



Dr Sabina Kubsik, LL.M.

Partner

Nationality: Polish

Languages: Polish, English, and Spanish

Address: Drzewiecki i Wspólnicy Sp. j. Belwederska 23,
00-761 Warsaw

Tel.: (+48) 22 840 95 00

Email: kubsik@dt.com.pl

Education:

Graduated from the Faculty of Law and Administration of the Jagiellonian University in Krakow, Poland, with an M.A. degree in Law (2010) and a Ph.D. degree in Civil Law (2014), as well as Queen Mary University of London, England, with an LL.M. degree in international and comparative dispute resolution with a specialization in international arbitration (2016).

Also studied at Warsaw School of Economics, Poland, where she completed post-graduate studies in company law (2012), as well as London School of Economics and Political Science, England, where she completed professional courses in commercial law and international commercial litigation and arbitration (2012).

Attended ICC Arbitration & ADR Training Programme, organized under the patronage of the International Court of Arbitration of the International Chamber of Commerce (ICC), Polish National Committee of the ICC, and Faculty of Law and Administration of the Jagiellonian University in Krakow (2015).

Main specializations:

Specialises in civil law, IT law, and commercial law (including, in particular, contract law, company law, and anti-trust law) as well as dispute resolution in business and corporate matters, with a special focus on investment and commercial arbitration.

In addition to her legal knowledge, she demonstrates a sound knowledge and understanding of cutting-edge IT technologies, including AI, blockchain, crypto, big data, the internet of things (IoT), robotics, as well as cloud and quantum computing.

Professional experience:

Has many years of experience in representing national and international corporations in the investment projects, mergers and acquisitions, and digital transformation processes, as well as drafting and negotiating complex commercial and IT contracts, and handling domestic and cross-border litigation and arbitration proceedings, across all the key industry sectors, including, in particular, finance, energy, infrastructure, technology, and innovation.

At DT, which she joined in 2017, she is responsible for corporate and M&A, dispute resolution, and new technology practice. She advises the key and largest clients, including mainly foreign companies and corporations, while dealing with precedent-setting projects requiring a non-standard approach and creativity as well as high competence level, in-depth substantive knowledge, and understanding of the business environment in Poland and worldwide.

She is an initiator and head of the DT's IT & Digital Transformation Team – an interdisciplinary group of lawyers, patent attorneys, financial advisors, and technology experts, providing support in all aspects of the digital change: from identifying regulatory hurdles and protecting intellectual property to negotiating agreements with partners and suppliers, assessing cybersecurity risks, and building awareness of the new digital reality.

Before joining DT, she worked in one of the leading dispute resolution law firms in Poland, where she gained experience in representing domestic and foreign Clients at various stages of proceedings before state courts and arbitration tribunals, including settlement discussions, interim relief proceedings, and enforcement proceedings of arbitral and court decisions.

Publications and conferences:

Selected research publications:

1. *Consequences of the Achmea Judgement for Intra-EU Arbitrations Based on the Energy Charter Treaty*, TerraLex Lexology Hub, December 2020
2. *Rozprawy zdalne – nowa rzeczywistość polskiej i międzynarodowej praktyki arbitrażowej* ['Remote proceedings – a new reality of Polish and international arbitration practice'], Dodatek specjalny do Monitora Prawniczego Nr 20/2020: Prawo nowych technologii
3. *Umowy na korzystanie z oprogramowania oparte na modelu Software as a Service (SaaS) – ich kwalifikacja prawna oraz kwestie z tym związane* ['Software as a Service (SaaS) agreements – their legal qualification and related issues'], Sto lat polskiego prawa handlowego. Księga jubileuszowa dedykowana Profesorowi Andrzejowi Kidybie, M. Dumkiewicz, J. Szczotka, K. Kopaczyńska-Pieczniak (eds.), Tom 2, Wolter Kluwer: Warsaw 2020, pp. 600-620
4. *Rozwiązywanie sporów powstałych na gruncie smart kontraktów* ['Resolution of disputes arising from smart contracts'], Dodatek specjalny do Monitora Prawniczego Nr 21/2019: Prawo nowych technologii

5. *Legal Claims Available to Foreign Investors Affected by the Regulatory Changes in Wind Energy Industry in Poland*, TerraLex Connections, April 2018
6. *Przedkontraktowa odpowiedzialność odszkodowawcza z tytułu nieuczciwych negocjacji* [‘Precontractual Liability for Damage Caused by Unfair Negotiations’], C.H. Beck: Warsaw 2016
7. *Umowne klauzule zabezpieczające przed ryzykiem zerwania negocjacji w transakcjach sprzedaży udziałów lub akcji* [‘The Protection Against the Risk of Breaking off Negotiation Clauses in Share and Stock Purchase Transactions’], Usus magister est optimus. Rozprawy prawnicze ofiarowane Profesorowi Andrzejowi Kubasowi, R. Kos, B. Jelonek-Jarco, J. Zawadzka (eds.), C.H. Beck: Warsaw 2016, pp. 405-414
8. *Odpowiedzialność wspólników (akcjonariuszy) spółki kapitałowej za jej zobowiązania na przykładzie grupy spółek* [‘The Liability of Shareholders for Corporate Debts Illustrated with an Example of a Group of Companies’], Przegląd Prawa Handlowego Nr 8/2013, pp. 50-57

Selected practical commentaries:

1. *Third-party funding and its potential during the Covid-19 pandemic*, January 2021
2. *Remote work during the COVID-19 pandemic and personal data protection under the GDPR*, December 2020
3. *Companies can be managed remotely*, April 2020
4. *Arbitration as a solution to COVID-19-related court delays*, April 2020
5. *Growing importance of electronic signature during the COVID-19 epidemic*, April 2020
6. *Shopping center lease agreements and anti-crisis shield*, April 2020

Selected presentations and speeches at conferences and meetings:

1. *Praktyczne podejście do zarządzania projektami* [‘A Practical Approach to Project Management’] BankTech 2021, Warsaw, July 2021
2. *Potencjalne przyczyny sporów wynikających z zastosowania nowych technologii* [‘Potential Causes of Disputes Arising from the Use of New Technologies’], Technology Law Conference, Warsaw, October 2020
3. *Negotiating Software-as-a-Service (SaaS) Agreement – Case Study*, IPLT Meeting, Berlin, December 2019
4. *Concession for exploration, recognition, and extraction of energy raw materials in Poland*, Coaltrans Poland, Krakow, June 2019

Memberships, appointments, and other positions:

Member of **Krakow Bar Association**

Board Member of **ADR Commission of ICC Poland**

Member of **Association Let's Mediate**

Co-founder of **Lexpansio**

As a Board Member of ADR Commission of ICC Poland and member of Association Let's Mediate, she has been involved in numerous activities aimed at promoting the amicable settlement of disputes as well as increasing knowledge and skills on ADR among businesses and lawyers. Apart from organizing group meetings and conferences, she has been creating educational materials as well as conducting workshops and lectures on dispute management and resolution. In 2016-2017 she conducted classes on international arbitration and ADR for students at the Jagiellonian University in Krakow. Currently, she is working on the first Polish textbook on international arbitration.

As a co-founder of Lexpansio, which is a legal tech start-up, she actively participates in the development of innovative technologies and business solutions to support lawyers in their day-to-day work. While the company's first product (software that facilitates the editing and organization of pleadings and other documents with annexes) is in the testing phase, she and her team are currently working on new projects, including the creation of two websites, i.e.: (i) the first Polish website dedicated to the use of new technologies in the provision of legal services and the technological evolution of the legal market, as well as and (ii) the first Polish website offering database of individuals and entities from different fields and industries providing expert opinions and testimonies in dispute resolution proceedings.

Prizes and awards:

Team first-prize in the national stage of Global Legal Hackathon for developing an app for victims of domestic violence (2018)

Team distinctions in international rankings such as Legal500 and Chambers&Partners in "Intellectual Property Law" and "Litigation" categories (2018, 2019, 2020, and 2021)