

Alternative Dispute Resolution at the Intellectual Property Office of Trinidad and Tobago, Office of the Attorney General and Ministry of Legal Affairs



**Presented by Mr. Kavish Seetahal, Deputy Controller,
Trinidad and Tobago Intellectual Property Office,
Office of the Attorney General and Ministry of Legal Affairs**

Overview



- Background
- Roles and functions of the Intellectual Property Office of Trinidad and Tobago (TTIPO), Office of the Attorney General and Ministry of Legal Affairs
- MOU with WIPO
- ADR Services and implementation
- Intended Partnerships
- The Way Forward

Roles and functions of the TTIPO



- To grant IP rights in the area of industrial property.
- To promote inventiveness among citizens of Trinidad and Tobago.
- To make patent information services available to the public.
- To determine Opposition Hearings in relation to Trade marks and Geographical Indications.
- To make IP information available to the public.
- To participate in the development of International Instruments dealing with new and evolving areas of IP.

<https://bit.ly/3my1Aeu>

ADR Services



- MOU between the TTIPO and World Intellectual Property Organization's Arbitration and Mediation Center

<http://ipo.gov.tt/ipo-news/alternative-dispute-resolution/>

WIPO | ADR
Arbitration
and Mediation
Center



MOU regarding ADR

In December 2018, the [Intellectual Property Office of Trinidad and Tobago](#) (TTIPO) and the WIPO entered into a collaboration through the signing of a Memorandum of Understanding (MOU) to make available ADR options, in particular mediation, for intellectual property (IP) and technology disputes in Trinidad and Tobago and the region, through the [WIPO Arbitration and Mediation Center](#) (WIPO Center).



List of Local IP Neutrals

WIPO IP NEUTRALS



IP NEUTRAL

CHARLES, Jason
K.



IP NEUTRAL

CROWNE, Emir



TRAINER/IP NEUTRAL

LUE SUE,
Nicholas



TRAINER/IP NEUTRAL

PUNCH, Fanta



IP NEUTRAL

VIEIRA, Anthony
D.

Application Form



Request for WIPO Mediation

1. Parties

Please provide the following contact information:

Initiating party in the dispute		Responding party in the dispute	
Name	_____	Name	_____
Country of domicile	_____	Country of domicile	_____
Tel	_____	Tel	_____
Email	_____	Email	_____
Address	_____	Address	_____
Represented by	_____	Represented by	_____
Tel	_____	Tel	_____
Email	_____	Email	_____
Address	_____	Address	_____

2. Dispute

Please provide a brief description of the dispute:

3. Time period for mediation

The following period will be set aside for mediation, as may be extended upon agreement:

- ☐ 30 days
☐ 60 days
☐ 90 days

4. Submission to WIPO Mediation

Initiating party in the dispute	Responding party in the dispute
The initiating party in the dispute agrees to submit the above-described dispute to mediation in accordance with the WIPO Mediation Rules. Please sign this form and submit it to arbiter.mail@wipo.int .	The responding party in the dispute agrees to submit the above-described dispute to mediation in accordance with the WIPO Mediation Rules. Please sign this form and submit it to arbiter.mail@wipo.int .
Signature _____	Signature _____
Place and Date _____	Place and Date _____

ADR Services in Trade Marks



- Mediation is encouraged especially in Trade Mark Disputes
 - Formal communication via letter is sent to parties to encourage ADR especially mediation
 - Letter is usually sent at the end of evidentiary rounds (prior to Skeleton Arguments being filed)



Government of the Republic of Trinidad and Tobago
Office of the Attorney General and Ministry of Legal Affairs

INTELLECTUAL PROPERTY OFFICE

Date

Attention:

Re: Trade Mark Application No

I refer to the above subject and the present stage of the Opposition proceedings.

In December 2018, the Trinidad and Tobago Intellectual Property Office, Office of the Attorney General and Ministry of Legal Affairs (TTIPO) and the World Intellectual Property Organization (WIPO) entered into a collaboration through the signing of a Memorandum of Understanding (MOU) to make available alternative dispute resolution (ADR) options, in particular, mediation for intellectual property (IP) and technology disputes in Trinidad and Tobago through the WIPO Arbitration and Mediation Centre (WIPO Center). Reduced administration and mediator's fees apply due to the collaboration between the TTIPO and WIPO. Further information is available at <https://bit.ly/3ttSxOf>.

As it pertains to trade mark disputes, voluntary mediation can be conducted virtually. In light of the above, it is highly recommended that the parties explore the possibilities of using the WIPO Center. Further information on the WIPO Center is available at <http://ipo.gov.tt/ipo-news/alternative-dispute-resolution/>.

Please note that there are appointed WIPO neutrals available both nationally and internationally. The list is available at <http://ipo.gov.tt/general/wipo-ip-neutrals/>.

Please kindly indicate whether the parties desire to pursue ADR options in this regard.

Yours faithfully,

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Kavish Seetahal
Deputy Controller

Public Education and Outreach



- National IP Training Center
- Working with the IP neutrals for awareness and outreach





Singapore Model

- WIPO Arbitration and Mediation Center Singapore Office established in 2010.
- The WIPO Center collaborates with the Ministry of Law in the promotion of the use of ADR options for intellectual property disputes in Singapore.
- The Ministry of Law has designated the WIPO Center as mediation service provider in Singapore.

https://www.wipo.int/amc/en/clauses/national_court.html

<https://www.ipos.gov.sg/manage-ip/resolve-ip-disputes/mediation>



Singapore Convention on Mediation

- Uniform and efficient framework for international settlement agreements resulting from mediation.
- Applies to international settlement agreements resulting from mediation



**SINGAPORE
CONVENTION**
ON MEDIATION

<https://www.singaporeconvention.org/>



Other Models

- Partnership between the WIPO Center and the Court-Paraguay, Korea, Thailand

https://www.wipo.int/amc/en/clauses/national_court.html

Possible Partnerships

- Partnership with the Mediation Board of Trinidad and Tobago
- Partnership with the CCJ





Ipo Trinbago



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