



### **WIPO IP Mediation Services**

Leandro Toscano Head, Business Development Unit

WIPO Arbitration and Mediation Center



## World Intellectual Property Organization (WIPO)

- Leads development of global IP system to promote innovation and creativity
- IP and Innovation Ecosystems Sector (IES)
  - Helps WIPO Member States develop IP and innovation ecosystems, including through national IP strategies
  - Supports enterprises in IP commercialization and using IP for business growth

Arbitration and Mediation Center

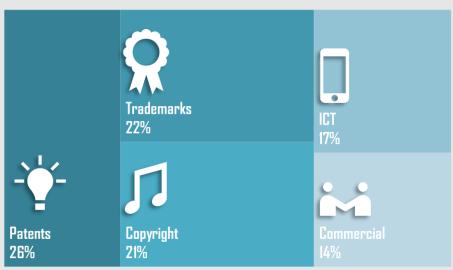
## WIPO Arbitration and Mediation Center

- Facilitates the resolution of commercial disputes between private parties involving IP, through procedures other than court litigation
- International neutrality
- Specialized in IP disputes
- WIPO mediators, arbitrators and experts experienced in IP - able to deliver informed results efficiently
- Mediation, arbitration, expert determination, and domain name dispute resolution

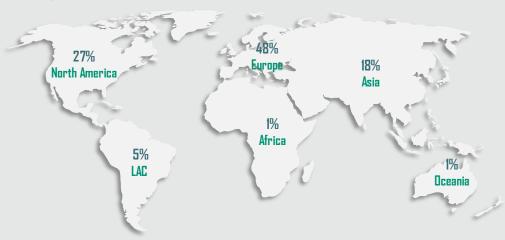


## WIPO ADR Caseload

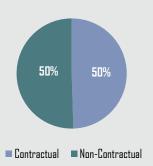
### **Legal Area**



### **Party Location**

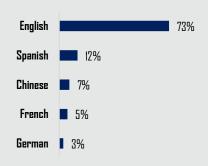


### **Case Source**





### Language



#### **Settlement Rate**





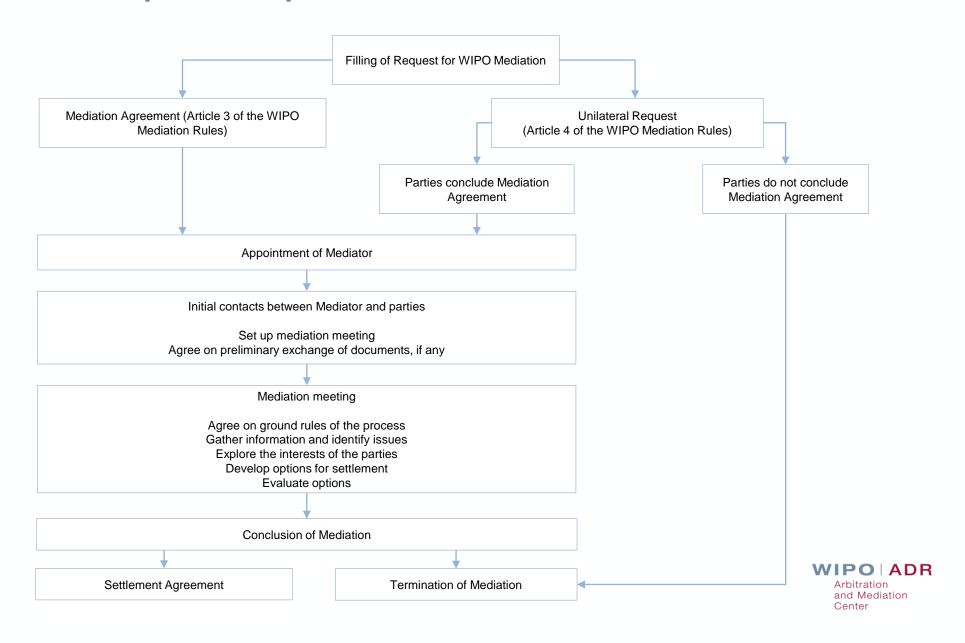
78% settlement rate in 2020 in WIPO Mediation Increased use of WIPO online case tools

+24% in 2020

+30% in 2021



## Principal steps in a WIPO Mediation



## **Mediation Developments**

- Growing acceptance; increased number of cases
- Corporate dispute policies and pledges
- Use of multi-tiered dispute resolution clause
   (e.g., mediation + arbitration, mediation + court litigation)
- Use of technology (e.g., videoconferencing facilities, online case administration WIPO eADR)
- International and national legislative efforts on mediation
- Mediation incentives, promotion schemes





How to... NIPTC/IP Library About

ALTERNATIVE DISPUTE RESOLUTION



The World Intellectual Property Organisation (WIPO) Center provides international services for the resolution of disputes relating to Intellectual Property (IP), in particular, by administering cases under the WIPO Rules for Mediation, WIPO Rules for Arbitration, WIPO Rules for Expedited Arbitration, and WIPO Rules for Expert Determination, as well as procedures for the resolution of Internet domain name disputes.

The WIPO Center also helps develop and administers tailored dispute resolution rules for specific IP related sectors. As an independent, neutral, and non-profit service provider, the WIPO Center maintains an up-to-date dispute management infrastructure and an international database of IP mediators, arbitrators and experts. For list of local IP Neutrals please click the following link.

List of local IP Neutrals

This service can be accessed by downloading the form and following the instructions. The other party shall complete section 2(b). Once completed the form should be emailed to arbiter.mail@wipo.int. Please see the following link to download the form.

Request for WIPO Mediation

www.ipo.gov.tt/ipo-news/alternative-dispute-resolution

Collaboration Example:

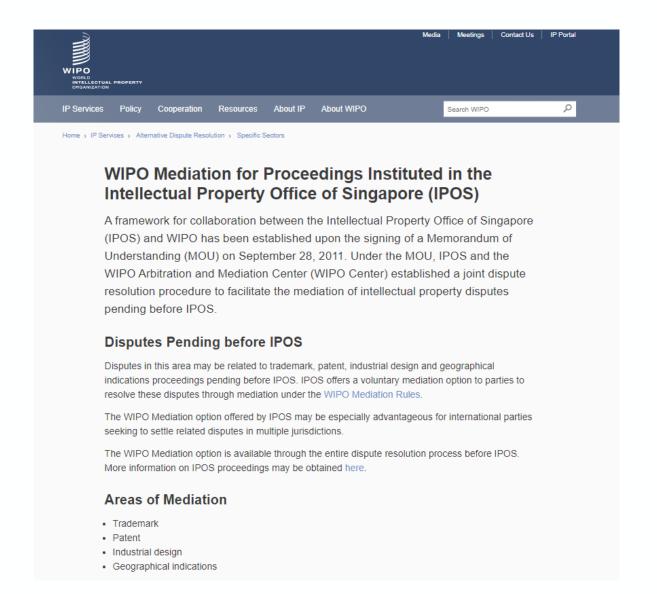
and Tobago Intellectual

**Property Office** 

Mediation for IP Disputes in

Collaboration with Trinidad

## Collaboration Example: Mediation for Trademark Oppositions in Singapore (IPOS)





## Collaboration Example: Mediation for Copyright and Content Disputes in the Republic of Korea (MCST)





# Collaboration Example: Mediation for IP Disputes in China

- Collaboration with SPC of China
- Accreditation by Ministry of Justice of the People's Republic of China as provider of mediation and arbitration service for foreign-related IP disputes in China



## Collaboration Example: Copyright Conciliation

- Copyright Offices of Mexico and Colombia
- Videoconferencing and case administration platform



# Collaboration Example: Mediation for Industrial Property Disputes in Colombia (SIC)





### More on WIPO Mediation

Guide to WIPO Mediation

www.wipo.int/edocs/pubdocs/en/wipo\_pub\_449\_2018.pdf

WIPO Mediation Rules

www.wipo.int/amc/en/mediation/rules

WIPO Mediation case examples

www.wipo.int/amc/en/mediation/case-example.html

General information on mediation

www.wipo.int/amc/en/mediation

Guide to WIPO Mediation





### WIPO Mediation Pledge for IP and Technology Disputes

The World Intellectual Property Organization (WIPO) through its Arbitration and Mediation Center contributes to awareness of alternative dispute resolution (ADR) options for resolving IP and technology disputes.

Without binding parties, the WIPO Mediation Pledge for IP and Technology Disputes seeks to encourage the use of mediation to reduce the impact of disputes in innovation and creative processes.

As a signatory of this Pledge, we recognize that mediation may offer a more collaborative, time- and cost-efficient manner of resolving commercial disputes related to IP and technology than court litigation.

In light of this, to the extent we consider this appropriate:

#### Companies, Universities, R&D Centers, and Individuals

- We are prepared to explore the inclusion of mediation clauses in contracts and agreements we are party to;
- In the absence of such clauses, we are prepared to explore the resolution of existing disputes through mediation.

#### Lawyers and Law Firms

So that clients can make informed choices:

- We are prepared to explore with clients the inclusion of mediation clauses in contracts and agreements they are party to;
- In the absence of such clauses, we are prepared to explore with clients the resolution of existing disputes through mediation.



## 900+ signatories from 100+ countries



Join the Pledge!





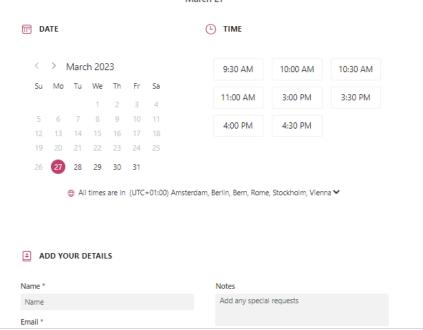
#### WIPO Arbitration and Mediation Center

Orientation sessions on mediation and arbitration for...

If you are involved in an intellectual prop... Read more free · 20 minutes

Booking for Orientation sessions on mediation and arbitration for intellectual property disputes

#### March 27



## Book an orientation session now







- Queries: <u>arbiter.mail@wipo.int</u>
- Further information: wipo.int/amc
- WIPO Center LinkedIn
- WIPO Center Newsletter
- WIPO Center Webinars

