

PROF. DR. DÁRIO MOURA VICENTE
Lisbon, Portugal



CURRICULUM VITAE

ACADEMIC CAREER

Dário Moura Vicente is a Full Professor (*Catedrático*) at the Faculty of Law of the University of Lisbon, where he obtained his PhD in Law *cum laude* and his *Agrégation*, and where he has taught, over the past 30 years, Civil Law (General Theory and Law of Obligations), Comparative Law, Private International Law, International Commercial Law, and Intellectual Property Law.

He has also lectured at The Hague Academy of International Law (in 2008), at the Paris V University (in 2010), at the Urbino University (in 2011), and the Complutense University of Madrid (in 2012).

Visiting Professor in Universities of several other Portuguese-speaking countries and territories, notably: (i) the Eduardo Mondlane University (Maputo, Mozambique); (ii) the Agostinho Neto University (Luanda, Angola); (iii) the Salgaocar College of Law (Goa, India); (iv) and the São Paulo University (Brazil). Adjunct Professor at the Law School of the University of Macau, China.

Vice-Dean of the Faculty of Law of the University of Lisbon (2002-2004). Chair of the Institute for Juridical Cooperation of the same Faculty (2006-2020). Chair of the Scientific Council of the same Faculty and Member of the University Senate (2020-2022). Chair of the Faculty's Private Law Institute (since 2023).

EXPERIENCE AS LAWYER

Admitted to the Portuguese Bar (*Ordem dos Advogados*) in 1987.

Legal Advisor of the Presidency of the Council of Ministers of Portugal (1990-1994).

Partner of Barros Sales & Associados (1994-2012).

Of Counsel at Serra Lopes, Cortes Martins & Associados (2012-2022).

Lawyer and Legal Consultant in independent practice (from 2023 onwards).

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ARBITRAL EXPERIENCE

Member of the ICSID panels of arbitrators and conciliators, by appointment of the Portuguese Government.

Member of the arbitration rosters of: (i) the Lisbon and the Oporto Commercial Arbitration Centres, as well as ARBITRARE – Centro de Arbitragem para a Propriedade Industrial, Nomes de Domínio, Firmas e Denominações; (ii) the Portuguese Chamber of Commerce in Brazil and CAMARB – Câmara de Mediação e Arbitragem Empresarial-Brasil; (iii) the Cape Verde Chamber of Commerce; (iv) the Centre for Extrajudicial Resolution of Disputes of Angola (CREL); and (v) the Centre for Arbitration, Mediation and Conciliation of Mozambique (CACM).

Has participated as Presiding Arbitrator, Sole Arbitrator and Party-Appointed Arbitrator, as well as Counsel and Legal Expert, in more than 50 domestic and international arbitrations (*ad hoc*, Centro de Arbitragem Comercial, ICC, ICSID, NAI, WIPO and OHADA) relating to issues of, *inter alia*, Banking Law, Contract Law, Construction Law, Copyright Law, Corporate Law, Foreign Investment Law, Labor Law, Law of Agency, Patent Law, and Public-Private Partnerships.

Those arbitrations concerned disputes involving notably (the countries where the seat of the proceedings were located are indicated in brackets):

1. A Portuguese fishing company and a Moroccan fishing company (Morocco).
2. A Portuguese construction company and Portugal's largest producer, distributor, and supplier of electricity (Portugal).
3. The concessionaire of the Tagus River Road Crossing and the Portuguese Republic (Portugal).
4. A grouping of major Portuguese construction companies and a Gibraltar real estate developer (United Kingdom).
5. A major French car builder and the Portuguese Republic (Portugal).
6. The Portuguese national airliner and an airline pilots' union (Portugal).
7. A Spanish brewing company and a Portuguese bank (France).
8. A Swiss corporation and an Angolan diamond prospecting company (Portugal).
9. A Dutch construction company and Portugal's largest oil production, refining, trading, logistics and retailing company (Portugal).
10. A company specialising in road construction and a company owning a tourist resort in the Algarve (Portugal).
11. A Portuguese private investor and Brazilian brewing company (Brazil).
12. A Dutch real estate developer and Portuguese real estate developer (Portugal).
13. A Portuguese performing artists' rights collecting society and a major Portuguese telecom company (Portugal).
14. A Portuguese highway concessionaire and the Portuguese Republic (Portugal).
15. A French construction company and a Libyan company owning a hotel in Guinea-Bissau (Guinea-Bissau).

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16. An Angolan insurance company and the Angolan branch of a Portuguese construction company (Angola).
17. The Republic of Guinea-Bissau and a multinational energy services supplier (Portugal).
18. A large number of multinational holders of pharmaceutical patents and generic drugs manufacturers (Portugal).
19. An offshore holding company incorporated in Madeira and the Republic of Venezuela (United States of America).
20. A Portuguese holding company and a major Angolan diamond mining company (Angola).
21. A Spanish airport infrastructure company and major European aircraft builder (Spain).
22. The concessionaire of a major Angolan electricity-producing dam and a Chinese construction company (Angola).
23. A Brazilian construction company and a major Portuguese bank (France).
24. The concessionaire of the largest Portuguese deep-water port and Portugal's largest producer, distributor, and supplier of electricity (Portugal).
25. The owner of one of Brazil's largest hydroelectric power stations and a Brazilian group of construction companies (Brazil).
26. A grouping of civil construction and public works companies and a Portuguese public corporate entity responsible for the planning, management, development and execution of the programme for the modernisation of the public secondary school network (Portugal).
27. A consortium of Brazilian construction companies and a concessionaire of São Paulo's subway transportation system (Brazil).
28. A holding company incorporated in the Netherlands and the Angolan National Oil Company (The Netherlands).
29. A multinational solar energy producer and the Kingdom of Spain (United States of America).
30. A shipbuilding company seated in the United Arab Emirates and the Republic of Mozambique (Switzerland).
31. A German renewable energy producer and the Kingdom of Spain (United States of America).
32. A Portuguese construction company and a Spanish construction company, parties to a joint venture contract relating to the construction of a container terminal in Togo (France).
33. An Angolan shipping company and the owners of several vessels chartered by the former (London).
34. A Spanish engineering and construction company and two Portuguese companies created to manage the design, construction and operation of biomass power plants located in Portugal (Portugal).
35. A public limited company incorporated in Luxembourg holding shares in wind energy production companies and the Kingdom of Spain (United States of America).

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- 36. The shareholders of a company managing a venture capital fund (Portugal).
- 37. A motorway concession company and the Republic of Peru (United States of America).

INSTITUTIONAL EXPERIENCE

Member of the Drafting Committee of the Portuguese Law on Voluntary Arbitration of 2011.

Chair of the Portuguese Arbitration Association (*Associação Portuguesa de Arbitragem*) from 2019 to 2023 and of the Portuguese Society for Intellectual Property Law (*Associação Portuguesa de Direito Intelectual*) since 2013. President of the Scientific Council of the Portuguese Society of International Law (Portuguese branch of the International Law Association) since 2015.

Member of the ICC Commission on Arbitration and ADR.

Former Vice-President of Portugal's largest arbitration institution, the Centre for Commercial Arbitration of the Portuguese Chamber of Commerce and Industry (2016-2019).

Associate Member of the *Académie Internationale de Droit Comparé* (AIDC). Member of the *International Law Association* (ILA) and of the *Instituto Hispano-Luso-Americano de Derecho Internacional* (IHLADI). Vice-President of the *Deutsch-Lusitanische Juristenvereinigung* (DLJV). Chair of the General Assembly and member of the Scientific Council of the European Association of Private International Law (EAPIL). Member of the Research Centre of the Law School of the University of Lisbon.

Member of the Arbitration Committee of the International Bar Association, the International Council for Commercial Arbitration and the London Court of International Arbitration.

LANGUAGES

Dário Moura Vicente is fluent in Portuguese (native speaker), English, French, and Spanish.

DISTINCTIONS

Commander of the *Order of Merit Getúlio Vargas*, awarded by the President of the Republic of Brazil (2018).

MAIN PUBLICATIONS

In Castilian

1. «Competencia internacional y reconocimiento de sentencias extranjeras en el derecho autónomo portugués», *DeCITA - Derecho del Comercio Internacional*, vol. 4 (2005), pp. 695-708.

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2. «La formación de los contratos internacionales», *Revista Española de Derecho Internacional*, vol. LVII (2005/I), pp. 239-256.
3. «Perspectivas de la armonización y unificación internacional del Derecho Privado en una época de globalización de la economía», in Alfonso-Luis Calvo Caravaca & Esperanza Castellanos Ruiz (eds.), *La Unión Europea ante el derecho de la globalización*, Madrid, Colex, 2008, pp. 401-420.
4. «Principios Sobre Conflictos de Leyes en Materia de Propiedad Intelectual», *Cuadernos de Derecho Transnacional*, Madrid, vol. 3 (2011), issue 1, pp. 5-23.
5. «El arbitraje de inversiones y las nuevas competencias de la Unión Europea conforme al artículo 207 del TFUE», *Arbitraje: Revista de arbitraje comercial y de inversiones*, vol. V (2012), issue 3, pp. 9-14.
6. «La culpa in contrahendo en el Derecho Internacional Privado europeo», in *Anuario Español de Derecho Internacional Privado*, 2013, pp. 53-72.
7. «El régimen portugués de resolución extrajudicial de conflictos en materia de patentes», in *Estudios de Derecho Mercantil. Libro homenaje al Prof. Dr. h. c. José Antonio Gomez Segade*, Madrid, Marcial Pons, 2013, pp. 789-802.
8. «El enriquecimiento sin causa en el Reglamento de Roma II», *Cuadernos de Derecho Transnacional*, vol. 8 (2016), issue 2, pp. 292-305.
9. «La autonomía privada y sus distintos significados a la luz del Derecho Comparado», in Diego Fernández Arroyo & José Antonio Moreno Rodríguez (eds.), *Contratos internacionales*, Buenos Aires, Asociación Americana de Derecho Internacional Privado, 2016, pp. 59-89.
10. «La aplicación del principio *iura novit curia* en el arbitraje internacional», *Arbitraje. Revista de Arbitraje Comercial y de Inversiones*, vol. X (2017), issue 1, pp. 15-40.
11. «La crisis económica mundial y los contratos internacionales», in Juan José Álvarez Rubio *et al.* (eds.), *Cursos de Derecho Internacional de Vitoria-Gasteiz 2017*, Cizur Menor (Navarra), Aranzadi, 2018, pp. 199-244.
12. «El arbitraje en las relaciones luso-españolas: la jurisprudencia portuguesa reciente», *Arbitraje. Revista de arbitraje mercantil y de inversiones*, 2018, issue 3, pp. 735-754.
13. «¿Aplicación extraterritorial del derecho al olvido en Internet?», in *Anuario Hispano-Luso-Americano de Derecho Internacional*, vol. 24 (2018-2019), pp. 225-235.
14. «El rol del derecho comparado en la aplicación del Convenio Europeo de Derechos Humanos», in *Relaciones transfronterizas, globalización y derecho. Homenaje al Profesor José Carlos Fernández Rozas*, Madrid, Civitas/Thomson Reuters, 2020, pp. 1109-1128.
15. «En el décimo aniversario del Reglamento de Bruselas I bis: algunas cuestiones problemáticas», *La Ley. Unión Europea*, 2022, n.º 103, pp. 1-15.

In Chinese

16. 葡语国家和地区的民法典：继续与变异 («The Civil Code in Portuguese-Speaking Countries: constants and variables»), *Journal of Modern Rule of Law*, 2020, vol. 1, pp. 94-106.

In English

17. «Applicable Law in Voluntary Arbitrations in Portugal», *The International and Comparative Law Quarterly*, London, volume 44 (1995), pp. 179-191.
18. «International Arbitration and the Recognition of Foreign Arbitral Awards in Portugal», *The Arbitration and Dispute Resolution Law Journal*, December 2000, pp. 270-277.

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19. «Precontractual Liability in Private International Law: a Portuguese Perspective», *Rebels Zeitschrift für Ausländisches und Internationales Privatrecht*, 2003, issue 4, pp. 699-725.
20. «Recognition and Enforcement of Foreign Judgments in European-American Relations», in Marshall J. Breger & Markus G. Puder (eds.), *European Union Issues from a Portuguese Perspective*, The Catholic University of America Columbus School of Law, Washington, D.C., 2007, pp. 91-106.
21. «Sources and General Principles of Portuguese Private International Law: An Outline», *Yearbook of Private International Law*, Lausanne, 2007, pp. 257-275.
22. «International Harmonization and Unification of Private Law in a Globalized Economy», in Anthony d'Souza & Carmo d'Souza (eds.), *Civil Law Studies: An Indian Perspective*, Newcastle upon Tyne, Cambridge Scholars Publishing, 2009, pp. 37-57.
23. «Portugal», in Carlos Esplugues, José Luís Iglesias & Guillermo Palao (eds.), *Application of Foreign Law*, Munich, Sellier, 2011, pp. 301-315.
24. «Portugal», in Reto Hilty & Sylvie Nérison (eds.), *Balancing Copyright – A Survey of National Approaches*, Berlin/Heidelberg, Springer Verlag, 2012, pp. 737-763.
25. «The Common Law of Portuguese-Speaking Countries and Territories», in Tong Io Cheng & Salvatore Mancuso (eds.), *New Frontiers of Comparative Law*, Hong Kong, Lexis Nexis, 2013, pp. 119-131.
26. «The Scope and Structure of the Portuguese Civil Code», in Julio César Rivera (ed.), *The Scope and Structure of Civil Codes – A Comparative Analysis*, Heidelberg, etc., Springer, 2014, pp. 319-329.
27. *Family and Succession Law in the Portuguese Civil Code of 1867: A 21st Century Approach* (ed.), 2nd ed., Panaji, Goa, Broadway Publishing House, 2014.
28. «Arbitrability of Intellectual Property Disputes: a Comparative Survey», *Arbitration International*, 2015, pp. 151-162.
29. «Investor-State Dispute Settlement in the European Perspective: Recent Developments», in Dário Moura Vicente (ed.), *Towards a Universal Justice? Putting International Courts and Jurisdictions into Perspective*, The Hague, Brill/Nijhoff, 2016, pp. 247-263.
30. «Legal Reforms in the Context of the Financial Crisis: The Case of Portugal», in Mauro Bussani & Lukas Heckendorn Urscheler (eds.), *Comparisons in Legal development. The Impact of Foreign and International Law on National Legal Systems*, Zurich, etc., Schulthess, 2016, pp. 133-147.
31. «Petroleum Arbitration», in Dário Moura Vicente & Marshall Breger (eds.), *Comparative Law. Portuguese-American Perspectives*, Coimbra, Almedina, vol. III, 2016, pp. 351-371.
32. «The Principle of Territoriality in Intellectual Property Revisited», *Nederlands Internationaal Privatrecht*, 2016, pp. 724-729.
33. «Interpretation and Application of the New York Convention by Portuguese Courts», in George A. Bermann (ed.), *Recognition and Enforcement of Foreign Arbitral Awards: The Application of the New York Convention by National Courts*, Berlin/Heidelberg, Springer, 2017, pp. 765-780.
34. «Portugal», in Jürgen Basedow, Franco Ferrari, Pedro de Miguel Asensio & Giesela Rühl (eds.), *Encyclopedia of Private International Law*, Cheltenham, Edward Elgar, 2017.
35. «Culpa in contrahendo», in Jürgen Basedow, Franco Ferrari, Pedro de Miguel Asensio & Giesela Rühl (eds.), *Encyclopedia of Private International Law Encyclopedia of Private International Law*, Cheltenham, Edward Elgar, 2017.
36. «Intellectual property: applicable law», in Jürgen Basedow, Franco Ferrari, Pedro de Miguel Asensio & Giesela Rühl (eds.), *Encyclopedia of Private International Law Encyclopedia of Private International Law*, Cheltenham, Edward Elgar, 2017.

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37. «Angola», in Jürgen Basedow, Franco Ferrari, Pedro de Miguel Asensio & Giesela Rühl (eds.), *Encyclopedia of Private International Law Encyclopedia of Private International Law*, Cheltenham, Edward Elgar, 2017.
38. «Mozambique», in Jürgen Basedow, Franco Ferrari, Pedro de Miguel Asensio & Giesela Rühl (eds.), *Encyclopedia of Private International Law Encyclopedia of Private International Law*, Cheltenham, Edward Elgar, 2017.
39. «National styles of academic discourse and their impact on European Private International Law», in Jan von Hein, Eva Kieninger & Giesela Rühl (eds.), *How European is European Private International Law*, Cambridge, Intersentia, 2019, pp. 273-284.
40. «Data Protection in the Internet: General Report», in Dario Moura Vicente & Sofia Casimiro (eds.), *Data Protection in the Internet*, Berlin/Heidelberg, Springer, 2019, pp. 1-44.
41. «Family Law in Goa after the Act of 2012: Key Concepts in the Portuguese Civil Code of 1867 and the Code of Gentile Hindu Usages and Customs of 1880», *Salgaocar Law Review*, vol. V (2019), pp. 93-106.
42. «*Culpa in contrahendo* and the Brussels Ibis Regulation», in Peter Mankowski (ed.) *Edward Elgar Research Handbook on the Brussels Ibis Regulation*, Cheltenham, Edward Elgar, 2020, pp. 311-328.
43. «Portugal as a Strategic Seat for International Arbitration», in André Pereira da Fonseca *et al.* (eds.), *International Arbitration in Portugal*, Alphen aan de Rijn, Wolters Kluwer, 2020, pp. 5-16.
44. «Requirements for the Enforceability of Arbitral Awards: A Comparative Overview», in Larry DiMatteo, Marta Infantino & Nathalie Potin (eds.), *Judicial Control over Arbitral Awards: Scope, Vacation, and Public Policy*, Cambridge, Cambridge University Press, 2020.
45. *International Arbitration in Portugal*, Alphen aan de Rijn, Wolters Kluwer, 2020 (co-editor).
46. «Portugal», in *International Handbook of Commercial Arbitration*, supplement 114, Haia/London/Boston, Kluwer, 2021.
47. «International Law Association’s Guidelines on Intellectual Property and Private International Law (“Kyoto Guidelines”): Jurisdiction», *Journal of Intellectual Property, Information Technology, and Electronic Commerce*, 2021/1, pp. 13-43 (with Joost Blom *et al.*).
48. «International Law Association’s Guidelines on Intellectual Property and Private International Law (“Kyoto Guidelines”): Applicable Law», *Journal of Intellectual Property, Information Technology, and Electronic Commerce*, 2021/1, pp. 4-73 (with Marie Elodie Ancel *et al.*).
49. «Global Governance and Private International Law», *Indian Journal of International Law*, 2021, pp. 1-29.
50. *Comparative Law of Obligations*, Cheltenham, Edward Elgar, 2021.
51. *Online Dispute Resolution. New Challenges*, Baden-Baden, Nomos, 2022 (co-editor with Elsa Dias Oliveira and João Gomes de Almeida).
52. «The Role of the Brussels I-bis Regulation in European Private International Law and the Challenges Facing it», *IPRax – Praxis des Internationalen Privat- und Verfahrensrechts*, 2023, pp. 221-227.

In French

53. «L'évolution récente du droit de l'arbitrage au Portugal», *Revue de l'arbitrage*, Paris, 1991, issue 3, pp. 419-445.
54. «La propriété intellectuelle en droit international privé», in Recueil des Cours de l'Académie de Droit International de La Haye, tome 335 (2008), Leiden/Boston, Martinus Nijhoff

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- Publishers, 2009, pp. 107-503 (reprinted as a pocketbook).
55. «Libertés européennes et droit international privé (à la lumière du Traité de Lisbonne)», *Revue Hellénique de Droit International*, vol. 64 (2011), pp. 523-584.
56. «Droit international privé et immatériel au Portugal», in *Travaux de l'Association Henri Capitant*, tome LXIV (2014), *L'immatériel*, pp. 1053-1062.
57. «L'arbitrage au Portugal: développements récents», *La lettre de l'AFA*, n.º 19 (março 2016).
58. «La reconnaissance au Portugal des situations juridiques constituées à l'étranger», in *Travaux du Comité Français de Droit International Privé 2014-2016*, Paris, Pedone, 2017, pp. 263-286.

In German

59. «Unkörperliche Güter im Romanischen Rechtskreis», in Stefan Leible, Matthias Lehmann & Herbert Zech (eds.), *Unkörperliche Güter im Zivilrecht*, Tübingen, Mohr Siebeck, 2011, pp. 75-93.
60. «Das gemeinsame Recht der Portugiesischsprachigen Länder», in Stefan Grundmann *et al.* (eds.), *Schriften zum Portugiesischen und Lusophonen Recht*, vol. 6, Baden-Baden, Nomos Verlag, 2014, pp. 179-189.
61. «Schutz vor Desinformation im Internet: eine portugiesische Perspektive», *Multimedia und Recht*, 2023, pp. 261-267.

In Portuguese (books only)

62. *Da arbitragem comercial internacional. Direito aplicável ao mérito da causa* [*On International Commercial Arbitration. Applicable Law to the Substance of the Dispute*], Coimbra, Coimbra Editora, 1990.
63. *Comentário à Convenção de Bruxelas* [*Commentary on the Brussels Convention*] (co-author with Miguel Teixeira de Sousa), Lisboa, Lex, 1994.
64. *Da responsabilidade pré-contratual em Direito Internacional Privado* [*On Precontractual Liability in Private International Law*], Coimbra, Almedina, 2001.
65. *Problemática internacional da sociedade da informação* [*Private International Law Problems of the Information Society*], Coimbra, Almedina, 2005.
66. *O Direito Comparado após a Reforma de Bolonha. Relatório* [*Comparative Law after the Bologna Reform: Report*], Lisbon, Coimbra Editora, 2009.
67. *O Direito dos Petróleos: uma perspectiva lusófona* [*Petroleum Law: A Lusophone Perspective*], Coimbra, Almedina, 1st ed., 2013; 2nd ed., 2015 (editor).
68. *Direito Comparado* [*Comparative Law*], vol. I, Coimbra, Almedina, 4th ed., 2018; vol. II, 2017; Brazilian edition, São Paulo, Almedina, 2019.
69. *Direito Internacional Privado. Ensaíos* [*Private International Law. Essays*], Coimbra, Almedina, 4 volumes, 2002/2018.
70. *Propriedade intelectual. Estudos vários* [*Intellectual Property. Miscellaneous studies*], Lisboa, AAFDL, 2018.
71. *A tutela internacional da propriedade intelectual* [*The International Protection of Intellectual Property*], 2nd ed., Coimbra, Almedina, 2019.
72. *Lei da Arbitragem Voluntária Anotada* [*Annotated Law on Voluntary Arbitration*], Coimbra, Almedina, 6th ed., 2023 (editor).