

## XIONGCHAO (PETER) CHEN

Counsel

Fangda Partners

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### PRACTICE AREAS

DISPUTE RESOLUTION

Mr. Chen is a counsel with Fangda Partners' Dispute Resolution group. Peter focuses on international arbitration and has represented clients from a wide range of sectors including private equity, energy, AI, hospitality and manufacturing in arbitrations administered by the HKIAC and other institutions. Since his qualification in 2016, he has spent most of his career in Hong Kong, but has also worked in London and Beijing.

### REPRESENTATIVE MATTERS AND CASES

- Represented two leading private equity funds in an Emergency Arbitrator application and the subsequent HKIAC arbitration concerning investor-founder disputes in connection with a suite of entities and agreements in multiple jurisdictions
- Advised a prominent Asia-focused private equity fund on its dispute and potential ICC New York arbitration with a US company over the fund's investment in a pharmaceutical product with the US company
- Advised a private technology company on its equity investment in a VIE-structured venture and on its exercise of its redemption rights under the contract and Cayman Island law
- Advised a Chinese SOE on its equity investment and its exercise of redemption rights consistent with both its and the counterparties' strategic planning
- Represented an NYSE-listed Chinese e-consumer business in a HKIAC arbitration concerning the breach of the investors' rights agreement, with

parallel proceedings in Hong Kong and Cayman courts

- Represented a luxury international hotel in HKIAC-administered UNCITRAL arbitration concerning a property owner's breach of management agreements for a Beijing hotel
- Represented a leading NYSE-listed hospitality brand in HKIAC arbitration concerning its acquisition of a hotel business and its exercise of a price adjustment due to the seller's failure to achieve a performance guarantee
- Represented a leading NYSE-listed hospitality brand in HKIAC arbitration to enforce its guaranteed investment return on its investment in a Hong Kong-listed company
- Represented a popular international restaurant brand in an ICC arbitration against its former franchisee in South Asia concerning the breach of a franchise agreement and in successfully terminating the franchise relationship in line with the restaurant brand's broader strategy
- Represented a leading HKSE-listed Chinese online travel agency business in a Hong Kong High Court action concerning the length and performance of its asset management agreement with an asset manager
- Represented a Japanese convenience store chain in an ICC arbitration with parallel Cayman proceedings against its Taiwan JV partner over claims including breach of SHA agreement
- Advised a PRC men's fashion brand on a joint venture dispute and a potential HKIAC arbitration with a Hong Kong-listed fast fashion company
- Advised a leading international hotel brand on multiple breaches of a hotel management agreement and on the early termination of the agreement with regard to its hotels in China and multiple Asian jurisdictions
- Represented a high-net-worth individual in the Hong Kong High Court in resisting a world-wide Mareva injunction in connection with a private equity investment into the individual's famous restaurant chain
- Advised a consortium of international oil companies on their claims and their potential ad hoc arbitration against an African government in relation to the contractual stabilisation mechanism and the breaches under production sharing agreements
- Advised Sinopec on its successful multibillion US Dollars arbitration concerning fraud allegations against Repsol arising from the acquisition of oil and gas assets in the UK under SIAC rules
- Advised the investment arm for a consortium of belt-and-road investors in an unsuccessful hydropower project in a Southeast Asian country on strategies including an anti-suit injunction for responding to local guerrilla court

proceedings in the breach of an arbitration agreement

- Represented a major Middle Eastern oil and gas company in successfully reducing the quantum of a claim to one-tenth the original value in LCIA arbitration concerning crude oil supply and trade in the Caspian Sea region
- Advised a Chinese SOE on its disputes with Australian counterparts concerning calculating and auditing various contractual charges
- Advised a Chinese SOE on its withdrawal from and cessation of operation in a Middle East country
- Represented the committee for a mentally incapacitated person in a high-stakes family dispute in the Hong Kong High Court

## **OTHER INFORMATION**

### **Education**

- Peking University, LL.B.
- Peking University, LL.M. (Public International Law)
- BPP University College, Graduate Diploma in Laws
- Admitted to practice in England and Wales

### **Professional Qualification**

- Hong Kong SAR (Admitted to practice since 2016)
- England and Wales (Admitted in 2024, non-practising)
- Passed PRC Bar Exam (2011)

### **Work Language**

- English
- Mandarin
- Cantonese

### **Publications**

- Co-author, "Arbitration of M&A Transactions" (China Chapter), Global Law and Business, 2020
- Co-author, "Delos Guide on Arbitration Jurisdictions – Hong Kong", 2023
- Co-author, "Updates on Potential EU-China Comprehensive Agreement on Investment (with a Focus on Investment Protection and ISDS) – New Wine in New Bottles?", 2020

- Co-author, "2020 Survey of TMT Sector Investor-State Arbitration"
- Co-author, "Outcome Related Fee Structures for Arbitration Now Available in Hong Kong", 2022
- Co-author, "Differing 'One-stop Adjudication' Presumptions in Company Law Disputes?", 2023
- Co-author, "Restricting Absolute Immunity – China Promulgates Foreign State Immunity Law", 2023

### **Professional Background**

Before joining Fangda Partners, Peter trained with and worked for an international law firm with a renowned dispute resolution practice for eight years, in its Hong Kong, London and Beijing offices.