

# Latest developments at the EUIPO Mediation Centre

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EUIPO Mediation Centre  
SCOPE IPR Mediation Seminar  
24/03/2025

## Background

1. Establishment of Mediation Centre and ADR Platform – November 2023 (appeals)
2. Gradual, phased expansion to other inter partes proceedings – cancellations in July 2024
3. Final expansion phase – opposition and design invalidities – end of Q2 2025
4. Increasing volumes of mediations
5. Preparation measures: revision of process



## Evolution of mediation at the EUIPO

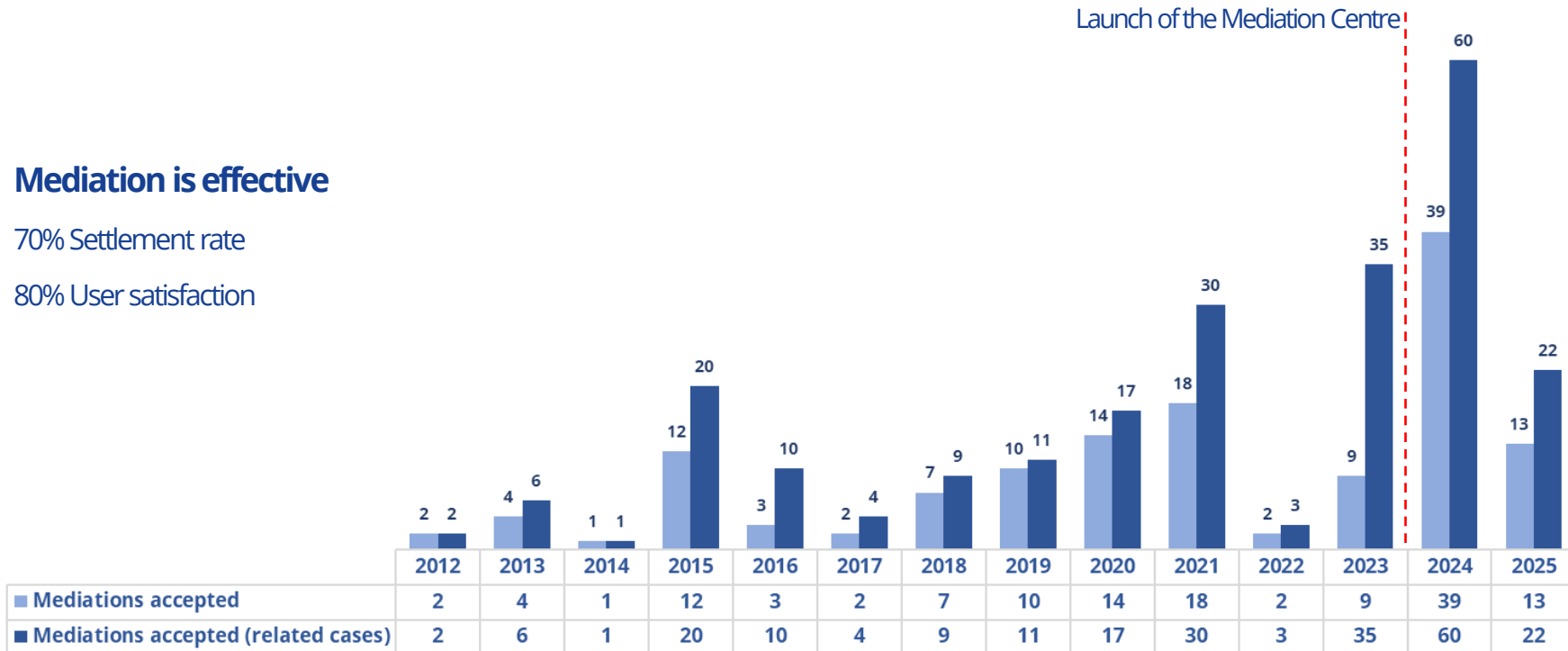
### Mediations and related cases

Launch of the Mediation Centre

### Mediation is effective

70% Settlement rate

80% User satisfaction



## Streamlining the Mediation Process

### Step 1: Identifying Areas for Improvement

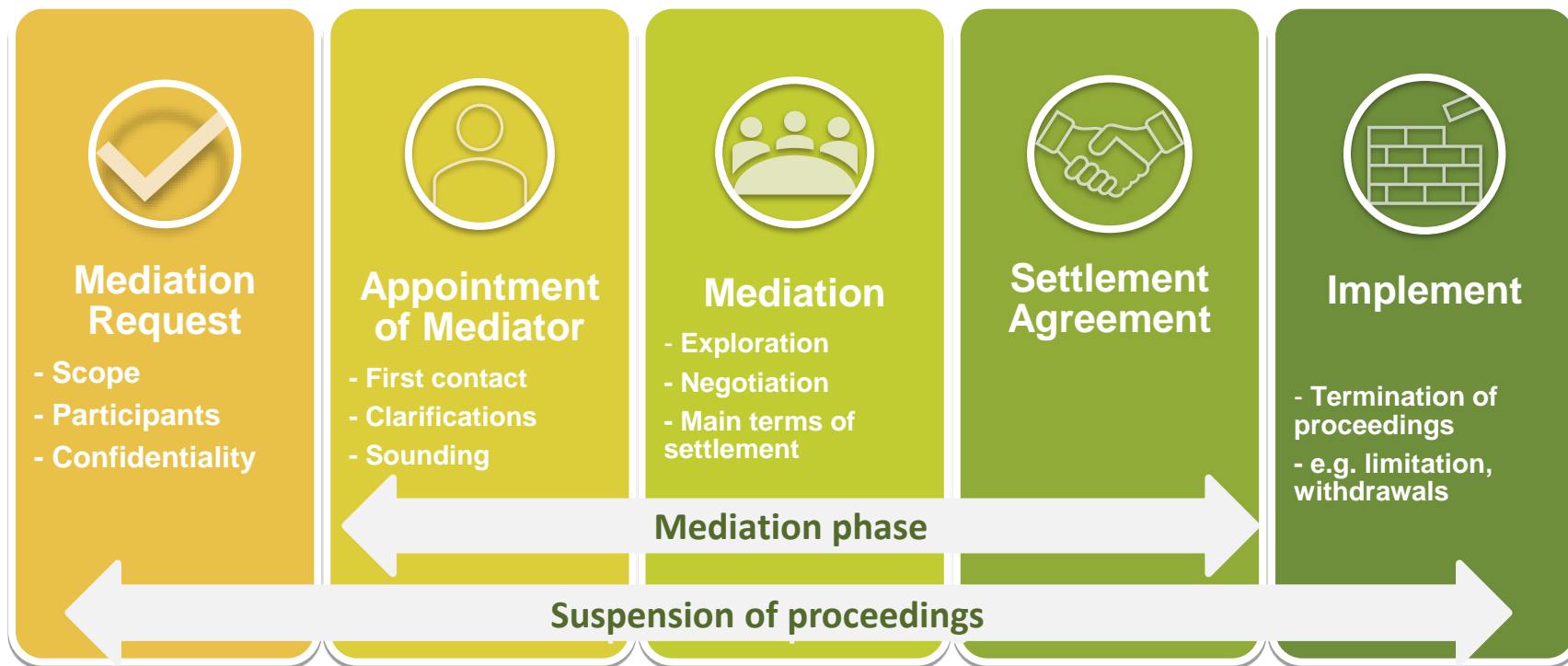
- “Bottlenecks” and unnecessary formalities
- Mediation Proposal > Agreement to Mediate (2 months)
- Selection of Mediator (20 calendar days – EUTMR)
- Signing of Mediation Agreement
- Preliminary Meetings > “Mediation Day”

## Streamlining the Mediation Process

### Step 2: Deciding on Principals for Mediation Process Design

- **Mediation should be faster** or at least comparative in length to the administrative process
- **Clear timelines and structured procedures** to prevent delays and manage expectations
- **Standardising key elements** to reduce inefficiencies
- **Reducing unnecessary decision and input points** to prevent delays
- **Optimisation** of process to cover **standard mediations** rather than exceptions
- **Structured approach to case exits** to improve resource allocation

## New Mediation Process (under development)

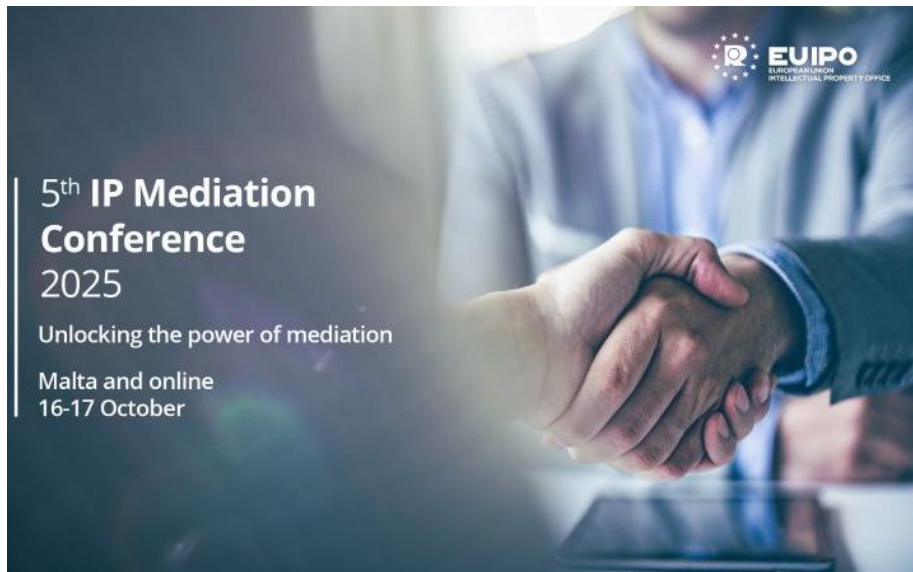


## Collaboration across decision taking instance

1. 1<sup>st</sup> instance examiners and EMC members
2. Close cooperation for procedural aspects
3. Common work instructions and templates
4. Promotion of mediation services in suitable cases
5. Identification of suitable cases through  
systematized data extraction



## 5<sup>th</sup> IP Mediation Conference



16 & 17 October 2025

Hybrid event: Valletta & Online

Hosted in collaboration with  
Maltese IPO (Commerce Dept)

Registration is now open!



# Sharing Mediation Experiences and Best Practices

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Panel discussion  
Various Speakers – ASEAN and EUIPO  
SCOPE IPR Mediation Seminar  
24/03/2025

## Concept & Panelists

**Each panelist has 5 minutes to present a mediation-related experience**

**Moderator will facilitate discussion and questions from other participants**

- Ms. Alexandra Crawcour – EUIPO
- Mr. Mohd Syaufiq Abdul Latif – MyIPO
- Atty. Elojra Carmiel D. Javier – IPOPHL
- Madam Hajah Zuraidah – Brunei Darussalam Arbitration Centre (BDAC)
- Mr. Jonathan Choo – Vantage Chambers LLC, Singapore
- Ms. Rut Swarny Sartama Saragih – DGIP, Indonesia
- Ms. Rattanisa Suphachaturas – DIP, Thailand

## Case Overview & Challenges

### Case Background:

- Trade mark dispute between:
  - Small EU pharmaceutical company
  - Large U.S. pharmaceutical corporation
- Multi-jurisdictional legal conflict
- Failed negotiations → Mediation as last attempt
- Power Imbalance & Emotional Pressure

### Key Challenges:

- Legal & financial disparity
- Cross-border legal complexities
- Emotional stress & aggressive negotiation tactics

## Mediation Process & Outcome

### Mediation Approach:

- **Online mediation:** Early clearance of issues via email & individual meetings
- **Mediator's role:** Balanced power, facilitated fair negotiations

### Resolution & Outcome:

- Defined scope of protection → Signed global **coexistence agreement**
- Avoided costly litigation, preserved **business relations**

### Key Takeaways:

- Mediation works even in power-imbalanced disputes
- Preliminary discussions increase success rates
- Cost-effective & structured mediation leads to win-win solutions



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**THANK YOU**