

KERALA LAW ACADEMY LAW COLLEGE,
THIRUVANANTHAPURAM, KERALA
ADR FORUM

2ND NATIONAL ADR (VIRTUAL) COMPETITION

PROBLEM-3 FINAL ROUND

A US biotech company is a holder of several process patents. It entered into a license and development agreement with a large pharmaceutical company named AXILA for the extraction and purification of a compound with medical uses. The pharmaceutical company had considerable expertise in the medical application of the substance related to the patents held by the biotech company. The parties included in their contract a clause stating that all disputes arising out of their agreement would be resolved by a sole arbitrator under the International Arbitration Rules.

Several years after the signing of the agreement, the biotech company terminated the contract, alleging that the pharmaceutical company had deliberately delayed the development of the biotech compound. The biotech company filed a request for arbitration claiming substantial damages.

