for Infringement of Intellectual Property Rights?* <http://ssrn.com/abstract=3830413>
- Dhingra J. (August 2020), *Granting Injunctions in Arbitral Awards against Infringement of Intellectual Property Rights – An Act of Balancing Fair and Equitable Treatment with Proportionality and Dissuasiveness*. Mid-Year Review, ACICA, Sydney, Australia.
- Dhingra J. (2017, December). *Can Seamless Flow of Trade and Sustainability of OBOR Economies be Fathomed – Without Harmonization of Trade Laws and Adoption of UN Model Laws?* Paper for publications of 2017 UNCITRAL Emergence

Conference, hosted by University of Macau and The United Nations Commission on International Trade Law, Regional Centre, Korea.

- Dhingra J. (2016, December). *Relevance of Arbitration in Threat to Sovereignty Cases and Applicability of UNCLOS 1982*. Paper for publications of 2016 UNCITRAL Emergence Conference, hosted by University of Macau and The United Nations Commission on International Trade Law, Regional Centre, Korea.
- Dhingra J. (2016, December). *Are the State Regulators Being Challenged or Undermined by Financial Technology & Borderless Digital Payment Platforms?* Paper presented at 2016 UNCITRAL Emergence Conference, hosted by University of Macau and The United Nations Commission on International Trade Law, Regional Centre, Korea.
- Dhingra J. (2016, June). *Engaging the Disengaged - in Virtual Classrooms for Adult Learners*. Paper presented at the eLFA 2016, The Eleventh e-Learning Forum Asia 2016, Shanghai, China.
- Dhingra J. (2015, November). *Can Justice be served without Transparency in International Commercial Arbitrations?* Paper presented at 2015 UNCITRAL Emergence Conference, hosted by University of Macau and The United Nations Commission on International Trade Law, Macau.
- Dhingra J. (2015, June). *Pedagogy in Virtual Learning Environment without Compromising the Quality of the Scholarly Curriculum*. Paper presented at eLFA 2015, The Fifteenth e-Learning Forum Asia 2015, Singapore.
- Dhingra Jayems. "Growing Potential for Procedural Misconduct in Un-administered Maritime Arbitrations." International Congress of Maritime Arbitrators XIX, Hong Kong (May 2015).
- Dhingra Jayems. "It's Time to Unseal Sealed Offers in International Arbitration – as a Negotiation Strategy or Pressure Tactics?" *Arbitration International* 28, Issue 3 (2012): 505 - 526.
- Dhingra Jayems. "Force Majeure Event Clauses - A Risk Sharing Strategy in Charter Party for Offshore E & P Rigs and Shipbuilding Contracts." *International Congress of Maritime Arbitrators XVIII* (May 2012): 392 – 405.
