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# 17<sup>TH</sup> WILLEM C. VIS MOOT 2009/2010

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## BRIEFING PAPER

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### Background to the Vis Moot

The goal of the Vis Arbitral Moot is to foster the study of international commercial law and arbitration for resolution of international business disputes through its application to a concrete problem of a client.<sup>1</sup>

The moot involves questions of contract -- flowing from a transaction relating to the sale or purchase of goods under the United Nations Convention on Contracts for the International Sale of Goods (CISG) and other uniform international commercial law -- in the context of an arbitration pursuant to specified Arbitration Rules.<sup>2</sup>

In the pairings of teams for each general round of the moot, every effort is made to have civil law schools argue against common law schools -- so each may learn from approaches taken by those trained in another legal culture. Similarly, the teams of arbitrators judging each round are from both common law and civil law backgrounds.

### Timetable

Friday, 2 October 2009	Distribution of the Problem
Thursday, 22 October 2009	Deadline for requests for clarification
Thursday, 3 December 2009	Memorandum for claimant due
Thursday, 21 January 2010	Memorandum for respondent due
Thursday, 25 March 2010	Moot Alumni Association Welcoming Party
Friday, 26 March 2010	Official Welcome and reception

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<sup>1</sup> See further: [www.cisg.law.pace.edu/vis.html](http://www.cisg.law.pace.edu/vis.html)

<sup>2</sup> This year the Moot organisers have selected the 2005 Rules of the Australian Centre of International Commercial Arbitration. Dr Luke Nottage served on the Committee that drafted those Rules and his co-authored commentary is available via: [www.acica.org.au/resources.html](http://www.acica.org.au/resources.html). (See also eg: <http://ssrn.com/abstract=1151167>.)

Saturday - Tuesday, 27-30 March 2010	General Rounds of argument
Wednesday - Thursday, 31 March, 1 April 2010	Elimination Rounds of argument
Thursday, 1 April 2010	Awards Banquet

## Eligibility

To be eligible to take part in the Vis Moot, students must fulfill the following criteria:

- You must be enrolled as an undergraduate or postgraduate student at the University of Sydney as at 3 December 2009.
- Generally, you must not have been admitted or licensed to practice law in any country (if you are unsure about this criterion, please contact Dominic Mueller).
- You must not have previously pleaded in the round of 32 or later in the Vis Moot.

## Expressions of Interest

The deadline for expressions of interest from students is **4pm Monday, 5 October 2009**. (Students are invited first to view this year's Problem, which will be available from 2 October via the Vis Moot website indicated above). The University may consider or reject expressions of interest submitted after this date at its absolute discretion. Expressions of interest should be sent to XXX. They should include a brief CV (appending an Academic Transcript or your consent to USydney accessing such records), including any relevant mooting or international law experience/expertise and a statement of why you wish to be involved in the moot.

## Some important information

- Discount economy flights to and from Vienna and reasonable accommodation there will be provided or subsidised by the University for team members.<sup>3</sup>
- Team members are expected actively to seek outside sponsorship to help defray such expenses, after first consulting with the Coach and Faculty Advisor.
- The Moot involves two stages: preparation of written memoranda which will be undertaken between October 2009 and January 2010, and oral arguments which will be held in late March 2010 in Vienna.
- The Moot will require an ongoing commitment from October 2009 up until March 2010 including regular meetings with the coach, and a substantial amount of time undertaking independent research and drafting the memoranda, as well as preparing oral submissions and undertaking practice hearings.

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<sup>3</sup> Details will be provided by the Faculty Advisor at the meeting that finalises team selection.

- The timetable is quite rigorous and team members will be expected to give up weekends and much of the summer break preparing memoranda. It should be borne in mind that the applicant's memorandum falls due shortly after exam time in second semester.

## **Contact**

If there are any unanswered questions please feel free to contact:

Dominic Mueller  
Vis Moot Coach  
[dmueller@claytonutz.com](mailto:dmueller@claytonutz.com)

Associate Professor Luke Nottage  
Faculty Advisor  
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