

IP Mediation Conference

1st day (May 30, 2019)

08:30 09:00 **Registration and breakfast**

09:00 09:40 **Welcome** by the Master of Ceremonies Thomas Frydendahl, Legal Consultant, Gorrissen Federspiel

Opening Statements by

- Christian Archambeau, Executive Director, EUIPO
- James South, Managing Director, CEDR
- Dirk De Meulemeester, President, CEPANI
- Patrick Sensburg, Member of the German Federal Parliament (Deutscher Bundestag)

09:40 10:45 **1st Session**

The added value of mediation – Truths and lies about mediation

Panel Leader: Ales Zalar, President of European Centre for Dispute Resolution (Ljubljana), former Minister of Justice of the Republic of Slovenia

Topic 1: SMEs in difficulty

Speaker: Rachel Jones, Rachel Jones, founder and Chief Executive of SnapDragon

Topic 2: Mediating disputes involving SMEs

Speaker: Pierfrancesco C. Fasano, Mediation Case Manager and Scientific Director, MFSD-IP Dispute Resolution Centre and Academy, Milan, Italy

Topic 3: A start-up's experience in helping other SMEs through the mediation process

Speaker: Jean-François Bloch, President, Startingbloch

Topic 4: - A multinational company's view on the value of IP mediation

Speaker: José Checa, General Counsel Brand & Marketing Properties, Nestlé

Topic 5: Mediation and design issues – micro and SMEs

Speaker: Dids Macdonald, Chief Executive, Anti Copying in Design (ACID)

Topic 6: Settlement or bust – getting to lasting solutions: Do you need to enforce?

Speaker: George Lim, Mediator and Senior Counsel, Partner at Wee, Tay & Lim and Chairman, Singapore International Mediation Centre

10:45 11:15 **Discussion**

11:15 11:45 **Coffee break**

11:45 13:00 **2nd Session**

Mediation trends and practices in various IP areas around the globe

Panel Leader: Geert Glas, Attorney at Law, Allen & Overy LLP

Topic 1: Global trends in IP mediation

Speaker: Nadja Alexander, Director at Singapore International Dispute Resolution Academy (SIDRA) and Professor at Singapore Management University

Topic 2: Mediation in the patent field: the UKIPO's practice

Speaker: Stephen Probert, Senior Mediator, UK Intellectual Property Office

Topic 3: Mediation and other IP dispute resolution tools in EUIPO

Speaker: Sophia Bonne, Head of the Alternative Dispute Resolution Service in the Boards of Appeal, EUIPO

Topic 4: Mediation at WIPO

Speakers: Ignacio de Castro, Deputy Director of the Arbitration and Mediation Center, WIPO

Topic 5: IP mediation in the Baltic states : Lithuania, Latvia and Estonia

Speaker: Dr. Natalija Kaminskienė, Mykolas Romeris University, Mediator, Advocate

Topic 6: IP mediation in Singapore

Speaker: George Lim, Mediator and Senior Counsel, Partner at Wee, Tay & Lim and Chairman, Singapore International Mediation Centre

Topic 7: IP mediation at Shanghai Commercial Mediation Center

Speaker: (TBC)

13:00 13:30 **Discussion**

13:30 15:00 **Networking lunch**

15:00 16:05 **3rd Session**

Judicial IP mediation

Panel Leader: Louise Otis, former Judge at the Court of Appeal, Montréal & Professor at McGill University, Faculty of Law

Topic 1: Simple Justice: an Italian project with international ambition

Speaker: Paola Lucarelli, Professor of Commercial law, University of Florence

Topic 2: IP Court mediation: a German perspective

Speaker: Monika Rhein, Presiding Judge, Regional Court Munich and Mediator

Topic 3: The mediation system established by the agreement on the Unified Patent Court (AUPC)

Speaker: Angel Galgo Peco, President of Chamber No. 28, Court of Appeal of Madrid, specialised in commercial matters

Topic 4: Judicial mediation: a European perspective
Speaker: HH Nicholas Chambers QC, Vice President, GEMME Europe

Topic 5: EU Domain Name Dispute Resolution
Speaker: Petr Hostaš, Member of the Board at the Czech Arbitration Court

Topic 6: CCBE's view on judicial mediation
Speaker: Christian Lemke (CC), CCBE Vice-Chair of the Future of the Legal Profession and Legal Services Committee, Council of Bars and Law Societies of Europe, CCBE, Brussels and German Bar Certified Specialist Lawyer for IP Law

16:05 16:35 **Discussion**

16:35 17:40 **4th Session**

Artificial Intelligence (AI) and Mediation

Panel Leader: Sven Stürmann, Chairperson of the 2nd Board of Appeal and accredited Mediator (CEDR), EUIPO

Topic 1: AI trends and AI definition in the context of mediation – a journey from the past to the future
Speaker: Barrou Diallo, Head of Innovation, European Patent Office

Topic 2: The future of online mediation – AI mediators and AI evaluative tools
Speaker: Ryan Abbott, Professor of Law and Health Sciences, University of Surrey School of Law and Mediator and Arbitrator, JAMS.

Topic 3: Facilitating the mediation agreement – smart contract and self-executing contact using AI
Speaker: Arno R. Lodder, Professor of Internet Governance and Regulation at Vrije University (Amsterdam), Counsel, SOLV Lawyers

Topic 4: *Lex Machina*: How can AI enhance dispute resolution?
Speaker: John Zeleznikow, Professor of Information Systems, Laboratory of Decision Support and Dispute Management, College of Business, Victoria University (Australia)

Topic 5: Online mediation and data protection
Speaker: Charlotte Gerrish, Solicitor (England & Wales & Ireland), Avocat (Paris) of Gerrish Legal, judge-mediator at Court Internationale de Médiation et d'Arbitrage

Topic 6: AI and meditation – ethics to be considered
Speaker: Daniel Rainey, Member of the US National Center for Technology and Dispute Resolution, Board Member of the International Council for Online Dispute Resolution, Editor in chief of the International Journal of Online Dispute Resolution

17:40 18:10 **Discussion**

21:00 00:00 Official dinner with dinner speaker Avi Schneebalg, civil judge and professor of negotiation and mediation

2nd day (May 31, 2019)

09:00 12:20 **5th Session**

How far can the mediator go? - Intervention and influencing skills in IP disputes

Panel Leader: James South, Managing Director, CEDR

Panel members:

- **Susanne Schuler, Director of Training and Consultancy, Senior Consultant & Mediator, CEDR**
- **Eve Pienaar, Mediator, CEDR**
- **Christopher Newmark, Mediator, CEDR**
- **Stephen Bate, Mediator, CEDR**

09:00 09:15 **Introduction – objectives & warm up exercise**

09:15 09:45 **Topic 1: Approaches to mediator Intervention**

- ❖ The orthodoxy
- ❖ The paradox – neutrality and power imbalance
- ❖ The catch 22 – what clients want
- ❖ Reality – continuum of intervention – options and CEDR audit results

09:45 10:20 **Topic 2 : Practical use of different interventions in IP disputes**

10:20 10:40 **Coffee break**

10:40 10:50 **Topic 3: Review of effective interventions**

10:50 11:10 **Topic 4: Introduction of influence**

- ❖ Intro game
- ❖ Overview of heuristics
- ❖ Definition of influence
- ❖ Is it ok for mediations to influence parties?

11:10 11:35 **Topic 5: Understanding principles of influence**

- ❖ Quiz
- ❖ Overview of 6 principles with examples

11:35 12:10 **Topic 6: How can a mediator use influencing skills effectively and appropriately?**

- ❖ Considerations regarding circumstances and how to use influencing techniques

12:10 12:20 **Review**

12:20 13:00 **6th Session**

Hybrid and cutting edge mediation techniques

Panel Leader: Gordon Humphreys, Chairperson of the 5th Board of Appeal and accredited Mediator (CIArb), EUIPO

Panel members:

- **Nadja Alexander, Director at Singapore International Dispute Resolution Academy (SIDRA) and Professor at Singapore Management University**
- **Ioanna Anastassopoulou, President of the Hellenic Mediation & Arbitration Centre (Athens), Senior Partner at PPT Legal, Legal Counsellor of the Association of Public and Private Limited Companies**
- **Alya Ladjimi, Deputy Manager at the ICC International Centre for ADR**

Panel discussion on med-arb and arb-med and other new combined ADR forms

13:00 13:30 **Discussion**

13:30 13:50 **Closing remarks** by Théophile M. Margellos, President of the Boards of Appeal

13:50 15:20 **Networking Lunch**