



REPLAY TO THE RESQUEST FOR ARBITRATION TO THE TAB

1.- FILE NUMBER:

2.- NAME AND SURNAME OR COMPAN NAME OF THE RESPONDENT:

A) The applicant's current address:

Street:	Telephone (landline):
City:	Mobile:
Post code:	E-mail:
Province:	
Country:	
DNI (<i>National Identity Card</i>) / NIF (<i>Taxpayer's Code</i>):	

B) In case of legal person, legal representative (*please attach a photocopy of the certificate of title or power by virtue of which he or she acts*).

3.- NOTIFICATION E-MAIL:

4.- IF YOU INTEND TO BE REPRESENTED BY A LAWYER:

Name:	Telephone (landline):
Law Firm:	Mobile:
Street:	E-mail:
City:	
Post code:	
Province:	
Country:	
DNI (<i>National Identity Card</i>) / NIF (<i>Taxpayer's Code</i>):	
Bar Association and registration number:	



5.- TYPE OF ARBITRATION PROPOSED:

LAW

EQUITY

Arbitration shall be by LAW by legal imperative (art. 34.1 of the Arbitration Act), unless EQUITY has been agreed in the arbitration agreement or the parties expressly agree otherwise (art. 21.3 of the TAB Rules).

6.- NUMBER OF ARBITRATORS:

ONE

THREE

As a general rule, the TAB shall appoint a sole arbitrator, unless agreed by the parties or in the event that the characteristics of the arbitration justify the appointment of three arbitrators (art. 11.2 of the TAB Rules).

7.- DO YOU WISH TO INDICATE THE PERSONAL CHARACTERISTICS OR CIRCUMSTANCES OF YOUR ARBITRATORS?

Remember that these characteristics or circumstances are only requested as an indication and under no circumstances shall they be binding for the TAB. Arbitrators appointed by mutual agreement of both parties shall require the confirmation of the TAB (art. 12.2 of the TAB Rules).

8.- PLACE OF ARBITRATION:

9.- LANGUAGE OF THE ARBITRATION:

- A) Spanish
- B) Catalan
- C) Spanish and Catalan indistinctly
- D) Other (*indicate which one and bear in mind article 18 of the TAB Rules*)



10.- DURATION OF THE ARBITRATION (*Period, in calendar days or months, for the processing of the entire arbitration procedure until the award is issued*):

Unless otherwise agreed by the parties, the arbitrators shall issue the award within six months from the date of the commencement of the proceedings in ordinary proceedings or two months from the date of the response to the claim or counterclaim in the case of expedited proceedings (articles 38.1 and 50.1 d), respectively, of the TAB Rules). In other words, once the arbitration proceedings have been initiated before the arbitrators. This procedure should not be confused with that of replying to the pre-arbitral request.

11.- BRIEF DESCRIPTION OF THE DISPUTE AND THE RELIEF SOUGHT:

Briefly state the subject matter of the dispute and reproduce, only approximately, what would be in the future the petition or plea of your claim. If the TAB needs more information, it will request it.

12.- ECONOMIC AMOUNT THAT YOU PROVISIONALLY ATTRIBUTE TO THE MATTER IN DISPUTE AND IN WHAT CURRENCY:

If the currency is not specified, it shall be understood to be in euros. In the event of doubt as to the amount or if it is indicated as undetermined, the definitive amount shall be determined by the TAB at the appropriate time, taking into account all the data resulting from the documentation provided or that may be required, the complexity of the matter, the work and time involved and the number of arbitrators or special qualifications required by the parties.

13.- RULES APPLICABLE TO THE SUBSTANCE OF THE DISPUTE (*art. 5.3 of the TAB Rules*):

14.- INTERNATIONAL ARBITRATION:

- a) Circumstances, of those provided for in art. 3 of the Arbitration Act, which make this arbitration international in nature:



- b) The legal system according to whose substantive rules the dispute must be decided (art. 34.2 of the Arbitration Act):
- c) I waive my right to appeal, challenge or request the nullity of the award before any State instance, if such waiver is legally feasible:

YES

NO

If you answer in the affirmative to (a), you must specify and, if necessary, prove your assumption of fact. In relation to paragraph b), if the parties do not indicate the applicable legal rules, the arbitrators shall apply those they deem appropriate (Art. 34.2 of the Arbitration Act).

15.- REASONS, IF ANY, WHY THEY DO NOT AGREE TO SUBMIT TO ARBITRATION:*(art. 6.2 e) of the Rules of the TAB):*

- Lack of prior arbitration agreement.
- Nullity, invalidity or ineffectiveness of the agreement.
- The matter was not the subject of the agreement.
- It is an unavailable subject matter.

16.- COSTS OF THE ARBITRATION:

- They shall be imposed in accordance with the principle of proportionate maturity.
- They shall be imposed in accordance with the principle of absolute maturity.
- They shall be imposed only in the event that the arbitrators find bad faith or recklessness on the part of any of the parties.
- Each party shall pay its own and the common ones by half.
- Another criterion.

Do not forget to ask for costs in your pleadings. Article 39.6 of the Rules of the TAB provides that the awarding of costs shall be imposed on the basis of the acceptance or rejection of the respective claims of the parties, unless, exceptionally and in view of the circumstances of the case, the arbitrators deem the application of another criterion to be more appropriate.

**17.- ARBITRATION AGREEMENT:**

Accompanied by a document.

YES NO

Other forms:

If no agreement is enclosed, the TAB shall also forward this request to the requested party so as not to close the opportunity to an admission of the same or a tacit submission.

18.- DOCUMENTS THAT ACCOMPANY THE REQUEST (art. 5.4 of the TAB Rules).

- a) Copy of the arbitration agreement.
- b) Copy of the contracts or documents giving rise to the dispute.
- c) Escritura de apoderamiento de la representación procesal.
- d) Deed of authority to represent the parties in the proceedings.
- e) Document stating a novation of the contractual address for service.
- f) Proof of payment of the admission and administration fees of the TAB, as well as of the applicable provisions of funds for the arbitrators' fees.
- g) Other:

NOTE: I accept and undertake to pay the amount of the fees that may accrue in the event that the file is closed.

Date and signature**Information on the processing of personal data**

Basic information on Data Protection concerning the processing of personal data processing of data of persons involved in an arbitration	
Responsible	ASSOCIACIÓ CATALANA PER A L'ARBITRATGE-TRIBUNAL ARBITRAL DE BARCELONA
Purpose	To manage the files and procedures related to the activities and actions of the association.
Legitimation	Consent of the data subject
Recipients	The data may be communicated to third parties, including outside the European Economic Area (EEA), provided that such communication is necessary to carry out any of the Tribunal's activities and proceedings.
Rights	Access, rectify and delete data, as well as other rights, as explained in the additional information.
Additional information	You can consult the additional and detailed information on Data Protection below.



We also request your authorisation to send you information by post, e-mail or other equivalent electronic means about events, conferences, courses and other activities of the Associació Catalana per a l'Arbitratge-Tribunal Arbitral de Barcelona:

YES

NO

Detailed information On Data Protection concerning the Processing of data of persons involved in an arbitration
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Who is responsible for the processing of your data?

Identity: ASSOCIACIÓ CATALANA PER A L'ARBITRATGE-TRIBUNAL ARBITRAL DE BARCELONA
Tax ID: G58941964
Postal address: C/ Roger de Llúria, 113, ground floor, 08037 Barcelona
Telephone: (+34) 93 319 81 17
E-mail: secretaria@tab.es

For what purpose do we process your personal data?

The purpose of the processing is the correct management of the files and procedures related to the activities and actions of the association.

How long will we keep your data?

The data provided will be kept for as long as you do not exercise your right of deletion. In any case, the data will be kept for the years necessary to comply with legal obligations.

What is the legal basis for processing your data?

The legal basis for the processing of your data is the consent of the data subject.

The prospective offer of products and services is based on the consent you are asked for, without the withdrawal of this consent in any case conditioning the provision of the requested service.

To whom will your data be disclosed?

The data may be disclosed to third parties, including outside the European Economic Area (EEA), provided that such disclosure is necessary for the performance of any of the Court's activities and activities.

What are your rights when you provide us with your data?

Any person has the right to obtain confirmation as to whether or not L'ASSOCIACIÓ CATALANA PER A L'ARBITRATGE-TRIBUNAL ARBITRAL DE BARCELONA is processing personal data concerning them.

Interested parties have the right to access their personal data, as well as to request the rectification of inaccurate data or, where appropriate, to request its deletion when, among other reasons, the data is no longer necessary for the purposes for which it was collected.

In certain circumstances, data subjects may request the limitation of the processing of their data, in which case we will only keep them for the exercise or defence of claims.

In certain circumstances and for reasons related to their particular situation, data subjects may object to the processing of their data. L'ASSOCIACIÓ CATALANA PER A L'ARBITRATGE-TRIBUNAL ARBITRAL DE BARCELONA will cease to process the data, except for compelling legitimate reasons, or for the exercise or defence of possible claims.

By virtue of the right to portability, data subjects have the right to obtain the personal data concerning them in a structured, commonly used and machine-readable format and to transmit it to another data controller.

How can the rights be exercised?

By writing to L'ASSOCIACIÓ CATALANA PER A L'ARBITRATGE-TRIBUNAL ARBITRAL DE BARCELONA, C/ Roger de Llúria, 113, ground floor, 08037 Barcelona, with a photocopy of your ID card or equivalent identification document.



What complaint procedures are available?

If you consider that your rights have not been duly addressed, you have the right to file a complaint with the Spanish Data Protection Agency (Agencia Española de Protección de Datos).