



NAME:

RAY ANTHONY O. PINOY

PERSONAL DETAILS:

Unit 3215 Senta Condominium  
Legaspi Street corner Rodriguez Street  
Legaspi Village, Makati City

ACADEMIC CREDENTIALS:

Bachelor of Laws - University of the Philippines, Diliman - 1994  
Bachelor of Science *cum laude* - U.P. School of Economics, Diliman - 1990  
Valedictorian - St. Bridget School, Buhi, Camarines Sur - 1986  
Valedictorian - Buhi Central School, Buhi, Camarines Sur - 1982

PROFESSIONAL BACKGROUND:

Senior Partner - Castillo Laman Tan Pantaleon & San Jose Law Offices  
2/F The Valero Tower, 122 Valero Street  
Salcedo Village, Makati City

INDUSTRY OR LEGAL EXPERTISE

Mr. Pinoy has been in the practice of law for more than 20 years, after his admission to the Philippine Bar in 1995, specializing in civil, criminal and administrative litigation and arbitration. He is also:

Arbitrator, Philippine Dispute Resolution Center, Inc. (PDRCI) since 2004  
Arbitrator, Construction Industry Arbitration Commission (CIAC) since 2010  
Arbitrator, PDRCI/Intellectual Property Office of the Philippines (IPO) since 2010  
Arbitrator, Philippine Electricity Market Corporation (PEMC)-Wholesale Electricity Spot Market since 2014  
Arbitrator, World Intellectual Property Organization, List of Neutrals (Arbitrators) since 2016  
Associate, The Chartered Institute of Arbitrators (CIArb), East Asia Branch since 2004  
Member, Philippine Institute of Construction Arbitrators & Mediators, Inc. (PICAM) since 2010  
Member, Philippine International Center for Conflict Resolution since April 2020  
Member, International Trademark Association (INTA) since 2004  
Member, Alternative Dispute Resolution Committee of INTA 2020-2021 Term  
Member, Asian Patent Attorneys Association (APAA) since 2004  
Member, Integrated Bar of the Philippines since 1994  
Member, Phi Kappa Phi International Honor Society since 1990 (inactive)  
Member, Pi Gamma Mu International Honor Society since 1990 (inactive)  
Cited in the Who's Who of Life Sciences Lawyers

Mr. Pinoy has attended workshops and seminars on arbitration, as follows:

- “Seminar on Practical Arbitration & International Practice Special Training/Entry Course” from May 27 to 29, 2004 in Manila, Philippines offered by CIArb, East Asia Branch. Following his completion of the workshop/entry course, he was admitted as an Associate of the CIArb (East Asia Branch) in 2004.

- “Entry Course for Construction Arbitrators” offered by the PICAM in March 2008 in Davao City. Following his completion of the course, he was accredited as a construction arbitrator of the CIAC.
- “Fast Track Course to Fellowship on International Arbitration” conducted by the CIArb at the Hong Kong International Arbitration Centre in March 2012.
- “Seminar on Intellectual Property Arbitration” offered by the PDRCI, IPO and World Intellectual Property Organization in December 2010 in Mandaluyong City, Philippines. After passing the qualifying examination, he was accredited as an intellectual property arbitrator in 2011.
- “FIDIC Contracts Training Workshop Modules 1 and 2” offered by Japan International Cooperation Agency and Nippon Koie Co., Ltd. at the ADB Headquarters, Manila.
- “Basic WESM Course and Basic Arbitration Course” offered by the Philippine Institute of Arbitrators and Philippine Electricity Market Corporation in September 2013 in Manila. After passing the qualifying examination, he was accredited as a WESM arbitrator in April 2014.

#### CASES HANDLED (as counsel and as neutral)

- Represented the claimant, a Philippine company, in Case No. 12635, an International Commercial Court/International Court of Arbitration (ICC/ICA) arbitration in Manila against a Dutch flavors and food ingredients manufacturing company involving a dispute arising from a distribution agreement.
- Represented the respondent, a Philippine company, in Case No. 11312, an ICC/ICA arbitration in Singapore against the claimant, a Singaporean company, involving a dispute arising from a stockholders’ agreement.
- Represented the claimant, a Philippine company, in Case No. 11624, an ICC/ICA arbitration in Singapore against the respondent, a Korean construction company involving a dispute arising from a loan agreement tied to a construction contract between the same parties.
- Represented the claimant, a Philippine company, in ARB 32/1, an arbitration under the rules of the Singapore International Arbitration Centre in Singapore against a Korean construction company involving a dispute arising from a contract for the construction of a high rise building in Mandaluyong City.
- Represented the claimant, a Philippine company, in *ad hoc* domestic arbitration under the UNCITRAL Model Law in Manila against a Philippine government agency arising from a build-operate-transfer agreement for the supply of electronic passports to Philippine citizens.
- Represented the claimant, a Philippine company, in *ad hoc* domestic arbitration in Manila against a domestic commercial bank arising from an agreement for the supply of certain information technology equipment. The proceeding was originally a civil case before the Regional Trial Court instituted in late 2006.

- Represented the claimant, a Philippine company that was engaged in the operation of a power plant, in *ad hoc* domestic arbitration in Manila against a Philippine government corporation arising from a sale and purchase agreement. The arbitration commenced in 2004. However, the parties eventually settled their dispute. It was in relation to this arbitration that the Philippine Supreme Court issued its decision on October 23, 2009 in G.R. No. 179537, entitled Philippine Economic Zone Authority versus Edison (Bataan) Cogeneration Corporation, affirming the principle of autonomy or separability of arbitration clause in domestic commercial arbitration.
- Represented the owners of a residential project in a civil action in the Regional Trial Court (RTC) to enforce the performance bond issued by a bonding company to secure the obligations of the contractor under her construction contract with the owners. The bonding company challenged the jurisdiction of the RTC on the theory that because the dispute is connected to a construction contract that contained an arbitration agreement, the CIAC, not the RTC, has jurisdiction. When the issued reached the Supreme Court in G.R. No. 204689, entitled Stronghold Insurance Co., Inc. v. Spouses Rune and Lea Stroem, the Court ruled that the dispute under the performance bond was not cognizable by the CIAC because the construction contract did not expressly incorporate the bond into said contract. The bond merely referenced the construction contract. The Court refused to apply its earlier decision in G.R. No. 177240, entitled Prudential Guarantee and Assurance Inc. v. Anscor Land, Inc., because, according to it, the circumstances were different. The Court further held that because the bonding company actively participated in proceedings in the trial court, it is estopped from raising lack of jurisdiction later on.
- Member of arbitral panel in CIAC Case No. 16-2010, a domestic construction arbitration before the CIAC involving the construction of a residential subdivision project.
- Member of arbitral panel in CIAC Case No. 02-2011, a domestic construction arbitration before the CIAC involving the construction of an office building.
- Member of arbitral panel in *ad hoc* domestic arbitration between a manufacturing company and a property insurer involving a claim arising from flood damage.
- Member of arbitral panel in CIAC Case No. 46-2012, a domestic arbitration before the CIAC involving the construction of a church building.
- Member of arbitral panel in CIAC Case No. 24-2012, a domestic arbitration before the CIAC involving the construction of seawall protection along Manila Bay.
- Member of arbitral panel in PDRCI Case No. 63-2012, a domestic arbitration before the PDRCI involving right-of-way issues related to a sale-purchase agreement of several parcels of land on which a racetrack would be built.
- Member of arbitral panel in CIAC Case No. 30-2013, a domestic arbitration before the CIAC involving the construction of a structural shell of a three-storey commercial building.
- Member of arbitral panel in CIAC Case No. 38-2014, a domestic arbitration before the CIAC involving the construction of a resort hotel.

- Member of arbitral panel in CIAC Case No. 42-2016, a domestic arbitration before the CIAC involving the supply, delivery and installation of water cooling system for a microchip manufacturing plant.
- Member of arbitral panel in CIAC Case No. 61-2016, a domestic arbitration before the CIAC involving the supply, delivery and installation of freight elevator.
- Member of arbitral panel in CIAC Case No. 04-2017, a domestic arbitration before the CIAC involving the construction of a two-storey commercial building.
- Member of arbitral panel in CIAC Case No. 31-2018, a domestic arbitration before the CIAC involving the construction of a run-of-the-river hydropower plant in northern Luzon.
- Member of arbitral panel in CIAC Case No. 02-2019, a domestic arbitration before the CIAC involving the construction of a four-storey commercial building.
- Member (C) of arbitral panel in CIAC Case No. 36-2019, a domestic arbitration before the CIAC involving the construction of a beach resort.
- Member (C) of arbitral panel in CIAC Case No. 38-2020, a domestic arbitration before the CIAC involving the construction of building.
- Member (C) of arbitral panel in CIAC No. 16-2021, a domestic arbitration before the CIAC involving the construction of a vessel.
- Member (C) of arbitral panel in CIAC No. 26-2021, a domestic arbitration before the CIAC involving the rehabilitation of an irrigation system.
- Member (C) of arbitral panel in CIAC No. 05-2022, a domestic arbitration before the CIAC involving the construction of pumping facilities for a municipal water district.
- Member of arbitral panel in *ad hoc* domestic arbitration between a government financial institution and a pool of life insurance companies involving their rights and obligations under their contract.
- Member of arbitral panel in *ad hoc* domestic arbitration between a government financial institution and a pool of non-life insurance companies involving their rights and obligations under their contract.
- Member of arbitral panel in *ad hoc* domestic arbitration between an industrial gases company and a power generating company involving a power sale and purchase agreement.
- Sole arbitrator in PDRCI arbitration between a restaurant franchisor and its franchisee.
- Sole arbitrator in PDRCI-administered *ad hoc* arbitration involving the supply of industrial gases

**PUBLISHED ARTICLES**

“Is There a Place for the First Sale Doctrine in the Philippines?”, 86 Phil. L.J. 341 (2012)

“Is Use of a Trademark on Goods Manufactured in the Philippines Exclusively for Export Use in Commerce?”, Intellectual Property Association of the Philippines Newsletter, April 2015

“Arbitrability of Intellectual Property Rights Disputes,” Intellectual Property Association of the Philippines Newsletter, December 2018