Online WIPO Mediation and Arbitration Workshop

June 14, 2023
June 15, 2023
June 16, 2023

organized by
WIPO Arbitration and Mediation Center
I. Opening

12:00 – 12:10 EST

Ignacio de Castro (Director, IP Disputes and External Relations Division, WIPO Arbitration and Mediation Center)

Adam Rattray (Head, Information and External Relations Section, WIPO Arbitration and Mediation Center)

II. Overview: WIPO Arbitration and Mediation Center, including the WIPO Mediation Rules

12:10 – 12:30 EST

Session Leader: Justine Ferland (Legal Case Manager, IP Disputes Section, WIPO Arbitration and Mediation Center)

1. Role of the WIPO Arbitration and Mediation Center
2. WIPO Mediation Rules and WIPO Mediators

III. Intellectual Property and Technology Mediation: Conduct of a Mediation and the Role of the Different Actors

12:30 – 13:15 EST

Session Leader: Russell E. Levine (Kirkland & Ellis, Chicago)

1. Mediator’s Role
2. Selection and Appointment of the Mediator
3. Mediation Statements
5. Concluding a Mediation
   i. Reaching an agreement and recording it
   ii. What to do when an agreement is not reached

13:15 – 13:25 EST

Questions and Answers

IV. Mediation and Arbitration in Practice: Case Examples

13:25 – 13:45 EST

Session Leader: Justine Ferland (Legal Case Manager, IP Disputes Section, WIPO Arbitration and Mediation Center)

13:45 – 13:55 EST

Questions and Answers

13:55 – 14:00 EST

Closing
June 15, 2023
WIPO Mediation and Arbitration Workshop Day 2: WIPO Arbitration

12:00 – 12:10  I.  **Opening**
EST

Margarita Kato (Legal Case Manager, IP Disputes Section, WIPO Arbitration and Mediation Center)

1. WIPO Arbitration and Expedited Arbitration Rules and WIPO Arbitrators

12:10 – 12:50  II.  **The Conduct of WIPO Arbitration and Expedited Arbitration Proceedings**
EST

**Session Leader:** Phillip Landolt (Landolt & Koch, Geneva, Switzerland)

1. Selection and Appointment of the Tribunal
2. Written Submissions
3. Interim Relief
4. Evidence and Intellectual Property
5. Hearings
6. Remedies, Awards, Enforcement

12:50 – 13:00  **Questions and Answers**
EST

13:00 – 13:30  III.  **Intellectual Property and Technology Arbitration**
EST

**Session Leader:** Matthew Reed (Wilson Sonsini Goodrich & Rosati, California)

1. Special Features of Intellectual Property Disputes, in particular relating to Patent Disputes
2. Benefits and Limitations of Arbitration in Intellectual Property Disputes as Compared to Court Litigation
3. Recent Developments in International Arbitration

13:30 – 13:40  **Questions and Answers**
EST

13:40 – 14:00  IV.  **ADR for FRAND/SEP Disputes**
EST

**Session Leader:** Russell E. Levine (Kirkland & Ellis, Chicago)

1. What are the Limitations of National Courts when Dealing with FRAND Disputes?
2. What are the Pluses/Minuses of ADR (Mediation and Arbitration) for FRAND Disputes?

14:00  **Closing**
EST
June 16, 2023
WIPO Mediation and Arbitration Workshop Day 3: Industry Perspective and Drafting of ADR Clauses

12:00 – 12:10 I. Opening
EST
Adam Rattray (Head, Information and External Relations Section, WIPO Arbitration and Mediation Center)

12:10 – 12:40 II. Industry View: The Use of Mediation and Arbitration for IP, Technology, and Life Sciences Disputes
EST
Session Leader: Sally Shorthose (Bird & Bird, London, United Kingdom)

12:40 – 13:00 Questions and Answers
EST

13:00 – 13:45 III. Drafting Effective Mediation and Arbitration Clauses for IP and Technology Disputes
EST
Session Leaders: Shelby Grubbs (Grubbs ADR, Atlanta), Justine Ferland (Legal Case Manager, IP Disputes Section, WIPO Arbitration and Mediation Center)

1. The Agreement to Arbitrate – What is:
   i. Essential?
   ii. Needed, but not essential?
   iii. Not essential, but nice to have?

2. WIPO Recommended Clauses and Submission Agreements; WIPO Clause Generator

13:45 – 13:55 Questions and Answers
EST

13:55 – 14:00 Closing
EST

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