



## **Online WIPO Mediation and Arbitration Workshop**

June 14, 2023

June 15, 2023

June 16, 2023

*organized by*  
WIPO Arbitration and Mediation Center

June 14, 2023

**WIPO Mediation and Arbitration Workshop Day 1: WIPO Mediation**

12:00 – 12:10 **I. Opening**  
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*)

12:10 – 12:30 **II. Overview: WIPO Arbitration and Mediation Center, including the WIPO Mediation Rules**  
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

12:30 – 13:15 **III. Intellectual Property and Technology Mediation: Conduct of a Mediation and the Role of the Different Actors**  
EST

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

1. Mediator's Role
2. Selection and Appointment of the Mediator
3. Mediation Statements
4. Mediation Stages – Joint Sessions, Individual Caucuses, Bargaining and Negotiating
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 *Questions and Answers*  
EST

13:25 – 13:45 **IV. Mediation and Arbitration in Practice: Case Examples**  
EST

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

13:45– 13:55 *Questions and Answers*  
EST

13:55 – 14:00 *Closing*  
EST

**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

EST

*Closing*

**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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