

Annabelle Gauberti

59 rue Legendre, Paris, 75017, France
Phone: +33 (0)1 78 76 52 23 • Fax: +33 (0)1 78 76 52 24 • E-Mail: annabelle.gauberti@crefovi.fr

19 Swallow House, Barrow Hill Estate, London, NW8 7BD, UK
Phone: +44 (0)20 3318 9603 • Fax: +44 (0)20 3318 9604 • E-Mail: annabelle.gauberti@crefovi.com

Experience

Having worked with creative clients for more than 21 years, Annabelle has strong experience representing parties in alternative dispute resolution, on matters relating to the creative industries (such as, films and media; music; sports; fashion, retail & luxury goods; art; design; hospitality & gaming; software, hardware and emerging technologies; life sciences). She practiced for 10 years in some of the largest law firms in the world, such as Latham & Watkins, Clifford Chance and DLA Piper, specialising in alternative dispute resolution, litigation as well as transactional matters relating to international financing, cross-border mergers and restructurings.

In 2012, 11 years' ago, Annabelle founded her own law firm in Paris and London, Crefovi, where she advises her creative clients under both French and English law, as she is dual-qualified (solicitor of England & Wales and "*avocat à la cour*" with the Paris bar).

In addition to her transactional work and litigation matters, Annabelle regularly acts as an arbitrator and/or mediator, for the following arbitration institutions to which she belongs as follows:

- member of the panel of arbitrators and mediators of the National Committee of the International Chamber of Commerce in France ("ICC France");
- member of the panel of arbitrators and mediators of the National Committee of the International Chamber of Commerce in the United Kingdom ("ICC UK");
- member of the arbitrators' and mediators' panel of the Independent Film & Television Alliance ("IFTA");
- member of the arbitrators and mediators' general panel, as well as specific sectors panels (film, media and entertainment & information and communication technology) of the International Centre for Dispute Resolution ("ICDR"), the international division of the American Arbitration Association ("AAA");
- member of the arbitrators' and mediators' general panel, as well as specific sectors panels (Art and cultural heritage, B2B data disputes, Digital copyright and content, Fashion, film and media and entertainment, Franchising, Information and communication technology, Intellectual property



offices, Life sciences, Patents in standards, Research and development/technology, Transfer, SMEs, Sports, Trade Fairs) of the Alternative Dispute Resolution (ADR) Services of the World Intellectual Property Office ("WIPO") Arbitration and Mediation Center, Geneva, Switzerland;

- member of the arbitrators' and members' panels of the London Court of International Arbitration ("LCIA");
- Member of the arbitrators' and mediators' panels of the "*Association Française de l'Arbitrage*" ("AFA");
- Member of the arbitrators' and mediators' panels of the Court of Arbitration for Art ("CAfA"), and
- Member of the arbitrators' and mediators' panels of Delos;

Annabelle has strong experience and extensive training in arbitration and mediation; the ability to manage the hearing process, as well as impartially evaluate the evidence and deal respectfully with the parties, witnesses and experts involved in any arbitration or mediation.

Annabelle is willing to complete required training on a continuing basis to enhance her arbitration and mediation skills. She is an active member in good standing of the Paris' "*Ordre des avocats*" in France and the Law Society and Solicitors' Regulation Authority in England and Wales.

Representative matters

Annabelle has acted on the following arbitrations, inter alia:

- Acting as sole arbitrator on an IFTA arbitration, between a UK broadcast company and its French distributor, with respect to the execution of a licence agreement, in 2023;
- Acting, as counsel, for a US entertainment company in respect of its rights under a distribution agreement with a French state entity, in ICC France arbitration, in 2023;
- Acting as counsel, in an ICC arbitration seated in London, concerning an English-law governed employment and contract dispute, in 2022;
- Representing a French investment company in LCIA arbitration and English High Court proceedings in respect of a shareholder dispute, in 2022;
- Acting as a wing arbitrator (i.e. not chair), on an ICDR arbitration with respect to a FRAND dispute, between two telecommunications manufacturers, in 2021;
- Acting as a chair arbitrator, on an ICDR arbitration with respect to a sale of goods dispute, in the hospitality sector, in 2021;
- Acting as a sole arbitrator on a WIPO arbitration, between a media company and its French distributor, with respect to a sale of services dispute, in 2021;

- Acting as a sole arbitrator on an IFTA arbitration, between an international streamer and its UK distributor, with respect to the various revenue streams generated by the UK distribution of a film title, and the sharing of such revenues between the parties, in 2020;
- Advising a London-based Russian film producer during his IFTA arbitration relating to the non-execution of a licensing and distribution agreement by the appointed agent and distributor, in 2019;
- Representing, as counsel, the interests of a London-based film director and producer, who was a defendant in an IFTA arbitration filed by his co-producer and ex-business partner, in relation to two unexecuted co-production agreement entered into with French film production companies in 2019;
- Acting as counsel, in a LCIA arbitration concerning a Euro 2.3 billion shareholder dispute raising issues of English and French law, as well as competition law issues, in 2018.

Publications/Presentations

- [Kabab-Ji v Kout Food: implications of recent Anglo/French jurisdictional disputes relating to arbitration agreements](#) – Crefovi.com, 2023;
- [Arbitration in France & the UK: who has the upper hand?](#) – Crefovi.com, 2022;
- [Sports arbitration & CAS: what key issues need to be addressed by CAS?](#) – Crefovi.com, 2022;
- [Gaming, esports & dispute resolution: a brave new world](#) – Crefovi.com, 2022;
- [Arbitration in France & the UK: who has the upper hand?](#) – Crefovi.com, 2022;
- [Arbitration & creative industries: what's new?](#) – Crefovi.com, 2022
- [How to enforce civil and commercial judgments after Brexit?](#) – Crefovi.com, 2021
- [How could the failed enforcement of the SGAE arbitration award have been avoided?](#) – Crefovi.com, 2020
- [Art and arbitration: what needs to be done to improve the security of art sales and transactions](#) – Crefovi.com, 2019
- [Art and mediation: what needs to be done to improve the security of art sales and transactions](#) – Crefovi.com, 2019

- [Alternative dispute resolution in entertainment and the creative industries | ADR – mediation and arbitration](#) - Crefovi.com, 2018

Practice Areas

Corporate law	Entertainment law
Intellectual property	Litigation
Finance & banking	Arbitration, mediation
Tax	Licensing, distribution law
Competition law	Fashion and luxury law

Affiliations/Memberships

- Co-Founder, President and Treasurer, International association of lawyers for the creative industries (ialci)
- Contributor to Lexology
- Member of the British Literary and Artistic Copyright Association (BLACA)
- Member of the Professional Advisors to the International Art Market (PAIAM)
- Member of the Association des Conseils et Experts Européens du Cinéma et de la Communication Audiovisuelle (ACEECA)
- Member of the French Chamber of Great-Britain (CCFGB)
- Member of the Franco-British Lawyers Society (FBLS)
- Member of Equity's "Industry Information Service"
- Member of the American Bar Association (ABA), Forum on the Entertainment and Sports Industry
- Member of the Beverly Hills Bar Association (BHBA), Entertainment law section
- Member of the Media Society, UK
- Member, "Les amis du musée du quai Branly", France
- Member, Solicitors Regulation Authority, UK
- Member, Law Society of England and Wales, UK
- Member, "Ordre des Avocats du Barreau de Paris", France

Languages

French (native speaker), English (bilingual), Italian (bilingual) and Spanish (intermediate)