

Curriculum Vitae

Morteza Shahbazinia



- Personal information:

Given name: Morteza

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- Education

- Bachelor of Science in law, 1992, Shahid Beheshti University ,Tehran, Iran
- Master of Science in private law, 1995, Shahid Beheshti University, Tehran, Iran.
- Ph.D. in Private Law, 2001, Tarbiat Modares University, Tehran, Iran.

- Work Experience:

- Current Positions:

- Associate Professor (since 2005), Tarbiat Modares University, Tehran, Iran
- Attorney at law(since 1997)
- Member of Humanities Committee of Iran National Science Foundation since 2020
- Editor-in-chief. Journal of Comparative Law Research (Tarbiat Modares University) since Aug. 2022
- Empanelled as arbitrator with the following institutions:

- Arbitration Center of Iran’s Chamber (ACIC) since 2005,
- Tehran Regional Arbitration Center (TRAC) since 2008,
- Shanghai International Arbitration Center (SHIAC) since 2013,
- The Intergovernmental organization for carriage by Rail (OTIF) since 2008,
- President of Domestic Board of the TRAC Court of Arbitration, Since 2018.
- Member of Arbitration Commission of Iranian Committee of International Chamber of Commerce (ICC), since 2006
- Experience as arbitrator in various institutional and ad hoc arbitration cases (national and international), since 2004.

- Past positions

- Immediate Dean of law Faculty (2012-2020), Tarbiat Modares University, Tehran-Iran
- Director of Law Department, Tarbiat Modares University, 2007- 2012
- Immediate President of the National-wide Union of Iran Bar Associations, (2017-2020)
- A member on the Board of Directors of Iran Central Bar Association 2012-2016
- Member of the Board of Directors of North Drilling Company (NDCO), 2019-2021
- A member of Executive Council of the National-wide Union of Iran Bar Associations (SCODA), 2012-2016
- Member of Research Council of Secretariat of the Expediency Discernment Council of the System, 2008-2010
- General Director in charge of legal affairs, Ministry of Science, Research and Technology, 2002-2005
- General Director of Laws & regulations Research Bureau – Social Security Organization of Iran, 1999-2002
- Director of Research Center of Guardian (constitutional) Council of Iran, 1996-1999
- In-house lawyer, Iran Governmental Trade Corporation (GTC), 1992-1995.
- Legal Advisor to Ministry of Jahad Sazandegi (Agriculture), a member of Foreign Contracts Committee. 1995-1996

– Editorial Board Member:

- Journal of Comparative Law Researches (Tarbiat Modares University) Editor-in-chief and Director-in-Charge
- Private Law Studies Quarterly (University of Tehran)
- Journal of Contemporary Legal Studies (University of Tabriz)
- Journal of Judgment (Judiciary of Iran), 2016-2020

- Teaching Activities:

- Teaching Civil Procedure, Family Law, Constitutional law, Civil law and Arbitration (Undergraduate and Graduate Courses in TMU and Other Universities in Tehran)

- Grants:

- The Max-Planck Institute for Foreign and International Private Law, 2000, Hamburg – Germany
- Ministry of Science, Research and Technology, 1995-2000, Ph.D. Scholarship

- Bar Admission:

- Central Bar Association of Iran, 1997

- Books (in Farsi):

- Women's rights in the context of social justice(essays), 2016
- Settlement of foreign investment disputes; A comparative Study, 2008

- Articles:

- 2022 'Review and Analysis of Market failure in Legal services market and studying the solutions: comparative study of US and EU',(with M. Jafari), Journal of Legal Studies, 14(1), pp. 127-156
- 2022, Recognition and functioning of warehouse receipt in Iran's law and comparing with US Uniform Commercial Code (with N Alinaghi, I Abbasi, M Montazer), Financial Knowledge of Securities Analysis 15 (53), 51-62
- 2022, The Legal Challenges of Lawsuit Financing by a Third Party, (with G. Banijamali, M. Amini) Journal of Comparative Law, 9(2), doi: 10.22096/law.2022.522184.1848
- 2022 'Criticism of Contributory Negligence in Contracts Law in Iran and American', Journal of Legal Research, doi: 10.48300/jlr.2022.350107.2113
- 2022 The objectives of the principle of insurance subrogation with an emphasis on judicial procedure (A comparative study of the legal systems of Iran and England), (with A. Alavi, M. Izanloo) Iranian Journal of Insurance Research, 11(2), 9-37
- 2021 Indirect Trademark Infringement: Policy Considerations under US and Iranian Law(with H Najafi, M Sadeghi) Journal of Intellectual Property Rights (JIPR), India, 26(6), 323-334
- 2021 'Legal review of ownership of natural waterways and its legal implications, (with pouralsharieh, A., Tabaei, M.) Iranian Water Researches Journal, 15(4), 11-20
- 2021 Comparative study of civil liability due to nervous shock in English and Iranian Law (with Z.Tari, E.Azizi) Comparative Law Research 25 (1), 1-27
- 2021 Analysis of Organic Theory of Directors in German, English And Iranian Law(with M Beygi Habib Abadi, M. Isaea Tafreshi), Comparative Law Researches 24 (4), 25-53,
- 2021 Procedural good faith of arbitration parties in England and Iranian Law (with B.F. Boromand, A. Arabian), Comparative Law Research24 (4), 1-24,
- 2021 The necessity of Formulating Special Legal System for Banks mergers in Iranian Law with utilizing US legal system (with M. Isaea Tafreshi, E. Daneshara), Comparative Law Research 25 (1), 87-113

- 2020, The effect of illegality of the underlying contract on the documentary credit with an emphasis on the approach of Iran's civil courts in case of the big bank fraud, (with F Goroui), *Law Quarterly* 50 (4), 707-723
- 2020 liability of board of directors of the company in relation to its negotiable instrument according to the principles of the relationship between directors and the company in the ... (with M Issaei Tafreshi), *Comparative Law Researches* 24 (3), 37-64
- 2020, The Law Governing Evidence in the International Private Law “The study of comparative in Iran and England’s Law”, (with S. Dibafar, F Nahreini), *Comparative Law Researches* 24 (3), 65-8
- 2020, The Possibility of Challenging Arbitral Awards Due to the Deliberate Disregarding of the Applicable Law (with A Alidadi Dehkohne), *International Law Review* 37 (63)
- 2020, The civil liability for disclosure of Commercial Secrets by the former worker, (with M. Eshgpour, E. Taghizaadeh), *Journal Encyclopedia of Economic Law* 27 (17), 241-261
- 2020, Feasibility of the accepting the analysis of participation in trademark infringement in Iranian and US law from the perspective of economic analysis (with H Najafi, M Sadeghi), *Journal Encyclopedia of Economic Law* 27 (17), 45-76
- 2020, Legal Analysis of the Interaction between Competition law and Policies of Maintaining Stability in the Banking System with Emphasis on Banks' Merger (Comparative Study of US and Iranian Law (with E Daneshara, MI Tafreshi), *Private Law* 17 (1), 255-278
- 2020 Jointness in torts; comparative study in US and Iranian law emphasizing the concept of attribution (with H Najafi, M Sadeghi), *Islamic Law Research Journal* 20 (25000852), 353-398
- 2020, The relationship between the obligation to fulfill the specific performance and the termination of the contract (Comparative study of Imamie jurisprudence, Iranian and British law) (with A. Ahmadi, M. Parsapour), *Comparative Law Researches* 23 (4), 127-148
- 2020, The role of legal and ethical mechanisms in the pursuit of the objectives of the P & I Club's marine insurance industry (with A Gheisarzadeh, M Erfany), *Research Journal of the Association for Islamic Thought* 10 (3), 177-194
- 2019, Assessment of Access to Justice in the Civil Justice System of Iran (with M Hemmati, S Javan), *Law Quarterly* 49 (3), 463-482
- 2019 Allocation of Risks Unauthorized Funds in electronic banking in the Legal system of Iran & US; A comparative study (with Z. Ayoubi, H Badini), *Comparative Law Researches* 23 (3), 35-68
- 2019, Responding to challenges of Limitations of Restricting Liability in Partnership in Iran by Using Partnership Rules of English Law (with M. Tafreshi, H Aghdastinat), *Comparative Law Researches* 23 (3), 1-34
- 2019, vicarious liability of parents for copyright infringement by minors (with H Najafi, M Sadeghi), *Private Law Research* 7 (27), 289-314

- 2019, Bank differentials from companies and the effect of these distinctions on bankruptcy regime (comparative study in American and Iranian law)(with K. Shirvani, M. Tafreshi), *Comparative Law Researches* 23 (2), 83-108
- 2019, Application of the competence-competence principle in arbitrability of claims, comparative analysis of Iranian and American law(with M. Jahanian), *Comparative Law Researches* 23 (2), 33-56
- 2019, Comparative study of determining applicable law in secured transaction in intellectual property(with H. Alipour, M. Tafreshi), *Comparative Law Researches* 23 (1), 127-156
- 2019, Economic functions of secured Transactions and its necessity of evolution its Transactions functions of secured Transactions and The necessity to reform its Legal system, (with M. Dashti, M Issaei), *Modares Human Sciences* 22 (4102), 63-94
- 2019, Vicarious Copyright Infringement in the legal system of Iranian and US(with H Najafi, M Sadeghi), *Comparative Law Researches* 23 (2104), 159-185
- 2018, Comparative Study of the Nature of Reception in the Mortgage Contract(with E Taghizadeh, M Rezai Amin), *Law Quarterly* 48 (3), 529-548
- 2018, Flexible standardization of administration of proof in international commercial arbitration(With L Joneidi, S. Zamani), *Comparative Law Researches* 22 (2), 31-56
- 2018, Criterion of Closest Connection to applicable law for secured transaction (A comparative study of European union law, American law and Iranian Law)(with M Issaei Tafreshi), *Comparative Law Researches* 22 (1), 82-106
- 2018, The Impact of Fraud in the Underlying Transaction on Documentary Credits with an Emphasis on the Approach of Iran's Civil Courts in Case of the Big Bank Fraud(with F Goroui), *Private Law* 15 (1), 45-66
- 2018, Punitive Damages in Contractual Liability(with M Mohaqeqe Damad , H Rezaei Nejad), *Law Quarterly* 48 (1), 173-191
- 2018, Civil Liability Arising from the Defect of Production with an Emphasis on the Genetically Modified (GM)(with a Comparative Study)(with M Mashayekh, G Khoini), *Majlis & Rahbord* 24 (9200437), 29-56
- 2018, The Basic of Civil Liability of Terminal Operator in Convention on the Liability of Operators of Transport Terminals in international trade and its Comparison with the Maritime ... (with F Hesarkhani), *REVUE DE RECHERCHE JURIDIQUE* 21 (82), 85-106
- 2017, Theory of effect of constitution rights in contract law and the position of this theory in Iranian legal system(with A Asadi), *Comparative Law Researches* 21 (2), 1-28
- 2017, Human Rights in Private Law (with H Shahbazi, E Taghizaadeh), *Private Law Research* 5 (19), 97-131
- 2017 Expansion of the Scope of Arbitration Clause Based on Presumed Consent (with R Kashkooli, M Sadeghi, E Azizi), *Comparative Law Researches* 20 (4), 109-132,
- 2017, Conceptual Analysis of Arbitration in Equity and Related Institutions(with F Jafari, F Hamidian), *Law Quarterly* 47 (2), 269-287

- 2017 Comparative Study of the Unitarianism or Pluralism Approaches regarding Security Devices within Movable Properties in the legal system of the US, England and Iran(with H Kabiri, M Issaei Tafreshi) *Comparative Law Researches* 21 (2), 157-180,
- 2017, Comparative Study of Conceptual and Practical Relation of Different Words in Amicable Arbitration(F Hamidian, F Jafari), *Comparative Law Researches* 21 (1), 1-26
- 2017, A Comparative Study of Subrogation in Iranian & English Law(with A Shamsoddini Zarch), *Comparative Law Researches* 20 (4), 53-79
- 2017, Judicial Citation of Electronic Evidence in E-commerce Cases and its Social Effects(with S Bani Yaghoub, A Karimi), *Iranian journal of educational sociology* 1 (2), 206-213
- 2017, Access to court and information and communication technology(M. Ghamami, S. Javan) , *Judicial Law Views Quarterly (Law Views)* 22 (79-80), 121-148
- 2016, Confidentiality in Mediation and Its Legal Safeguards From International Perspective(with P Maleknia), *Private Law Research* 5 (16), 133-148
- 2016, A Comparative Analysis of the Effect Third Party Fraud to the Payment of Transaction Documents(with Z Ayoubi), *Comparative Law Researches* 19 (4), 75-96
- 2016, The position of the impact of fraud on legal principles and rules(with M Gholami), *Journal of Iranian and International Comparative Legal Research* 34 (9), 101–141
- 2015, The Conditions of General Average Realization in the York Antwerp rules 2004, with a Comparative Study in England and Iran Law(with O Ramazanadeh, M Issaei Tafreshi), *Comparative Law Researches* 19 (3), 49-71
- 2015, Automatic Stay In Prosecuting the Bankrupt(with M Isaei Tafreshi, H Ramezani Akerdi), *Private Law Research* 4 (12), 87-107
- 2015, Mutual Effects of Owner-caused and Contractor-caused Delays on the Performance of International Construction Contract [Concurrent Delays](with F Ahmadi, M Issaei Tafreshi, R Eskini), *Comparative Law Researches* 19 (2), 1-23
- 2015, Understanding of the Exclusive Distribution Contract and its Legal Nature (with M Heidari), *Law Quarterly* 45 (2), 225-241
- 2015, Securities Market Manipulation, Concepts, Basics and Methods (A Comparative Study in Iranian and US Law)(with M Amini), *Comparative Law Researches* 19 (1), 1-26
- 2015, New Evidence Provision at Appellate Stage in Civil Action (A Comparative Study in Iranian and English Law)(with E Yari, M Issaei, M Ghamami), *Comparative Law Researches* 19 (1), 143-162
- 2015 Common ‘Will’ of Parties for Terminating Civil Procedure (with M Akbari Dehno), *Private Law Research* 2 (7), 9-37
- 2015, Automatic Stay in Prosecuting the Bankrupt(with M Isaei, H Ramazani), *Private Law Review* 4 (12), 61-86
- 2015, Lawful-Judicial Survey of the Nature and Descriptions of Barter Contract(with Y Abdi, M Nasiri, AF AsghariI), *Islamic Law & Jurisprudence Researches Quarterly* 11(40), 51-74

- 2015, Public Order and its Role in the Form of Arbitration(with S Baazgir), Journal of Law and Politics 11 (23), 89-116
- 2014, The Role of Arbitral Tribunals in Determination and Proof of Dispute(with S Dibafar), Comparative Law Researches 18 (3), 101-126
- 2014, Common Intention of the Litigants in Commencing Civil Proceeding(with M Akbari Dehno), Private Law 11 (2), 385-409
- 2013, Capacity of Persons for Referring to International Commercial Arbitration (With Emphasis on Iranian Law)(with H.Elmi, MH S. Moghaddam),Comparative Law Researches 16 (4), 125-147
- 2013 Analyzing the Legal Nature and the Legitimacy of Discounting of Commercial Instruments based on their Single and Combined Nature in Islamic Jurisprudence (Figh) and Legal Opinions, Comparative Law Researches 17 (1), 99-120 (with S. Ounagh)
- 2013, The Concept of Public Order in Private International Law and its Role in Int'l Commercial Arbitration(with M Isaei Tafreshi, H Elmi),Law Quarterly 43 (1), 93-111
- 2013, The manner of reaching an agreement about governing law in international disputes arising from foreign investment (with Azizzadeh-Araee F), International Trade Law Research Quarterly 1 (1), 56
- 2012, Concept and Nature of Fulfillment in the Law of Iran and Shiite Jurisprudence(with K Razaghi), Islamic Law Research Journal 12 (34), 133-150
- 2012, Bankruptcy of Several Liable in Negotiable Instruments and Right of Recourse the Holder in Iranian Law and American(with H Ramezani Akerdi), Comparative Law Researches 16 (2), 127-150
- 2012, Provisional Measures in the Industrial Property Rights Actions: CoTRIPs Agreement: Comparative Study (with M Johari, A Mohajeri), Comparative Law Researches 16 (1), 1-2
- 2011, Theory of Appearance Study in abroad and internal Law(with N Pourarshad, R Eskini, NA Almasi), Comparative Law Researches 14 (4), 1-23
- 2011, Judicial Independence in the Iranian Legal System with Comparative Study(with G Karamat), Comparative Law Researches 14 (4), 23-53
- 2011, Issuer's Responsibility in Initial Offer of Shares of Public Limited Company (Under Iranian and English Law)(with M Issaei Tafreshi, SY Nourani Moghaddam), Comparative Law Researches 14 (4), 93-115
- 2011 Piercing Corporate Veil with the Assumption of Fraud of Partner in Iran and England's Law, (with M Isaei Tafreshi, K Kaviani, E Faraji), The Judiciarys Law Journal 75 (74), 9-39,
- 2011 Legal Examination of the Ownership of Academic Works (with M Sadeghi, A Rezaei) Journal of Science and Technology Policy 3 (4), 41-57,
- 2011,Franchisor's Obligation to Expose Accurate and Comprehensive Contractual Information (with SK Sajadi), Law Quarterly 41 (3), 201-217
- 2011, the Obligation to Disclose Essential Information in Franchise Agreement(with SK Sajadi), Iranian Journal Of Trade Studies (IJTS) 15 (59), 185-203

- 2011, Nationality of Parties and Arbitrator(s) in International Commercial Arbitration under Iranian Law, *International Arbitration Law Review* 14 (Number 1), 29
- 2011, the Concept of Doctrine of Strict Compliance of Documents in Letter of Credit with Emphasis on Commercial Invoice (with ZF Ahuloi), *the Judiciary's Law Journal* 75 (73), 147-171
- 2010, the Electronic Evidence in the Evidence Substantiation of Claim System (M Abdolahi), *Law Quarterly* 40 (4), 193-205
- 2010, Floating Charge in American and Iran Legal Systems (with M. Tafreshi, M. Nasiri, F. Shokri), *Comparative Law Researches* 14 (2), 195-221
- 2010, Ascertainment of Genuineness in Electronic Evidence (with M. Abdolahi), *Comparative Law Researches* 13 (4), 125-143
- 2010, Impacts of Mistyping and Dictation Errors on the Contracts of Letters of Credit (with F Alholui Zare), *Islamic Law* 6 (21), 157-172
- 2010, Electronic documents in claim approval systems (M ABDOLLAHI), *Quarterly Journal of the Department of Law and Political Sciences, University of Tehran*, 40 (4), 193-205
- 2010, Temporary Administration of Failed Corporate Entities (In Iran and English Law) (with M Isaei, M Varmazyar), *Modares Humanities Journal*, 13 (46), 178-201
- 2009, Secured Information System in Electronic Commerce Law (with M Abdollah), *Journal of Legal Research* 8 (16), 123-131
- 2005, The Status of Comparative Law and the Necessity for Revising Its Teaching, *Quarterly Journal of Research and Planning in Higher Education* 10 (4), 125-149
- 2004, Payment Mechanism of Independent Bank Guarantees And Their Documentary Nature, *Modares Humanities Science* 8 (3), 17-34
- 2004, Legal Nature of International Bank Guarantees and Comparisons with Traditional Concepts, *Journal of Comparative Law*, 111-140
- 2004 A Study on Principle of Estoppel in English and American Law, *International Law Review* 21 (30), 5-73,
- 2003, Bank guarantees independence and its impact on International trade law, *Nameye-Mofid* 4 (37), 5-24
- 2001, Developments of Legal Regime of Independent Bank Guarantees in ICC Rules, *Modares Humanities Science* 5 (4), 1-19

- Ph.D Supervisions:

Esmaeil Faraji (2011), Hossein Elmi (2012), Elyas Yari (2015), Firouz Ahmadi (2015), Mehdi Gholami (2015), Sedigheh Javan (2017), Abolfazl Shamsoddini Zarch (2017), Fatemeh Hesarkhani (2018), Fereshteh Grouei (2018), Reza Moghadam (2018), M Rezai Amin (2018), Mohamadreza Dashti (2019), M. Jahanian (2019), Zahra Ayoubi (2019), Aziz Samkhaniani (2019), Sajad Koulivand (2019), Sahar Ghobadi (2020), Bibi Fatemeh Boromand (2020), Mansour Eshgpour (2020), Soheila Dibafar (2020) Golnar Banijamali (2022), Ahmad Reza Alavi Dehkordi (2022)