



Philip D. Robben

Partner

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About

Philip Robben is head of the firm's International Arbitration team. His practice focuses on international and domestic litigation and arbitration. Philip's experience includes the representation of multinational clients across a range of commercial disputes, including claims arising from software development and implementation projects, corporate governance issues, fraud, insurance coverage, claims under bilateral investment treaties (BITs), and the defense of U.S. False Claims Act and other "whistle-blower" lawsuits.

Philip has represented companies involved in many industries, including software and IT consulting, security services, construction, pharmaceuticals, industrial manufacturing, banking and finance, life insurance, telecommunications, business process outsourcing (BPOs), and consumer products. A substantial part of his practice is devoted to counseling multinational companies that do business in the United States.

Philip pairs superior writing skills and attention to detail with tenacity and curiosity. Philip's clients value that he personally handles their cases, learns about their business, and is highly responsive to their specific needs. He works to resolve every dispute in his client's best interests, guided by a deep understanding of the client's business and focused on the client's goals.

Philip also understands the cultural miscues that can result when parties from different countries work—and fight—with each other. Because many of his clients are international, and do not have an understanding of the U.S. legal system, Philip is appreciated for taking the time to explain their options in an actionable manner and advise them as to a recommended course of action that makes sense for their business and goals.

Experience

International Arbitration

Counsel for the lead contractor on a solar energy project in a AAA arbitration asserting claims for breach of contract and tort against a significant sub-contractor. The arbitration is ongoing.

Counsel for claimant, a major international construction company, in HOCHTIEF AG v. Argentina, an ICSID arbitration that made claims under the Germany-Argentina bilateral investment treaty. The

tribunal awarded HOCHTIEF over \$20 million in compensatory damages and costs. An annulment proceeding is pending before an ad hoc committee appointed by ICSID.

Counsel for a leading India-based IT firm in an ICDR arbitration to collect unpaid invoices for software development. Obtained a complete victory, including an award of attorneys' fees and costs and the dismissal of counter-claims seeking more than \$5 million based on allegations of fraud and breach of contract.

Counsel for HOCHTIEF Infrastructure GmbH in an ICSID arbitration brought under the Germany-Saudi Arabia bilateral investment treaty. The dispute settled amicably after early settlement discussions.

Defended a large Indian IT consulting company in a JAMS arbitration brought by a prominent clothing design company that alleged a breach of the parties' agreement for software design and implementation services. Achieved a favorable settlement after early mediation.

Defended a Bengaluru-based IT consultancy against claims brought by a client following a data breach. Achieved a favorable settlement after early mediation (and before any claims were asserted in arbitration).

Defended a leading consulting firm in a AAA arbitration alleging breach of contract, among other claims, stemming from a project for the implementation of an enterprise resource planning (ERP) system. Achieved a favorable settlement after an award was issued.

Successfully defended an Abu Dhabi-based technology company in an ICC arbitration brought by a customer alleging the breach of a license agreement.

Defended a leading manufacturer, replicator and duplicator of high-quality CDs and DVDs in an ICDR arbitration over royalties allegedly due under a patent license agreement. Achieved a favorable settlement after minimal proceedings.

Defended a North American telecommunications company in an ICC arbitration brought by a rival company seeking millions of dollars for alleged breach of an interconnection agreement. Resolved the dispute on favorable terms prior to the appointment of an arbitral tribunal.

U.S. Litigation for International Companies

Defending a leading IT services firm based in India against claims of trade secret misappropriation and breach of contract in connection with the alleged public disclosure of source code.

Defending the lead contractor on a solar energy project in connection with state law claims made under a surety bond.

Counsel for a leading Indian IT consulting firm in a dispute concerning its investment in a Delaware company. Due to the complex nature of the dispute, it involves simultaneous actions in the Delaware Chancery Court, Delaware Superior Court, and a AAA arbitration seated in New York.

Successfully defended a leading generic pharmaceutical company in a class action alleging fraud and unfair business claims in connection with the reported prices, and private insurance reimbursement, of the client's products. All claims were dismissed for lack of personal jurisdiction at the pleadings stage.

Defended a leading publisher of fine art books, based in Germany, in a copyright infringement litigation filed in the Southern District of New York. Achieved a favorable, early settlement.

Successfully defended a multinational Indian-government-owned bank in opposing an application for discovery under 28 U.S.C. § 1782 in connection with a proceeding before the Debt Recovery Tribunal I of New Delhi, India.

Successfully represented an Indian government-owned fertilizer company in an action to recover funds stolen in a fraudulent scheme with participants around the world. Obtained a \$2 million verdict after a two-week jury trial in New Jersey federal court.

Defended an Indian provider of debt collection services in a federal class action brought under the Fair Debt Collection Practices Act (FDCPA). Achieved an early settlement, leading to the discontinuation of the case prior to class certification.

Represented an Indian government-owned bank in an action it brought against a former client and its guarantors alleging breach of contract and fraud arising out of a default under promissory notes worth several million dollars. Achieved a favorable settlement before trial.

Commercial Litigation

Representing the State of Maryland and all State agencies in bringing claims for costs and damages resulting from the DALI's collision with the Francis Scott Key Bridge in the Port of Baltimore in March 2024.

Co-counsel for a leading multi-national security services company in a Delaware Chancery Court dispute concerning the purchase price adjustment due under a stock purchase agreement.

Represented a trust that managed the estate of an iconic actor and philanthropist in an action brought against an auction house to recover disputed monies and for the return of unsold valuables. Achieved a favorable, early settlement.

Represented the operator of containerized shipping terminals in an insurance dispute concerning coverage for damage incurred during Superstorm Sandy. Achieved a favorable settlement after discovery and dispositive motions.

Successfully represented a leading New York City beer distributor in a case alleging tortious interference with contract and trespass. Obtained an order dismissing all claims, with prejudice, at the pleadings stage.

Served as part of a team that prosecuted claims for approximately \$1.2 billion on behalf of a major New York bank against 11 insurance companies over surety bonds written in connection with transactions that the bank entered into with a bankrupt customer. Achieved a favorable settlement after closing arguments following a month-long trial.

Defended a national security services company in numerous actions brought by subscribers and insurance companies alleging breach of duties under alarm services contracts in response to burglar and fire alarms. All claims were dismissed on motion or favorably settled before trial.

Successfully defended an insurance company in an action alleging fraud and other claims in connection with the sale of two high-value life insurance policies. Obtained an order dismissing all claims at the pleadings stage, which was unanimously affirmed on appeal.

Successfully defended a national baking company in an action brought by a regional distributor in connection with a distribution and advertising services agreement. Obtained summary judgment

dismissing all claims against our client.

Defended a multinational consumer goods manufacturer in an idea misappropriation and breach of contract action in connection with a household cleaning product marketed and sold nationwide. Achieved a favorable settlement before trial.

Defended a leading entertainment technology company in a dispute brought by a major Las Vegas casino hotel conglomerate over the construction and installation of motion picture-based amusement park rides. Achieved a favorable settlement before trial.

Defended a national retailer of athletic apparel in a proceeding seeking to remove the company from a prime retail location in midtown Manhattan. Achieved a favorable settlement after vigorous motion practice aimed at securing our client's leasehold rights.

Litigation with Government Entities

Defended a leading India-based generic pharmaceutical company in connection with an attorney general's investigation concerning pharmaceutical prices. The investigation was discontinued without any enforcement action being taken against the client.

Represented an Indian BPO company in connection with an attorney general's investigation.

Defended a U.S. manufacturer of generic pharmaceuticals in a multidistrict class action, as well as individual actions, brought by the U.S. Department of Justice and the attorneys general of several states alleging False Claims Act, fraud and other claims in connection with pharmaceutical pricing. Achieved a favorable settlement of all actions before trial.

Defended a defense contractor in a dispute with the Defense Contract Management Agency concerning amounts claimed by the government under an Army contract. Achieved a favorable settlement early on.

Honors

Philip was selected for inclusion in the 2018-2025 New York *Super Lawyers* lists, issued by Thomson Reuters. A description of the selection methodology can be found [here](#).

He was recognized as a client nominated, stand-out attorney in the 2020 Acritas Stars: Independently Rated Lawyers report.

No aspect of this advertisement has been approved by the Supreme Court of New Jersey.

Affiliations

Fordham Law School Alumni Association

Community

New York International Arbitration Center, founding board member

Related Services

Commercial Litigation

Consumer Class Action Defense

International Arbitration

False Claims Act Defense
Generic Pharmaceuticals
India-U.S. Cross-Border Transactions and Disputes
Litigation
Waterways
Trade Secrets and Restrictive Covenants

Education

Fordham University School of Law, J.D.

- Fordham Law Moot Court Program, Fordham Intellectual Property, Media & Entertainment Law Journal, associate editor

Fordham University, B.A.

Admissions

New York

New Jersey

Courts

U.S. Court of Appeals–Second Circuit

U.S. Court of Appeals–Third Circuit

U.S. Court of Appeals–Seventh Circuit

U.S. Court of Appeals–Federal Circuit

U.S. District Court–Southern District of New York

U.S. District Court–Eastern District of New York

U.S. District Court–Western District of New York

U.S. District Court–District of New Jersey

U.S. District Court–Western District of Wisconsin