



MINISTRY
OF ECONOMIC DEVELOPMENT
AND TRADE OF UKRAINE



MEDT-WIPO Seminar on Mediation for Intellectual Property and Technology Disputes

Kyiv, Ukraine, May 28, 2019

Organized by:

WIPO Arbitration and Mediation Center

and

Ministry of Economic Development and Trade of Ukraine (MEDT)

with the financial support of FIT/RoK (IP)

- 08.30-09.00 **Registration**
- 09.00-09.10 **Opening Remarks**
- 09.10-09.40 **I. Intellectual Property and Technology Disputes in Ukraine**
- 09.40-10.10 **II. Overview: WIPO Arbitration and Mediation Center**
Session Leader: Leandro Toscano
1. Introduction to Alternative Dispute Resolution (ADR) Procedures
 2. Role of the WIPO Arbitration and Mediation Center
 3. WIPO Mediation Rules
 4. International Trends
- 10.10-10.40 **III. Preparing and Commencing the Mediation**
Session Leader: Pierre Kobel, Kobel Avocat Attorney-at-law
1. The lawyers' role
 2. The parties' role
 3. Submitting the Mediation Request: the Mediation Agreement
- 10.40-11.00 Coffee Break
- 11.00-11.30 **IV. Selection and Appointment of the Mediator**
Session Leaders: Pierre Kobel, Leandro Toscano
1. Negotiating a suitable candidate
 2. The WIPO Arbitration and Mediation Center's role
- 11.30-12.00 **V. Preparatory Organization of the Mediation**
Session Leader: Pierre Kobel
1. Preparing the mediation process with the mediator
 2. Preparing the client for the mediation meeting
 3. Exchange of documents
- 12.00-13.30 Lunch
- 13.30-14.00 **VI. The Role of the Different Actors at the Mediation Meeting**
Session Leader: Pierre Kobel
1. The mediator's role and techniques
 2. The lawyers' role
 3. The parties' role

14.00-14.30 **VII. Concluding Phase**

Session Leader: Pierre Kobel

1. Exploring possible alternative solutions
2. Settlement
3. Conclusion

14.30-15.00 **VIII. Drafting Efficient Dispute Resolution Clauses**

Session Leaders: Pierre Kobel, Leandro Toscano

1. Best practices
2. Avoiding pathological clauses

15.00-16.00 **IX. Resolving Domain Name Disputes at the WIPO Arbitration and Mediation Center: Possibilities for Ukraine**

Session Leaders: Mariia Koval, Ilyashev & Partners Law Firm, Kateryna Oliinyk, Arzinger Law Firm

16.00 **Closing**

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