

WORKSHOP ON WIPO FILM AND MEDIA DISPUTE PREVENTION AND RESOLUTION

An event held in
conjunction
with:



ASIA TELEVISION FORUM
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Organised by:



World Intellectual Property Organization
WIPO Arbitration and Mediation Center



Supported by:



December 4, 2009
SUNTEC City Exhibition Centre, Singapore
Room 320, Level 3

PROGRAM

Friday, December 4, 2009

09.30-10.00 **Registration and Coffee**

10.00-10.10 **I. Welcome Address and Background**

Session Leaders: Ignacio de Castro, Deputy Director, WIPO Arbitration and Mediation Center, Geneva

10.10-10.30 **II. Why Mediation and Arbitration of Film and Media Disputes?**

Session Leaders: Richard Tan, Senior Consultant, Lovells Lee & Lee
David Perkins, Partner, Milbank, London

1. Types of Film and Media Disputes (Case Studies)
2. Special Features of Film and Media Disputes
3. Why Mediate and Arbitrate? Benefits and Limitations of Mediation and Expedited Arbitration of Film and Media Disputes as Compared to Court Litigation

10.30-10.45 **III. The Basics of WIPO Mediation and Expedited Arbitration for Film and Media Disputes**

Session Leader: Ignacio de Castro

1. The Role of the WIPO Arbitration and Mediation Center
2. WIPO Mediation and Expedited Arbitration Rules for Film and Media
3. Special WIPO List of Neutrals for Film and Media
4. Special Schedule of Fees

10.45-11.15 **IV. Drafting Dispute Resolution Clauses in Film and Media Contracts and Submission Agreements**

Session Leaders: Ignacio de Castro, Richard Tan, David Perkins

1. Mediation Clauses and Submission Agreements
2. Expedited and Standard Arbitration Clauses and Submission Agreements
3. Escalation Clauses
4. Dispute Resolution Boards and “Mediator on Call”

11.15-12.00 **V. Typical Steps in WIPO Mediation for Film and Media**

Session Leaders: Ignacio de Castro, David Perkins

1. Pre-Mediation Matters

- Preparing the Mediation
- Submission of Mediation Request
- Selection and Appointment of Mediator (WIPO List Procedure)
- Preparatory Telephone Conference
- Exchange of Documents

2. The Mediation Meeting

- Opening the Mediation
- Party Statements
- The Mediator's Techniques
- Exploring Alternatives and Solutions
- Settlement, Conclusion

12.00-13.00 *Mediation Case Scenarios: 1. Film Co-Production Dispute
2. Artistic Production Joint-Venture Dispute*

13.00-14.00 *Lunch*

14.00-15.00 **VI. Typical Steps in WIPO Arbitration for Film and Media**

Session Leaders: Ignacio de Castro, Richard Tan, David Perkins

- Basic Arbitration Principles
- Preparation of the Arbitration
- Selection and Appointment of the Arbitrator (WIPO List Procedure)
- Interim Relief
- Exchange of Documents
- Hearing and Evidence
- Arbitral Award

15.00-15.15 **VII. WIPO Expedited Arbitration for AGICOA**

Session Leader: Ignacio de Castro

15.15-17.00 *Arbitration Case Scenarios: 1. Film Rights Distribution Dispute
2. TV Rights Distribution Dispute
3. AGICOA Dispute*

17.00 **Closing**

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