



Kongwat Akaramanee

Partner

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Languages

- Thai
- English

Education

- LL.M, Ramkhamhaeng University, Thailand
- LL.B, Assumption University, Thailand

Professional Qualifications

- Notarial Services Attorney, the Lawyer Council of Thailand
- Member, the Lawyer Council of Thailand

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Profile

Kongwat is a partner with Kudun and Partners, active in the dispute resolution and litigation practice. He possesses extensive experience in dispute resolution, commercial and business litigation, administrative, labour, tax, restructuring and insolvency, and arbitration matters and acts as trusted advisor to numerous domestic and international clients, particularly on compensation claims, EPC contract disputes and tax disputes.

His expertise extends across multiple industries including finance & securities, construction services, information & communications technology, energy & utilities, and property development.

Areas of Expertise

- Dispute resolution and litigation
- Administrative and commercial disputes
- Alternative dispute resolution including arbitration and mediation
- Labour and employment disputes
- Restructuring and insolvency

Professional Experience

- Associate, Siam Premier International Law Office
- Associate, Watson, Farley and Williams (Thailand)
- Associate, Blumenthal, Richter & Sumet
- Legal Deputy Manager, PricewaterhouseCoopers
- Associate, FBLP Legal

Recent Awards and Rankings

- Rising star lawyer in Dispute resolution by Asialaw, 2022 - 2023

Practice Focus

A selection of matters in which Kongwat has been involved include:

Commercial Disputes

- Representing one of the largest construction companies in the world with respect to filing the complaint of the case against the Expressway Authority of Thailand regarding the Terms of Reference of the Rama 3 Expressway Project at the Central Administrative Court for THB 5.8 billion (USD 171.2 million).
- Representing a Chinese solar panel manufacturer in successfully claiming outstanding engineering, procurement and construction service fees on three (3) solar energy projects for approximately THB 780 million (USD 22.1 million).
- Representing LG Electronics (Thailand) Company Limited as the defendant involving the plaintiff claiming that the defendant has defaulted on a dealer agreement worth millions of Thai Baht.
- Representing Singha Estate Public Company Limited as the Co-Defendant on a petition requesting the court to revoke a temporary injunction and a writ related to the Metropolis Bangkok Officer Tower that has a market value of THB 1.7 billion.
- Defending a Chinese leading enterprise, which is one of the largest heavy equipment manufacturers in the world with respect to a trademark registration dispute on the similarity matter in Thailand against a well renowned high-end multinational automotive corporation.
- Representing a consortium, consisting of well-known Thai and foreign companies, in challenging the unlawful order dismissing its bidding proposal for Laem Chabang Port Phase 3 Project of the Port Authority of Thailand with an initial estimated value of THB 155.8 billion (USD 5 billion).
- Representing a leading passport provider company in Thailand on the e-bidding application of the third phase of Thailand's electronic passport by the Ministry of Foreign Affairs.
- Representing a Chinese construction company in claiming outstanding fees on construction works with a value of approximately THB 300 million (USD 9.6 million).
- Representing one of the largest multinational electronics company from South Korea in claiming accounts receivable debts and in pursuing legal actions against its employee regarding corporate fraud.
- Defending a leading real-estate developer company in a land dispute case.
- Representing a major Thai construction company in claiming outstanding fees on the construction works from the project owner.
- Defending a leading residential property developer company in a condominium dispute.
- Representing consumers in a class-action proceeding case against a leading financial services provider.

- Representing the authorized directors of a leading securities brokerage in defending a THB 100 million claim (USD 3.2 million) lodged by the investor.
- Representing authorized directors of a leading securities brokerage company in defending criminal allegations made by the investor.
- Defending authorized directors of a financial services provider against criminal allegations made by the Bank of Thailand.
- Advising and representing a leading securities brokerage in defending a block-trade transaction dispute.
- Advising and representing a leading securities brokerage in challenging an order of the Securities and Exchange Commission with the Appeal Commission and the Central Administrative Court.
- Advising a Hong-Kong based company, one of the largest investor-owned power businesses in Asia, in relation to the repayment of the debts in a rehabilitation case.
- Advising a Japanese company, one of the world's leading electronics manufacturer, in a tax dispute of approximately THB 212 million (USD 6.8 million) concerning the utilization of tax incentives under the Investment Promotion Act in the Central Tax Court.
- Advising investors in defending criminal allegations made by the Securities and Exchange Commission.
- Advising a leading property and retail management company in relation to a rental dispute.

Alternative Dispute Resolution including Arbitration

- Representing one of the largest integrated energy and refining company in the United States ranked on Fortune 500 with respect to file motion to enforce a massive foreign arbitral award (US Arbitration) against Petroleo de Venezuela S.A. et al. totaling 3 objectors from Venezuela in amount of USD 150 million at Thailand's Central Intellectual Property and International Trade Court in an estimated value of USD 150 million.
- Representing a leading telecommunications company in defending an arbitration case in relation to a compensation claim arising from a concession agreement for over THB 20 billion (USD 641.7 million) filed by a state-owned company.
- Representing an Israeli client, the main contractor for an ultra-luxury condominium by the banks of the Chao Phraya River, on its enforcement of an arbitral award of Thailand Arbitration Institute (TAI) in Thailand against the developer of the project in a total amount of THB 83 million.
- Representing a renowned taxi service company as plaintiff with respect to the arbitration case due to material breach of an automobile assembly company founded as a Thai-American joint venture claiming a significant sum of THB 261.5 million.

- Representing a leading financial technology service provider in an international arbitration case at the Singapore International Arbitration Center (SIAC) to claim compensation arising from the material breach of acquisition agreements in the sum of approximately SGD 33 million (USD 23.8 million).
- Representing a joint venture company consisting of leading international engineering and construction companies from Japan and Thailand in defending the dispute arising from an EPC contract and in setting aside the arbitral award.
- Advising and representing a leading Thai sugar producer in a dispute arising under the Bagasse Fired Boiler contract with a Chinese company and assisting the client in settling the claim on favorable terms through mediation.

Certificate

- Certificate of the training program re: A Typical Arbitration: Written Advocacy, Singapore International Arbitration Centre (SIAC)

Publications

- “Enforcement and Setting Aside of an Arbitral Award in Thailand” (Lexology, February 2021)
- “Anatomy of a Business Rehabilitation in Thailand: Key Considerations for Thai and Foreign Creditors” (Lexology, June 2020)
- “White-collar crime - what firms should be aware of” published in THE NATION.
- “Whistleblowing can save a company from damages” published in THE NATION.

Speaking engagements

- Speaker on “How do family businesses relate to sustainability?” at the 5th AFBR Club seminar, organized by the Association of Family Business Entrepreneurs (AFBE) (October, 2022)
- Speaker on “Holding & Tax Management – Game Plan for Family Business” organized by the Association of Family Business Entrepreneurs (AFBE) (August, 2022)
- Speakers on “Legal Environment and Business: Evidence from the Field” at the Faculty of Business Administration, Kasetsart University (February, 2022)
- The YSIAC Bangkok Advocacy Workshop 2019.