

# From the Editor

Catherine Green



Tēnā koutou

Welcome to the 32nd issue of ReSolution®. As we head into the winter months here in New Zealand, our latest issue of ReSolution provides our readers with a wealth of interesting information and articles to explore.

From highlighting the importance of certainty when it comes to determining the law that applies to an international arbitration agreement, to considering what is needed to get a foot in the door when leave is needed from the court to appeal an arbitral award and the issue of State immunity in investor-State arbitrations, our authors take you through a wide range of topical and pertinent issues relevant to all involved in the world of private commercial dispute resolution.

Our Case in Brief contributors provide us with a useful overview of two recent cases: *Arjowiggins KHK2 Ltd v X Co* and *Husky Food Importers & Distributors Ltd v JH Whittaker & Sons Ltd*. In *Arjowiggins*, we see a rare display of intervention from the Hong Kong Court of First Instance setting aside an arbitral award and in *Husky* we get a lesson in the value of careful drafting with respect to the incorporation of standard terms of trade. In the latter, it is also encouraging to see the parties' agreement to arbitrate in New Zealand under the auspices of the New Zealand International Arbitration Centre (**NZIAC**) being upheld by the Ontario Superior Court of Justice.

For those more interested in the lifestyles of the rich and famous, Maria Cole and Michelle Rubaduka take us through a recent English Court of Appeal case where a company that acquired the Beverly Hills Polo Club trademark was found to be bound by an arbitration clause in an agreement entered into by the trademark's predecessor owner.

As always, we are grateful for the contributions to ReSolution and I would like to take the opportunity to thank each of our contributors. In this issue, we feature articles from our own Knowledge Management team and panel of practitioners as well as from external authors across the globe, including authors from Herbert Smith Freehills, Willkie Farr & Gallagher LLP, and the team at CMS Law-Now™.

Contributions of articles, papers, and commentary for future issues of ReSolution are always welcome. I do hope you find this issue interesting and useful. Please feel free to distribute ReSolution to your friends and colleagues – they are most welcome to contact us if they wish to receive our publications directly.

Ngā mihi nui

Nā Catherine Green  
Editor



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