

Overview

For many companies, intellectual property has become an essential business asset as well as a means of creating value. It is being exploited on an increasingly international level in various forms of collaborative arrangements, such as licenses, technology transfer agreements and R&D agreements. As a consequence, parties increasingly look for dispute resolution mechanisms that match their business requirements: private procedures which provide efficient, flexible and less costly means of settling international disputes without disrupting commercial relationships.

Description

The purpose of the WIPO Mediation and Arbitration Workshop is to provide intensive basic training of a practical nature for party representatives in mediation and arbitration and for mediators and arbitrators. The training will focus on the mediation process and on the main principles of international commercial arbitration law and practice, with particular reference to the practical case application of the WIPO Mediation, Arbitration and Expedited Arbitration Rules (as well as the WIPO Expert Determination Rules) in intellectual property and technology disputes.

The format of the Workshop will consist of presentations by the instructors, practical exercises supervised by the instructors and discussion between participants and instructors. Participants are expected to take an active part in the exercises and discussion sessions. After completion of the Workshop, participants will have a better understanding of the substantive components of international commercial mediation and arbitration, as well as the benefits and limitations of Alternative Dispute Resolution (ADR) in intellectual property disputes as compared to other dispute resolutions options, in particular court litigation. In addition, they will obtain practical information about the role of the WIPO Arbitration and Mediation Center (WIPO Center) in ADR proceedings, and its clauses and rules.

Program

The Program of the WIPO Workshop will be devoted to the following subjects:

- *Mediation: Preparing and Commencing*
- *Selection and Appointment of the Mediator*
- *Preparatory Organization of the Mediation*
- *The Conduct of the Mediation Meeting and the Role of the Different Actors*
- *Concluding the Mediation*
- *Mediation for Disputes Before IP Offices*
- *Intellectual Property Arbitration*
- *Selection and Appointment of the Tribunal and Preparatory Organization*
- *The Conduct of the Arbitration Proceedings*
- *Interim and Emergency Relief*
- *Awards*
- *Drafting Effective ADR Clauses and Submission Agreements for IP Disputes*
- *Recent Court Cases/Regulatory Decisions involving SEPs*
- *Current Developments at Standard Setting Bodies; ABA ASAP Group Recommendations*
- *WIPO Model FRAND Mediation and Arbitration Submission Agreements*

Who Should Attend

The Workshop is designed for lawyers, patent and trademark attorneys, and others wishing to familiarize themselves with the international mediation and arbitration processes and to receive training as mediators, arbitrators or party representatives.

Certificate of Participation (including for CLE/CPD)

All participants who complete the program will be awarded a certificate of participation. An effort will be made to secure CLE credit. Participants are requested to indicate their preferred CLE or CPD jurisdiction(s) when registering. A Financial Aid Policy is available.

Faculty

The Workshop will be conducted by experienced mediators and arbitrators with extensive international mediation experience, including exposure to intellectual property, technology issues, and entertainment transactions.



Trevor Cook
WilmerHale
New York, NY
USA



M. Scott Donahey
WIPO Mediator
and Arbitrator
Palo Alto, CA
USA



Judge James Holderman (Ret.)
US District Court
Nor. Dist. of Illinois
Chicago, IL
USA



Rachael Kent
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Richard Tan
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Venue

Wilson Sonsini Goodrich & Rosati
650 Page Mill Road
Palo Alto, CA 94304
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Participation

Participation in the conference will be limited to 60 persons

Timetable

The program will run from 9 a.m. to 6 p.m. on the first day and 9 a.m. to 5 p.m. on the second

Registration Fee

USD 1250 (includes materials, coffee and lunches)

Online Registration at
<https://webaccess.wipo.int/amc/>

Language

English

Cancellations

The registration fee paid to WIPO will be refunded only for cancellations received before October 30, 2015

WIPO Arbitration and Mediation Center

The WIPO Center offers ADR procedures, in particular arbitration, mediation and expert determination, for the resolution of international commercial disputes between private parties. As part of its efforts to promote ADR options, and in order to meet increasing demand for training in those areas, the WIPO Center organizes every year a WIPO Mediation and Arbitration Workshop. This is the second time such a Workshop is organized in the United States of America, after the 2014 session held in New York, NY. This year's session will focus in particular on the use of WIPO ADR options for FRAND disputes.

This Workshop is supported by the Licensing Executives Society (USA and Canada).