

Counsel, New York

International Litigation and Arbitration



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## Education

LL.M., Harvard Law School, 2012

LL.B., The West Bengal National University of Juridical Sciences, 2008

## Bar Admissions

New York

U.S. District Court for the Eastern and Southern Districts of New York

India

## Recent Publications and Speaking Engagements

"Compensatory Damages Principles in Civil and Common Law Jurisdictions: Requirements, Underlying Principles and Limits," *Global Arbitration Review*, June 21, 2024

"Smoother Dispute Resolution: Mechanisms and Strategies (II)," Union Internationale des Avocats seminar, February 25, 2024

## Associations

Co-Convenor, ROAP Americas (September 2023-present)

Member, New York International Arbitration Center (NYIAC) Program Committee (2019-present)

Sharmistha Chakrabarti advises clients in commercial and investor-state arbitrations in a wide range of industries, including telecommunications, media, and oil and gas. Ms. Chakrabarti has worked on matters before the International Chamber of Commerce (ICC) and the London Court of International Arbitration (LCIA), as well as before tribunals constituted under the Arbitration Rules of the United Nations Commission of International Trade Law (UNCITRAL), among other representations. She also regularly provides strategic advice on drafting dispute resolution clauses in international commercial contracts.

Noteworthy experience includes representing:

- a technology company in antitrust and other regulatory matters in South Korea, India and Japan
- a U.S.-headquartered technology company in an ICC arbitration against a Japanese counterparty involving patents, trade secrets and employee noncompetes in Taiwan and South Korea
- an Indian satellite and telecommunications company in securing a \$670 million (plus interest) award in a Delhi-seated ICC arbitration against an Indian space agency regarding repudiation of a long-term satellite contract, including the enforcement of the award in courts in France, the U.K. and the U.S.
- three claimants in an UNCITRAL arbitration against the Republic of India under the Mauritius-India BIT concerning an investment by investors in India's satellite/space telecommunications sector (favorable merits award issued by Hague-seated tribunal in July 2016), including the defense of the award in courts in the Netherlands
- shareholders and board members of IndiGo, an India-based airline, in obtaining orders from courts in Maryland and Florida defeating Section 1782 subpoenas seeking discovery and depositions in aid of an LCIA India arbitration between shareholders of the airline
- a French client in an ICC arbitration against a Brazilian state-owned entity for a transfer of shares and damages
- a Texas-based oil and gas company in a London-seated LCIA arbitration with a Southeast Asian company concerning post-closing disputes arising from a share purchase agreement, including disputes concerning the treatment of oil inventory, offshore reserves and calculation of working capital
- a U.S.-based oil and gas company in a London-seated LCIA arbitration against a Chinese company and its Hong Kong-listed parent. The tribunal issued a favorable merits award in March 2019
- a Japanese company in a LCIA arbitration seated in London arising out of the respondent's failure to comply with its contractual obligations, resulting in a \$1.2 billion award of damages in favor of the client
- the estate of an Asian multibillionaire in respect of claims brought to trace trust assets in multiple proceedings in Asia and Bermuda
- an ICDR arbitration by a U.S.-based company in its claims against a New York real estate investment fund relating to failed hotel investments in New York City
- a New York-based corporation in an internal investigation related to its media business in India