

## **IP Mediation at the EUIPO**

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**Accredited Mediator**  
**ADR Service – Boards of Appeal**

## Alternative Dispute Resolution (ADR) Services: Main features

- **Complementary to EUIPO's decision taking instances**
- **Voluntary and flexible**
- **Confidential**
- **Time-efficient**
- **Services provided online and in person**
- **Cost saving: no additional charges in proceedings before EUIPO**
- **Possibility for choosing a language different than the one of the proceedings**
- **Global solution to all existing IP disputes between the parties to the dispute**
- **Trained EUIPO mediators and experts in IP law**

## Alternative Dispute Resolution – Users

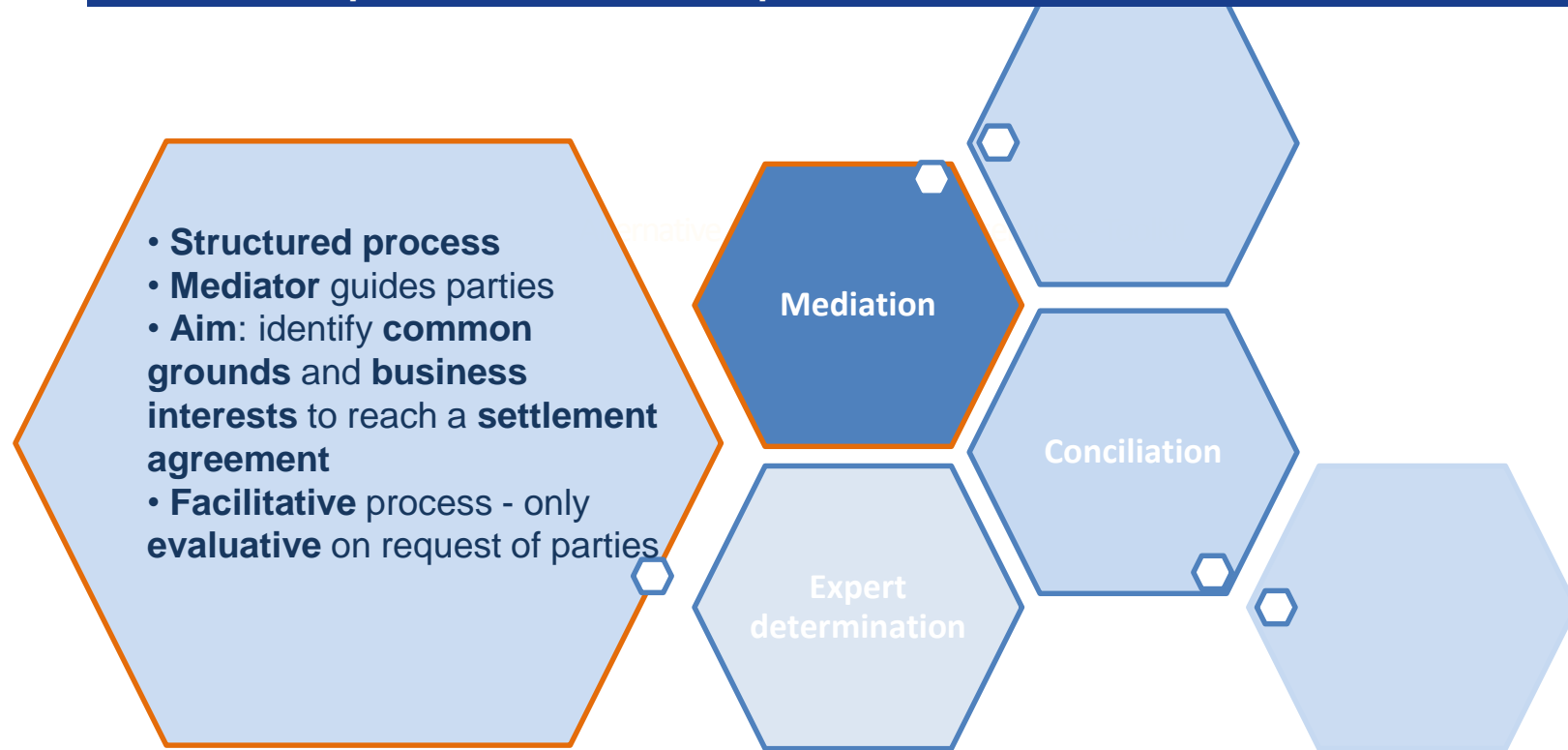
- Proceedings must involve 2 parties (*inter partes*) – not including the EUIPO
- Second instance: Appeal proceedings before the Boards of Appeal: all users
- First instance proceedings: SMEs – special service



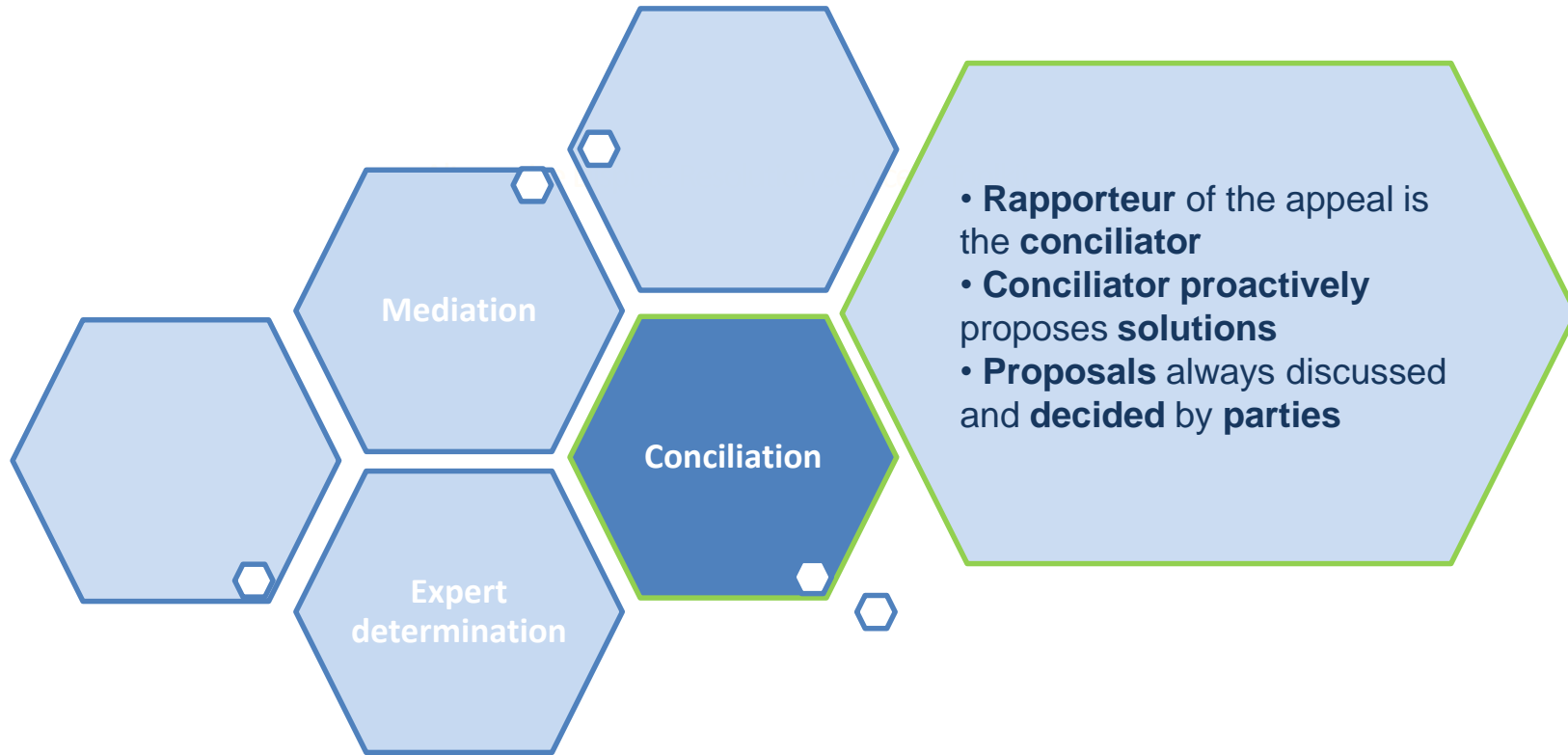
## Alternative Dispute Resolution – Overview of services



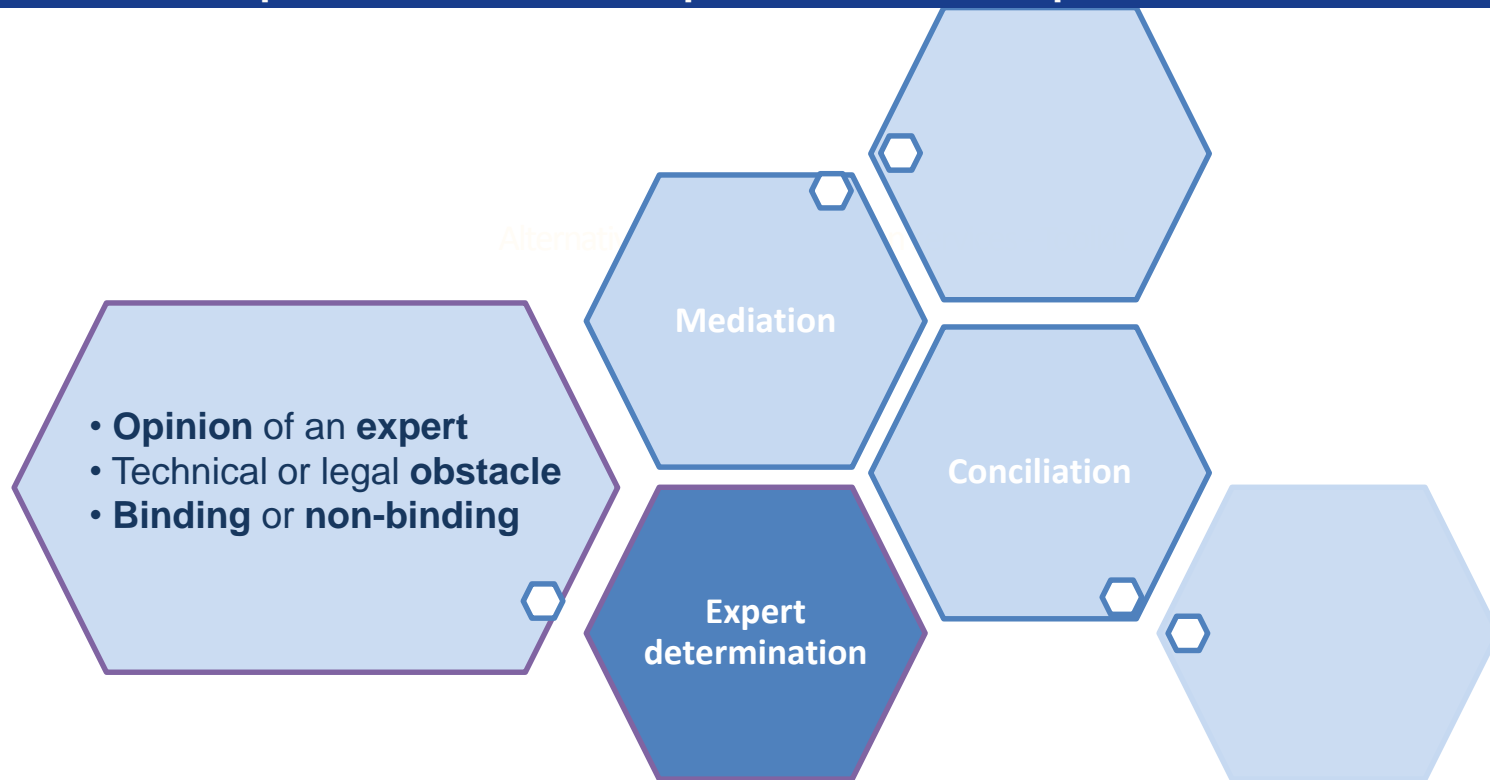
## Alternative Dispute Resolution – Description - Mediation



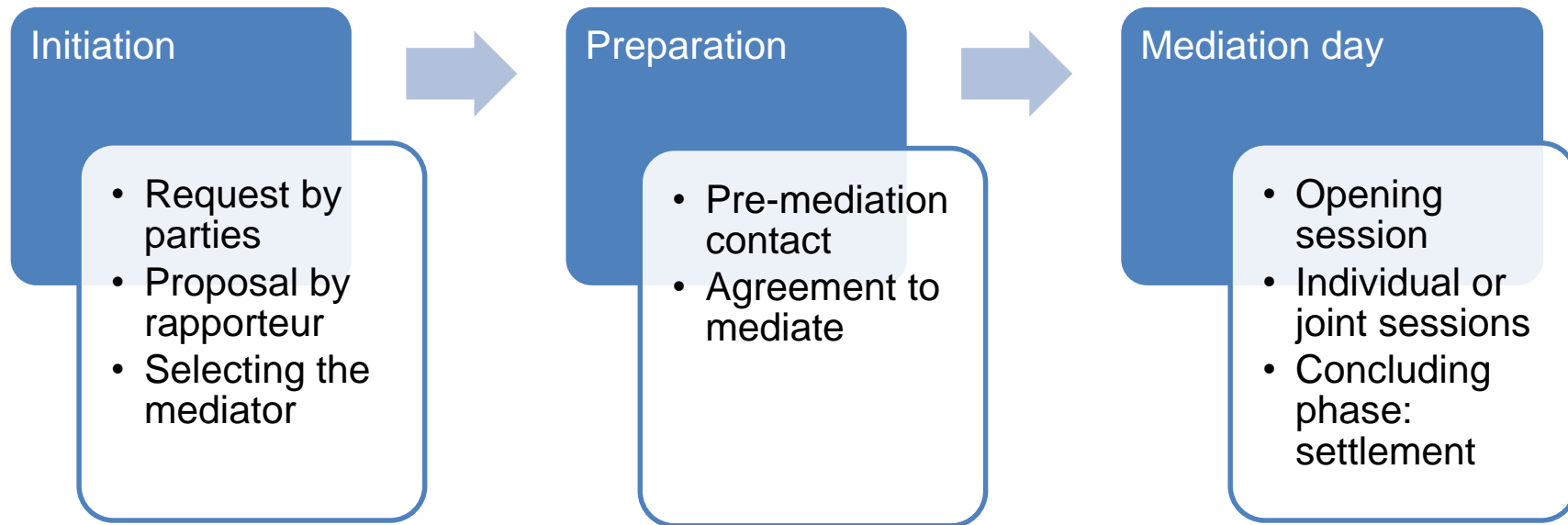
## Alternative Dispute Resolution – Description of services - Conciliation



## Alternative Dispute Resolution – Description of services – Expert Determination



## Procedural steps in the mediation process





## Mediation process: Settlement Agreement and roles

### ➤ Parties

- decide the **outcome**
- agree on **follow-up actions**

### ➤ Lawyers

- verify **legal aspects**
- **draft the settlement agreement**

### ➤ Mediator

- checks that **key points** and **relevant clauses** are included
- not liable for outcome, legality / enforceability of the agreement

## Mediation process: Post-mediation formalities

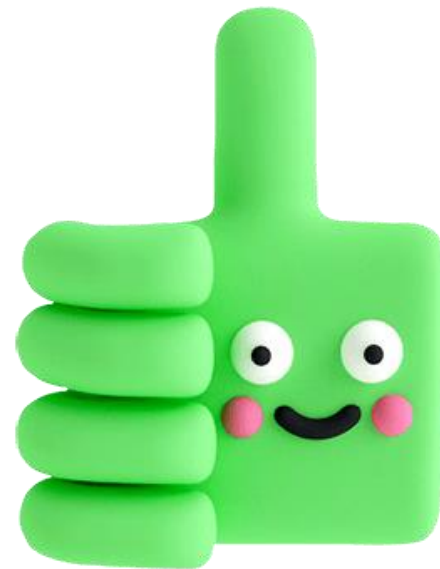
### EUIPO

- Mediator disposes of **confidential documentation**
- ADRS sends out **satisfaction survey** to the parties

### Parties and Lawyers

- **Settlement:** formal closure of litigious proceedings (termination of appeal proceedings)
- **No settlement:** appeal proceedings resume before EUIPO

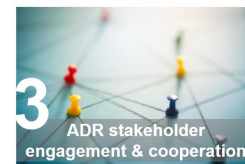
## Whats next? BoA Action Plan 2021-2026 - EUIPO SP2025: EUIPO Mediation Centre



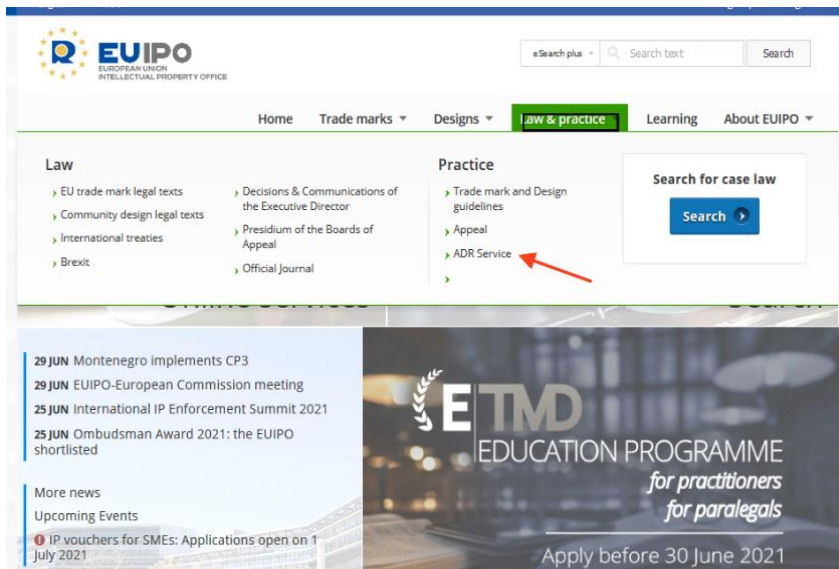
**EUIPO SP 2025  
Prioritization 2023**

## Programme Expand and Broaden the Use of ADR – main deliverables

- **Operational Structure – Mediation Centre**
- **Covering all inter partes proceedings before the EUIPO**
- **More mediators / More EU languages**
- **Online ADR platform**
- **Promotion of the mediation culture through awareness raising**



## Useful resources: Website



The screenshot shows the EUIPO website's main navigation bar with 'Law & practice' highlighted. Under the 'Law' section, 'ADR Service' is listed. A red arrow points to 'ADR Service' in the 'Practice' section. Below the navigation bar, there are news items and a banner for the 'ETMD EDUCATION PROGRAMME for practitioners for paralegals'.



The screenshot shows the 'Alternative Dispute Resolution' page. It features a blue box with text about the ADRS, a photo of two people shaking hands, and a sidebar with 'Practice' and 'Tools & documents' sections. The text in the blue box states: 'The ADRS offers mediation, conciliation, assisted negotiation and expert determination, which may be used in combination with one another or separately.'

**Website:** <https://euipo.europa.eu/ohimportal/en/adr-service>

**Functional mailbox:** [ADR@euipo.europa.eu](mailto:ADR@euipo.europa.eu)



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**THANK YOU**